

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Fort Lauderdale Division

Case Number: _____

TANNEN CAMPBELL,

Plaintiff,

vs.

MAGIC LEAP, INC., a Delaware
corporation,

Defendant.
_____ /

Complaint – Jury Trial Demanded

Plaintiff, Tannen Campbell, sues defendant, Magic Leap, Inc. and
says:

Introduction and Summary

1. This is an action for hostile environment sex discrimination and retaliation brought by Tannen Campbell ("Campbell" or "plaintiff"), former Head of Strategic Marketing and Brand Identity and, later, Vice President of Strategic Marketing and Brand Identity, against her former employer, Magic Leap, Inc. ("Magic Leap" or "defendant").



Magic Leap is a “unicorn”—a startup company valued at more than \$1 billion¹ even though it has yet to bring a product on the market. It is developing a mixed-reality headset—a headset containing a virtual retinal display which superimposes 3D computer-generated imagery within the real world. Magic Leap, touted as one of the most well-funded startups of all time, employs over 1,000 employees in facilities in Broward County, Florida; New Zealand; Dallas and Austin, Texas; Mountain View and Los Angeles, California; and Seattle, Washington. Regrettably, few of those employees are women, either in the ranks or in management.

Campbell, one of whose responsibilities was to help Magic Leap with the “pink/blue problem,”² had to endure hostile environment sex discrimination while proposing ways, not only to make Magic Leap’s product more woman friendly, but also to make the workplace more diverse and inclusive. Campbell was terminated after (and because) she, like the child in “The Emperor’s New Clothes”³ who blurted out that the Emperor was

¹Magic leap was valued at \$5.7 billion prior to a critical report published on December 8, 2016 by The Information, <https://www.theinformation.com>, an online source of tech news that reported, “Magic Leap’s forthcoming product won’t include the technology that has dazzled people in private demonstrations.” Since then, Magic Leap stock has taken a 20 percent plunge in the secondary market.

²The “pink/blue problem” is a term used by Magic Leap internally to define its marketing problem: the company is a large group of men designing a device for men that doesn’t appeal to women; the only solution the company has been able to come up with is to make a pink version of the product.

³“The Emperor’s New Clothes” is a short story written by Hans Christian Andersen, about two weavers who promise an emperor a new suit of clothes
(continued...)

naked, challenged Magic Leap’s CEO, Rony Abovitz, to acknowledge the depths of misogyny in Magic Leap’s culture and take steps to correct an gender imbalance that negatively affects the company’s core culture and renders it so dysfunctional it continues to delay the launch of a product that attracted billions of investment dollars. Campbell also raised concerns that what Magic Leap showed the public in marketing material was not what the product actually could do—admonitions ignored in favor of her male colleagues’ assertions that the images and videos presented on Magic Leap’s website and on YouTube were “aspirational,” and not Magic Leap’s version of “alternate facts.”

Campbell sues pursuant to Title VII of the Civil Rights Act of 1964, as amended (“Title VII”), for damages, including punitive damages; equitable relief including reinstatement or front pay; and her costs, including reasonable attorneys’ fees.

Jurisdiction and Venue

2. This action arises under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. (“Title VII”) Jurisdiction is founded on 28 U.S.C. §§ 1331 and 1343(a)(4) and 42 U.S.C. § 2000e-5(f)(3). The

³(...continued)
that they say is invisible to those who are unfit for their positions or “hopelessly stupid.” The weavers mime dressing the Emperor. When the Emperor parades before his subjects in his “new clothes,” the Emperor’s ministers and the town’s people before whom he parades, as well as the Emperor himself, cannot see the clothes but pretend they can for fear that they will be seen as unfit for their positions, stupid, or incompetent. Finally, a child cries out, “But he isn’t wearing anything at all!”

Court has jurisdiction to grant declaratory and further relief pursuant to 28 U.S.C. §§ 2201 and 2202.

3. Venue is proper in the Fort Lauderdale Division of the Southern District of Florida pursuant to 28 U.S.C. § 1391(b) because the claims arose there and Magic Leap's principal place of business is in Broward County, Florida.

Parties

4. Campbell, at all times material, was protected by Title VII because:

- a. she is a woman who suffered discrimination; and
- b. she opposed what she reasonably believed to be unlawful under Title VII.

5. Magic Leap is a Delaware corporation, the principal office of which is in Florida, that employs more than 501 persons. It is an "employer" as envisioned by 42 U.S.C. § 2000e(b).

Satisfaction of Conditions Precedent

6. Campbell filed a charge of discrimination with the EEOC on or about December 21, 2016. The EEOC issued Campbell a Notice of Right to Sue dated February 8, 2017, within 90 days of her receipt of which she is filing this action.

7. All other conditions precedent have been satisfied or waived.

Applicable Statutory Provisions

8. Title VII provides at 42 U.S.C. § 2000e-2(a):

It shall be an unlawful employment practice for an employer —

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's ... sex ...; or

(2) to limit, segregate, or classify his employees ... in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's ... sex....

9. Title VII further provides at 42 U.S.C. § 2000e-3(a):

Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings. It shall be an unlawful employment practice for an employer to discriminate against any of his employees ... because he has opposed any practice made an unlawful employment practice by this title,

General Allegations

Magic Leap hires Campbell to help with the "pink/blue problem."

10. Campbell, who formerly was a creative director for a digital advertising agency, was hired by Magic Leap in April 2015 as Head of Strategic Marketing and Brand Identity by its CEO, Rony Abovitz.

11. Abovitz, who founded Magic Leap in 2011, interviewed Campbell in March 2015 after she applied for a job with Magic Leap. During the interview, Campbell joked that all of advertising was a "boys club." Abovitz replied that tech was the same way, but he wanted his company to be different, and asked Campbell if she could help with that. Campbell happily responded that she could.

12. Magic Leap had not a single woman in leadership at the time it hired Campbell, and the company was designing a product and experience,

that company leadership recognized was designed for men. All the engineers and others in predominately-male Magic Leap could conceive of to make the product female friendly was to produce a version in pink. Abovitz articulated one of his reasons for hiring Campbell: "She can help with the pink/blue problem."

Magic Leap was run by Abovitz sycophants.

13. Magic Leap is run by people comprised largely of Abovitz sycophants including:

a. Henk Vlietstra, Chief Administrative Office, who despite no formal training in human resources, functions as the company's chief human resources officer. Vlietstra rarely disagrees with Abovitz; he also—by ineptitude, ignorance or unwillingness to press Abovitz—has done and failed to do things that have allowed a corporate culture inhospitable to women to develop and persist. For example:

i. Vlietstra has not issued a company handbook and no articulated official policies exist prohibiting illegal discrimination, harassment and retaliation exist within Magic Leap —other than self-serving tweets posted by Abovitz designed make himself appear in a favorable light.

ii. Vlietstra has not instituted programs or made the right hires to fix major cultural issues at Magic Leap. For example, unlike virtually every employer with a website, the Magic Leap website nowhere states that it is an equal opportunity employer and wants women to be

among the “Wizards” it is seeking in the “Wizards Wanted” section of its website. Indeed, given that a “wizard” generally is defined as “a man who has magical powers,” and virtually without exception images of wizards are male, Magic Leap’s recruiting verbiage contains a not-so-subtle “women-need-not-apply” message.

iii. Despite the substantial workforce, Vlietstra did not hire a director of diversity when major complaints from all protected classes, including women, arose.

b. Scott Henry, CFO, is the kind of man who sits a little too close to women and makes them feel uncomfortable with his body language, flirting and objectification. He generally treats women as objects of beauty (or not) rather than co-workers worthy of respect. He is a bully and when he does not get his way, he belittles his adversary.

c. Eric Akerman, Vice President of IT, is a high school buddy of Abovitz. He is a loud and outspoken and several misogynistic comments have emanated from his department and from him.

d. Mark Albert, General Counsel, is a transactional attorney whose primary focus has been on mergers and acquisitions, venture capital financings, and initial public offerings, not employment law.

e. Rachna Bhasin, a New Zealander hired in fall 2015, is Chief Business Officer. She is the perfect Magic Leap female employee: she went Harvard, never disagrees with Abovitz and always does Abovitz’s

bidding even when common sense or her own experience run counter. She makes the company appear diverse and inclusive although it is not.

14. At all material times, the employees identified in paragraph 13 were working within the course and scope of their employment and authority.

Campbell prepared a presentation that describes Magic Leap's gender problem and proposed solutions, which Abovitz ignored.

15. In the first few months that Campbell worked for Magic Leap, in addition to her regular work, she put together an approximately 50-slide PowerPoint® presentation ("deck") about gender diversity statistics across the tech industry, as well as at Magic Leap, plus ideas of things Magic Leap could do to improve diversity in its workplace and make it more woman friendly.

16. For example, while only 30 percent of total jobs and 13 percent of engineering jobs in tech are held by women, and only three percent of leadership positions, Magic Leap's track record was even worse: in addition to having **no** women in leadership positions, only 14 percent of its employees (including clerical, human resources and marketing) and three percent of its engineers were female. As Campbell showed in one slide in her deck, Magic Leap got an "F" in gender equality and equal employment opportunity.

17. The deck also highlighted reasons why Magic Leap should care about diversity, both in its workplace and with regard to marketing its product, including:

a. statistics demonstrating that companies who maintain gender diversity and employ women in leadership roles see greater return on their investments across the board, and

b. statistics showing that women make tech buying decisions for the household, comprise the majority of gamers and use technology more often than men.

18. Campbell proposed ideas for the short term that could be implemented immediately, including:

a. creating and appending an "Equal Pay Guarantee" stamp or seal on all Magic Leap's position descriptions in recruiting material and elsewhere, evidencing Magic Leap's commitment to equal pay for equal work within the same tier;

b. "fishing where the fish are" by recruiting employees from a list of colleges, provided by Campbell, with the highest number of women in STEM (**S**cience, **T**echnology, **E**ngineering and **M**athematics) departments;

c. assigning a recruiter whose only job would be "partner placement" — helping the husbands and partners of women job applicants who were not the primary earners in their households get a great job, too, thus making moving to Florida easier;

d. implementing a gender-focused Rooney Rule⁴ in recruiting, requiring that for every five candidates brought in, two must be women and must be interviewed and considered; and

e. demonstrating a commitment to encouraging young girls' interest in tech education by replacing the "swag"—T-shirts, notebooks and the like—handed out to important visitors with a donation in the important visitor's name to *Girls Who Code*, an organization devoted to overcoming the gender gap in tech jobs.

19. Campbell also proposed mid-term goals that could be implemented in the next six-months-to-a-year including:

a. creating an internal mentorship program pairing men with women;

b. increasing paternity leave to show that Magic Leap values a man's role in child caregiving and allows busy moms to return to work sooner if they choose;

c. tying diversity to extra bonuses, e.g., giving a department head an additional bonus for increasing gender diversity;

d. implementing mandatory "unconscious bias training" for leadership;

⁴The Rooney Rule is a National Football League policy that requires league teams to interview minority candidates for head coaching and senior football operation jobs. It is sometimes cited as an example of affirmative action, though there is no quota or preference given to minorities in the hiring of candidates.

e. creating “parents’ guides” for cities where Magic Leap had offices, and listing recommended doctors, babysitters, etc. for newcomers; and

f. establishing internships for female students to code/build for mixed reality.

20. Finally, Campbell’s presentation proposed long-term goals, including:

- a. having an onsite daycare facility;
- b. sponsoring an internal Girls Who Code project, where girls from the program are mentored and taught mixed reality technology onsite;
- c. creating inviting and private “mom rooms” where nursing mothers could pump breast milk;
- d. donating to the organizations that made the biggest difference in solving the “pipe flow problem”—the fact that few women apply for tech jobs; and
- e. establishing a speaker series at Magic Leap that brings in tech’s most successful female thinkers, e.g., Sheryl Sandberg and Meg Whitman.⁵

⁵Sandberg is the COO of Facebook and the author of *Lean In: Women, Work, and the Will to Lead*. Time magazine named her as among the 100 most influential people in the world. Whitman currently is the President and CEO of Hewlett Packard Enterprise; she ran unsuccessfully for President of the United States in the 2016 primaries. Previously, Whitman held a number of high level executive positions including as President and CEO of Hewlett-Packard Company and of eBay.

21. The first deck was ready for Abovitz's review in July 2015, but despite Campbell's efforts—the meeting was scheduled and cancelled six times—Abovitz did not meet with Campbell to review the presentation until February 10, 2016. At that meeting—which also was attended by Campbell, Vlietstra and Laura Laugenhaug, Magic Leap's then-Vice President of Human Resources who has since left the company—Abovitz arrived late and allowed Campbell to get through only about half of the presentation before terminating the meeting, and telling her to schedule a second meeting to finish going over the deck.

22. Campbell attempted three times over the next three months to schedule a meeting with Abovitz to finish presenting the deck, but each attempt resulted in the same response from his secretary: this was not among Abovitz's priorities. After the third time, Campbell got the message and gave up.

23. Campbell did not speak again to Abovitz about the deck until September 2016, when she was promoted to Vice President of Strategic Marketing and Brand Identity, as more particularly described in paragraph 48.

Meanwhile, Abovitz paid lip-service to gender issues and created the Female Brain Trust Initiative ("FBI") and Women's Inclusion Network ("WIN"), which did nothing.

24. Abovitz, in May 2016, asked Bhasin to head up a "female brain trust initiative"—the "FBI." Originally, the FBI was tasked to influence

product design and content to insure Magic Leap was not designing just for men.

25. The group's initial meeting took place May 18, 2016 and included Bhasin, Campbell and five other women from around the company as well as Abovitz and Gary Natsume, Vice President of Product Design and a couple of male members of his team. Bhasin had not prepared an agenda for the meeting and no one took notes. Natsume presented a prototype of the device and its power supply, which was housed in a "belt pack." Women recommended changes to the design, such as not having the headset connect in the back of the head because such a connection is difficult for people with ponytails or long hair. The women also recommended using a less stiff, lighter cable to connect the device to the belt pack, because the existing one got caught in hair and jewelry. They also recommended a new way to attach the "belt pack," since women often do not wear belts. A chaotic discussion with people talking over each other followed. The group made no decisions and none of the proposed changes were made to the design.

26. Bhasin planned to announce the formation of the group—albeit without any goals or support—to the company December 22, but didn't due to the events described in paragraph 59 below. When planning the announcement, Campbell suggested Abovitz or Vlietstra make the announcement to give the impression that the group's formation was an

important event and not just a women's "sewing circle." Vlietstra did not respond to Campbell's request.

27. The FBI, far from being a company effort to support gender diversity and inclusion, never had any charter, financial support or a true leader. It was window dressing.

28. Later meetings did not include Abovitz or any of the other men, but like the first, resulted in no recommendations and no clear path forward.

And all the while, Magic Leap tolerated sexist comments and attitudes.

29. Campbell, in May 2015, presented several composited images she had created to a group of people. One of the images depicted a male and female doctor. One of the members in the group commented that the male doctor looked like actor George Takei. Another male employee piped in commenting, "Yeah, and look, it's Bring Your Wife to Work Day."

30. One of the only three or four core apps that will ship on Magic Leap's standard headset is a game, "Dr. G.," that has no female heroes or lead characters and the one female character, who is in the game back story, but not the game itself, is a busty woman depicted on her knees goveling at the heroes' feet in admiration. During her tenure with Magic Leap, Campbell complained repeatedly and to no avail to the game's developer that the game was misogynistic, and included the game in the her gender diversity deck as an example of what Magic Leap was doing wrong.

31. Senior Engineer Eric Adams sent out an email December 4, 2015 through a company email list serv for social activities for Magic Leap employees and their families, which email bore the subject line, "Board (sic) Wives at home while you are loving it at the Leap," which stated:

Hello Leapers:

My wife is starting a Google group outside of the MagicLeap locked domain.

It is called "Magic Leap spouses" and should be findable as such.

<https://groups.google.com/forum/#!forum/magic-leap-spouses>

It is sort of a social meeting place for all the spouses that have been displaced, alone in the daytime and are new to the area, would like to have lunch with or just to have someone local to hang out with when their significant other is slaving away at work thru-out the 12-Hr day. Or are they just nagging you because you moved here?

Please forward this Email to your wife if she would like to get better acclimated to South Florida. The group is not public and is reasonably private (by email invite/accept) as to not accidentally disclose any Magic Leap secrets.

The gender-neutral reference to "spouses" notwithstanding, implicit in the subject line and the reference to "your wife" is the assumption—which is not too far from wrong—that all the employees were men with wives who didn't work outside the home and were "alone in the daytime."

32. Euen Thompson, an IT Support Lead, on November 16, 2016, gave a tutorial to a group of seven new hires, including two women, how to use Magic Leap's IT equipment and resources. One woman asked Thompson a question in front of the group and Thompson responded, "Yeah, women always have trouble with computers." The women in the group, in

apparent disbelief, asked Thompson to repeat what he said and Thompson replied, "In IT we have a saying; stay away from the Three Os: Orientals, Old People and Ovaries."

33. A female direct report and a male peer told Campbell of the comments and Campbell immediately went to then-Vice President of Human Resources, Laura Langenhaus, told her what happened and that she expected Thompson to be fired. Langenhaus said she would get back to Campbell, but did not for over a week despite several follow-up calls and emails.

34. Finally, approximately two weeks later, Langenhaus's boss, Chief Administrative Officer Vlietstra spoke to Campbell and told her that he understood what Thompson did was very offensive, but Thompson was both humiliated and sorry and would not be allowed to do the new hire orientation in the future. Campbell asked Vlietstra why Magic Leap hadn't fired Thompson and Vlietstra responded that he couldn't fire Thompson because he was African American and there were white men who had done "far worse" and if Magic Leap fired Thompson, he could sue them because he had been fired, but not the white guys. Campbell, outraged, asked, "Why not fire them all?" Vlietstra answered: "Because we need the white guys. They're important. We need them. I know you're upset, but my hands are tied."

35. Later, Thompson resumed giving new hire orientations.

36. Jeremy Liebs, a male engineer in the Mountain View office, in August, September and October 2016, constantly posted to Slack, a company-wide messaging platform, comments that were aggressive and critical toward Campbell and Devin Zimmerman, the woman who runs social media for Magic Leap whom Campbell managed. Both Campbell and Zimmerman complained in writing in September and October to Vlietstra, who responded to Campbell, "We're taking care of it," but nothing was done.

37. Campbell met September 28, 2016 with Magic Leap CFO Henry and Head of Operations Tina Tuli for a conference call with the CFO and leadership team at R/GA, an award-winning international advertising agency that was Magic Leap's advertising agency of record. During the call, Henry said of the product under development, "I'm sitting here between two beautiful ladies. They're not going to want to put a big ugly device over their pretty faces. And I have an office with glass doors, I don't want people to see me with these beautiful girls with ugly things on their faces." Later, one of the male R/GA executives on the call asked Campbell if Henry frequently made sexist comments like he had made. A female executive at R/GA also was offended by Henry's remarks.

38. Just before the call with R/GA had started, Henry who had printed an email from Tuli that had a photo icon with Tuli's picture on it, pointed to the picture and said in the presence of Campbell, "You know

what I love most about all the emails you send me, Tina? I get to see your beautiful smile smiling back at me.”

39. Vice President of IT Akerman, on November 8, 2016, told a large group of people who asked why he voted for Trump that it was “because Melania is hot.”

Magic Leap kept women in their place.

40. Women are not seen fit to manage men in any Magic Leap department (hence their lack of number in leadership).

41. Women are not seen as capable of the engineering jobs closely tied to Magic Leap’s product. Instead they are allocated to the “softer” sciences like marketing, human resources and administrative roles.

42. Women were not seen as contributors to the design of the product—the Product Design department is all male—and the FBI, which gave feedback regarding the product, was ignored.

43. Women were not treated like part of the team, but rather were absent from large lunch tables and happy hours of all men.

44. Women were not mentored by senior leadership, who spent their valuable time with men.

45. Women even were told not to speak up in company meetings at times, something Campbell never witnessed happen to men.

Magic Leap made Campbell a Vice President only after she asked to be promoted.

46. Campbell met with Vlietstra at Campbell’s request on or about September 20. Campbell never had had a formal evaluation. During the

meeting, Vlietstra gave Campbell no negative feedback and told Campbell more than once during the meeting, “We love you here and your work speaks for itself.” Validated, Campbell asked for a raise and the title of Vice President. She also told Vlietstra during the meeting that she still had issues with leadership and decision making—that Abovitz was incapable of making decisions, but rather kept putting things off pending more meetings and assigning more people to solve the problem, which was one of the primary reasons Magic Leap could not bring its product to market. Campbell also told Vlietstra she continued to have issues with gender diversity, in response to which Vlietstra told Campbell he was “working on it” and offered to set up a meeting with Abovitz to discuss the promotion.

47. Campbell met with Abovitz on or about September 22, 2016. Abovitz went over his 24-point description of the ideal “Leaper” (employee) in an hour-long monologue. When time ran out, Campbell pointed out that the purpose of the meeting was to discuss her future at Magic Leap and Abovitz told her to set up another meeting.

48. At a the third meeting on or about September 27, which Campbell, Abovitz and Vlietstra attended, Abovitz also asked Campbell how things were going and she told him she had some “pain points” around the product definition and decision making and still had problems with gender diversity and inclusion issues. Abovitz asked her to elaborate on the gender discrimination issue. In response, Campbell asked Abovitz to remember the deck and how it was ignored. She also told Abovitz that misogyny comes

on a sliding scale from “unconscious bias to malicious hate” and that she had seen both at the company and everything in between.

49. As an example of more egregious comments, Campbell told Abovitz of the “Three Os” incident and Vlietstra’s lack of any meaningful discipline in response. As an example of unconscious bias, she told him of an IT employee who was helping Campbell a new logo into the email system. Cognizant that she was taking up a lot of the employee’s time with minor changes to get the logo “perfect,” Campbell apologized for taking up so much of the employee’s time, to which he responded, “Oh, don’t worry, I get it. You’re a woman and you care that things look pretty. I’m a man. I just get the work done.”

50. Abovitz demanded an explanation from Vlietstra why nothing more had been done. Campbell could tell Vlietstra was furious with her for bringing it up, and Vlietstra told Abovitz the two men needed to talk alone about why the issue had not been resolved.

51. By the end of the third meeting, Campbell, Abovitz and Vlietstra still had not talked about the promotion Campbell had requested. Campbell tried to turn the conversation to the promotion, but Abovitz was non-committal. He told her to follow-up with Vlietstra and that “we’ll figure this out.” In the days that followed, Campbell followed up with Vlietstra two or three times.

52. Finally, in early October, Vlietstra told Campbell the promotion was “done.” But Magic Leap made no announcement either to her team or

to the company as a whole. Campbell never was listed as an officer on the website as were other male vice presidents. Only her title changed and she received a small raise.

Magic Leap marginalized Campbell after her promotion.

53. During Campbell's last four months at Magic Leap, Abovitz—who always had been pouty and prone to temper-tantrums, began to dig his heels in even more in the face of dissenting ideas and to explode ever more frequently into child-like fits of rage, threatening retribution when he didn't get his way, felt betrayed or was portrayed publically in an unfavorable light.

54. CFO Henry, on September 14, 2016, told Campbell he wanted James Temple, creative partner at Magic Leap's advertising agency of record, R/GA, to join the agency team. Campbell told Henry this was not a good idea because she already had established and trained the existing agency team over the last nine months and they were doing excellent work and because Temple lived in London.

55. Henry told Campbell she was being "emotional" and "sensitive" and accused her of feeling "threatened." Campbell denied feeling threatened and explained her logical business reasons for not accommodating his request. Henry disregarded Campbell's position and invited Temple to join the team anyway.

56. Abovitz and Bhasin, the Chief Business Officer who had never met anyone from either agency and had no idea what value they provided,

in October 2016, fired both agencies Campbell relied upon to do her work: R/GA and Pentagram. This left her powerless to execute her strategies and plans.

57. Abovitz, in October, November and December, disinvited Campbell to senior leadership meetings and told her she didn't own the brand and, instead, she needed to set up a "brand brain trust" consisting of a male comic book artist, the male Vice President of Product Design and the male Lead UX/UI.⁶

58. Abovitz, in mid-November 2016, directed Campbell to interview people within the company about their opinions of the company and the brand in the hope of gathering some themes that appealed to the inner company. Campbell protested that they needed to build a brand for a target audience that would buy the product, not the people in the building (or Abovitz himself), but Abovitz insisted.

59. Campbell complied with Abovitz's request and developed a presentation of which she was very proud that she believed perfectly balanced the target's needs with those of Abovitz that she was due to present on December 20. Instead, she was called into a meeting with Vlietstra, General Counsel Albert, her newly hired boss, Brenda Freeman and another woman from HR and told her position was being eliminated and her employment was terminated.

⁶UX is user experience. UI is user interface.

60. Magic Leap offered Campbell three-months severance if she signed an agreement releasing all claims against the company. She refused, turned in her computer and badge and left the building.

Magic Leap's conscious and unconscious bias against women created dysfunctionality in the workplace.

61. Due in large part to its gender imbalance and the misogynistic attitudes and behavior of its male employees, including executive management, Magic Leap's corporate culture is one of macho bullying, where women's work and ideas, including those of Campbell, are ridiculed openly and their opinions are ignored in favor of those of those of their male counterparts.

62. The macho bullying atmosphere at Magic Leap fosters a dysfunctional culture which creates chaos and lack of process and structure, hinders the company from achieving key product deadlines (including launch, which has shifted back at least 4 times in Campbell's 1.5 years at the company) and, literally, prevented Campbell from doing the job she was hired to do or achieving the goals she and Abovitz had discussed during her initial interview: helping with the "pink/blue problem" or making Magic Leap less of a "boys club."

63. Sadly, because Magic Leap seldom hires and does not actively recruit female candidates, the company loses competitive advantage to products like Microsoft's HoloLens. Microsoft, which employs far more females on its team, developed its similar product on a faster time line with more content that appeals to both genders.

**Count I: Hostile Environment Sex Discrimination
in Violation of Title VII**

64. Plaintiff realleges and adopts, as if fully set forth in this Count, all of the allegations in paragraphs 1 through 63.

65. Magic Leap, through its CEO Abovitz and other highly placed executive officers of the company, caused or allowed the conditions and conduct described in paragraphs 12, 13, 16, 21, 22 and 25-63, which evidenced that:

- a. women were not welcome in the Magic Leap workplace;
- b. women had limited opportunities to advance in the Magic Leap workplace;
- c. women's ideas and contributions were not valued in the Magic Leap workplace; and
- d. women were not viewed as having the skills critical to the tech world because they were stereotyped as wives, homemakers, sex objects and adorers of men in the Magic Leap workplace.

66. The conditions and conduct referred to in paragraphs 12, 13, 16, 21, 22 and 25-60 were both subjectively and objectively offensive, and were sufficiently severe or sufficiently pervasive, or both, to create a discriminatorily abusive work environment that affected plaintiff in the "compensation, terms, conditions and privileges of employment" as envisioned by 42 U.S.C. § 2000e-1(a)(1), including as more particularly described in paragraphs 46 through 52, 53 through 60, 61 and 62, and violated plaintiff's rights under Title VII of the Civil Rights Act of 1964.

67. Campbell's gender was the substantial, motivating factor in the treatment of Campbell and other women in the Magic Leap workplace.

68. As a direct, natural, proximate and foreseeable result of the actions of Magic Leap, Campbell has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses.

69. Magic Leap's upper management, including its CEO, Abovitz, was aware both that discrimination based on sex is against the law and of the gender-based hostility that women who worked there suffered and countenanced or approved it. Magic Leap's intentional and purposeful acts of creating and sustaining an environment so hostile to women exhibits oppression, malice, gross negligence, willful or wanton misconduct, or a reckless disregard for Campbell's rights so as to entitle her to an award of punitive damages against Magic Leap to punish it for its conduct and to deter others like it from such conduct in the future.

70. The sex discrimination that Campbell is suffering, in violation of the statutory rights to be free from such discrimination, constitutes irreparable harm for which there is no adequate remedy at law.

71. Campbell is entitled to recover reasonable attorneys' fees and litigation expenses pursuant to 42 U.S.C. § 2000e-5(k) for her Title VII claims.

WHEREFORE, plaintiff, Tannen Campbell, prays that this Court will:

One, issue a declaratory judgment that Magic Leap's practices toward Campbell violated Campbell's rights against sex discrimination under Title VII;

Two, enjoin Magic Leap and its agents from continuing to violate Campbell's statutory rights under Title VII and to make Campbell whole through reinstatement, back pay and restoration of seniority and benefits;

Three, enter a judgment for Campbell and against Magic Leap for damages, including punitive damages;

Four, grant Campbell her costs and reasonable attorney's fees pursuant to 42 U.S.C. § 2000e-5(k); and

Five, grant Campbell such other and further relief as the circumstances and law provide.

Count II:
Opposition-Clause Retaliation in Violation of Title VII

72. Plaintiff realleges and adopts, as if fully set forth in this Count, all of the allegations in paragraphs 1 through 63 and 65 through 67.

73. Campbell reasonably believed that the conditions and conduct she encountered at Magic Leap and about which she complained to Abovitz and others as alleged in paragraphs 15 through 22, 30, 33, 34, 36, 46, 48 and 49 above, constituted unlawful employment practices under Title VII.

74. Magic Leap terminated Campbell because of her protected activity in opposing unlawful sex discrimination.

75. The actions of Magic Leap violated § 2000e-3(a) of Title VII of the Civil Rights Act of 1964.

76. As a direct, natural, proximate and foreseeable result of the actions of Magic Leap, Campbell has suffered past and future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses.

77. Magic Leap's upper management, including its CEO, Abovitz, was aware retaliation for opposing illegal gender discrimination is against the law and countenanced or approved it. Magic Leap's intentional and purposeful acts of terminating Campbell exhibits oppression, malice, gross negligence, willful or wanton misconduct, or a reckless disregard for Campbell's rights so as to entitle her to an award of punitive damages against Magic Leap to punish it for its conduct and to deter others like it from such conduct in the future.

78. The retaliatory discrimination that Campbell is suffering, in violation of the statutory rights to be free from such discrimination, constitutes irreparable harm for which there is no adequate remedy at law.

79. Campbell is entitled to recover reasonable attorneys' fees and litigation expenses pursuant to 42 U.S.C. § 2000e-5(k) for her Title VII claims.

WHEREFORE, plaintiff, Tannen Campbell, prays that this Court will:

One, issue a declaratory judgment that Magic Leap's practices toward Campbell violated Campbell's rights against retaliation under Title VII;

Two, enjoin Magic Leap and its agents from continuing to violate Campbell's statutory rights under Title VII and to make Campbell whole through reinstatement, back pay and restoration of seniority and benefits;

Three, enter a judgment for Campbell and against Magic Leap for damages, including punitive damages;

Four, grant Campbell her costs and reasonable attorney's fees pursuant to 42 U.S.C. § 2000e-5(k); and

Five, grant Campbell such other and further relief as the circumstances and law provide.

Respectfully Submitted,

/s/ Karen Coolman Amlong

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