

<p>CHARGE OF DISCRIMINATION</p> <p><small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small></p>		<p>Charge Presented to: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC</p>	
<p>_____ and EEOC</p> <p><small>State or local Agency, if any</small></p>			
Name (_____ s.)		Home Phone (Incl. Area Code)	Date of Birth
Street Address		City, State and ZIP Code	
<p>Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. <i>(If more than two, list under PARTICULARS below.)</i></p>			
Name		No. Employees, Members	Phone No. (Include Area Code)
LeafLink, Inc.		186 employees	(855) 273-6769
Street Address		City, State and ZIP Code	
80 Broad Street, New York, NY 10004			
DISCRIMINATION BASED ON <i>(Check appropriate box(es).)</i>		DATE(S) DISCRIMINATION TOOK PLACE	
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input checked="" type="checkbox"/> OTHER (Specify below.)		Earliest (ADEA/EPA) Latest (All) <p style="text-align: center;">May 10, 2024</p> <input type="checkbox"/> CONTINUING ACTION	
<p>THE PARTICULARS ARE <i>(If additional paper is needed, attached extra sheet(s))</i>:</p> <p style="text-align: center;"><i>(Please find the attached narrative statement of facts).</i></p>			
<p><input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>		<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>	
<p>I declare under penalty of perjury that the above is true and correct.</p>		<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT</p>	
<p>08/15/2024</p> <p><small>Date</small></p>		<p>_____</p> <p><small>Charging Party Signature</small></p>	
		<p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <i>(month, day, year)</i></p>	

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NEW YORK DISTRICT OFFICE**

-----X

[REDACTED]

Claimant,

-against-

RESPONDENT , INC.

Respondent.

**EEOC CHARGE
OF DISCRIMINATION:
NARRATIVE STATEMENT**

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Claimant [REDACTED] hereby alleges the following against LeafLink, Inc. (“Respondent” or the “Company”) in support of her claims of discrimination, harassment, and unlawful retaliation on the basis of gender and race.

NARRATIVE STATEMENT OF MATERIAL FACTS

Preliminaries

1. At all times relevant hereto, Charging Party [REDACTED] (“Charging Party”) has been a resident of the State of New York and the County of New York.
2. At all times relevant hereto, Respondent was and is a for-profit company maintaining its principal place of business at 80 Broad Street, New York, NY 10004.
3. Upon information and belief, Respondent employs approximately 186 employees on a full-time or full-time equivalent basis and thus is subject to the statutes upon which Charging Party is proceeding herein.
4. At all relevant times hereto, Charging Party was an employee of Respondent.

Material Facts

5. Charging Party joined Respondent in May 2023 with degrees in Actuarial Sciences, Pure Mathematics, as well as a Business Minor. After earning an MBA from INSEAD in 2013, Charging Party developed extensive expertise in data science & analytics, holding key roles at companies like Criteo, LoopMe, Dose, and TikTok. Throughout her career, Charging Party has demonstrated significant leadership and analytical skills, contributing to various high-profile projects and initiatives. At LoopMe, Charging Party enhanced the Client Services team's ability to leverage data for sales and defense, resulting in a 10% increase in incremental revenue. Notably, at TikTok, Charging Party built the entire SMB Analytics team, which supported ten global functions and generated a multi-billion-dollar revenue line.

6. On May 8, 2023, Charging Party was hired as the Head of Data and Analytics at the Company. Given Charging Party's expertise in data and analytics, she was thrilled to be joining a Company that was an industry leader. As a woman of color, Charging Party was also excited to be joining a Company with diverse employees, hopeful that it reflected Respondent's values. On May 15, 2023, however, Harish Mukhami, former Chief Product Officer, and Karan Gupta, former Chief Technology Officer—both Indian men—were terminated. That same day, Artie Minson, Chief Operating Officer and a white man, held a call with Mr. Mukhami and Mr. Gupta's direct reports, which included Charging Party, to discuss how the Company would transition following Mr. Mukhami and Mr. Gupta's departure. Charging Party, who was hired by Mr. Mukhami and was new to the Company, was perplexed by the sudden news of Mr. Mukhami's termination. Hoping to get some answers, Charging Party asked Mr. Minson why Mr. Gupta and Mr. Mukhami were leaving the Company, but Mr. Minson looked visibly bothered by Charging Party's questions and provided her with an unclear answer.

7. That same day, Charging Party was told that Chandler Salisbury, former Head of Finance and a white woman, would be her new manager. Additionally, Mr. Gupta was to be replaced by Stevie Palmateer, a white woman, and Mr. Mukhami was to be replaced by Matthew Hutchinson, a white man. Around the same time, Sanaz M., Ads Product Manager and a Persian American woman, was terminated from Respondent without explanation. Soon after Mr. Hutchinson hired Steve Fructer, a white man, to replace Ms. M. Following these new hires, Charging Party grew ever more concerned as she perceived a troubling trend within the Company: the replacement of racially diverse employees with less experienced white counterparts.

8. Undaunted, however, Charging Party thrived in her role. In or around November 2023, Kyle Hammersmith, former Senior Director of Engineering and Tech Operations, was terminated from the Company. Following Mr. Hammersmith's termination, the Data Engineering team was reorganized under Charging Party, a testament to her leadership skills and expertise. At the Company, Charging Party also worked as a direct point of contact for some of Respondent's biggest clients including, Franklin's Stash House, Wyld, and LuvBuds, Inc. In December 2023, a new Data Science function that Charging Party had advocated for was approved along with incremental headcount. As a result, Charging Party's direct reports increased from 11 employees to 12, and she assumed responsibility for an additional team, a testament to Charging Party's success at the Company.

9. On December 15, 2023, Charging Party's team was in the process of transitioning its Business Intelligence ("BI") tool from Tableau to Sigma. Charging Party and her team worked extensively with the Engineering and Product teams to seamlessly

implement Sigma into Respondent's proprietary client application. Despite their best efforts, however, when Sigma was introduced into Respondent's client platform many clients experienced incredibly long "load times." As a result, some clients emailed directly to, or filed support tickets with, Respondent's Customer Support team. That same day, Christian Kogler, Customer Support Manager and a white man, called Charging Party irate about the long "load times" and customer complaints. Charging Party tried to explain to Mr. Kogler how she was working to fix the problem, but Mr. Kogler abruptly hung up before she was able to finish her sentence. Around 7:00 p.m. that evening, Charging Party received a call from Mr. Hutchinson regarding the Sigma situation. Mr. Hutchinson was enraged and yelled at Charging Party on the call. Charging Party, by now feeling bullied and threatened by both Mr. Kogler and Mr. Hutchison, called Ms. Salisbury to explain the situation. On that call, Charging Party told Ms. Salisbury that Daniel Brichler, Senior Manager and a white man, who was leading the technical integration of the embedded reports, was away at a wedding and thus Charging Party was unable to address the problem immediately, as she lacked the technical expertise to do so on her own. Charging Party, understanding the gravity of the situation, convinced Mr. Brichler to work with her throughout the weekend to fix the client application. Nevertheless, Charging Party was reprimanded and unfairly scapegoated by two white members of the Leadership team—Mr. Hutchinson and Ms. Palmateer.

10. On December 19, 2023, Charging Party met with Ms. Salisbury and Niriksha Kannan, Director of People and Social Impact, at Respondent's New York office to file a formal complaint against Mr. Hutchinson and Mr. Kogler, following the upsetting events of December 15th. During this meeting, Charging Party recounted in detail the

inappropriate and threatening behavior exhibited by Mr. Hutchinson and Mr. Kogler, which clearly demonstrated discriminatory animus towards her as a woman of color. Charging Party conveyed her fear of retaliation, expressing her concern that her complaint, if widely shared, would lead to further unlawful harassment and professional retribution. Despite Charging Party's reservations, Ms. Kannan assured her that the complaint would be handled with strict confidentiality. Trusting in this assurance, Charging Party detailed her complaint to Ms. Kannan, who formally documented the troubling events. Shockingly and inexplicably, however, to the best of her knowledge, Charging Party's complaint was never investigated by the Company, and Ms. Kannan never followed up with Charging Party regarding Mr. Hutchinson and Mr. Kogler's outrageous behavior.

11. Nevertheless, in the months that followed, Charging Party worked tirelessly to restore the affected client application to its previous functionality, all while maintaining consistent and effective communication with the Company's clients. Indeed, her dedication did not go unnoticed; by January 2024, three clients personally reached out to Charging Party to express their satisfaction with the improvements to the client application. On one occasion, Mr. Hutchinson even praised Charging Party's team for putting in "hard work" to remedy the problem.

12. In or around February 2024, Aaron Campbell, Head of Finance and a white man, asked the Data and Analytics team to take on a Leading Indicators initiative that would require significant time to complete. Due to the complexity of the project, Charging Party brought on Nageen Quasim, Project Manager and a non-white woman, to help. Over the following weeks, Charging Party, Mr. Campbell, Ms. Quasim, Mr. Brichler, Delma Zapata, Senior Manager Analytics and a Mexican woman, and Andrew Lim, Senior

Marketing Operations Manager and a white man, had regular calls to discuss the project. On each call, however, Mr. Campbell adopted a noticeably more aggressive tone with Charging Party than with her other team members. Despite her efforts to brush it off, Mr. Campbell's hostility towards Charging Party intensified over time. By way of example, during one of their final team calls, Charging Party attempted to explain to Mr. Campbell that the data set they had could not support the POV he wanted. In response, Mr. Campbell aggressively yelled, "That's how funnel analytics work, [REDACTED] This was clearly an attempt by Mr. Campbell to undermine Charging Party's expertise and embarrass her in front of her peers. Not only was Charging Party mortified by Mr. Campbell's demeaning comment, but she also felt singled out as one of the only women of color on the project. After the call, Mr. Campbell sent Charging Party a Slack message dripping with sarcasm that stated, in sum and substance, "since Charging Party was so knowledgeable she could tell Ms. Salisbury that she was taking over the project." Once again, feeling unfairly attacked by Mr. Campbell, Charging Party responded that she would not discuss this further over Slack in an effort to diffuse Mr. Campbell's hostility towards her.

13. Over time, it became unmistakably and painfully clear to Charging Party that Respondent exhibited a pervasive pattern of treating white employees more favorably than employees of color—and, most particularly, women of color like herself. For example, Mr. Hutchinson routinely made important decisions about Charging Party's team without including Charging Party in the discussions. Meanwhile, Mr. Hutchinson always ensured his other direct reports, all of whom were white, were included in all meetings regarding their teams. The stark asymmetry between Mr. Hutchinson's conduct towards Charging Party and his treatment of his other direct reports, all of whom were white, was

noticeable and highlighted the discriminatory practices at the Company. To make matters worse, Mr. Hutchinson's behavior was indicative of a broader pattern of discrimination and racial animosity ingrained within the Company's culture.

14. By way of example, in or around March 2024, Mr. Campbell Slack messaged Charging Party and Ms. Salisbury criticizing a Monthly Business Review ("MBR") report prepared by Shelly Iransi, an Analytics Engineer and an Indian woman. However, Mr. Campbell's criticisms quickly morphed from his concerns with the MBR to a personal attack berating Ms. Iransi. Disturbed by his racist and misogynistic rant, Charging Party tried to ask Mr. Campbell how the MBR could be improved, but he was unable to provide any specific suggestions. Mr. Campbell continued to criticize Ms. Iransi and eventually Charging Party responded that she would no longer engage in the Slack channel due to the hostility of the conversation. This was just one of many instances where Mr. Campbell displayed animosity towards women of Indian descent.

15. Later in or around March 2024, Mr. Hutchinson absorbed the Data & Analytics team. As such, Charging Party was getting Mr. Hutchinson up-to-speed on her team's projects over the course of two weeks. During this short period of time, Mr. Hutchinson mentioned several times to Charging Party that she would be "serving multiple masters." This comment was particularly horrifying to Charging Party as a woman of color from a culture steeped in a caste system that historically subjugated women. Deeply disturbed by repeatedly hearing this offensive comment, Charging Party finally pushed back and told Mr. Hutchinson that his comment was outdated and inappropriate. Charging Party then attempted to illustrate the term's outdated nature by explaining how the real estate industry had replaced "master bedroom" with "primary bedroom," noting that Mr. Hutchinson had just recently purchased a house. However,

Mr. Hutchinson quickly rebuffed her concerns, dismissively stating that he didn't mean anything by it. The conversation ended without resolution, further highlighting the hostile and biased environment Charging Party was subjected to at the Company and the racial and sexist animosity she faced there on daily as a woman of color.

16. On April 10, 2024, *only a month or so after she had complained to Mr. Hutchinson, her direct supervisor, about his gender-cultural and racially insensitive comments, Mr. Hutchinson and Samantha Weinstein, a white female Human Resources officer, called Charging Party and abruptly terminated her over the phone.* Charging Party was, of course, completely blindsided by this news, as she had never been put on a Performance Improvement Plan ("PIP"), let alone received anything even approaching a negative formal review. Charging Party asked Mr. Hutchinson if she had done anything to contribute to her termination, and he responded, "no, I really liked working with you." Mr. Hutchinson then explained that the decision to terminate Charging Party was due to a purported "role elimination." Within ten minutes of being terminated, Charging Party's system access was cut off. Upon information and belief, however, previous employees who were let go without a PIP, like Mr. Hammersmith, a white man, were given several weeks to transition their work and seek other employment while still appearing to be part of the Company. Charging Party, however, was offered no such courtesy.

17. To add insult to injury, and contrary to the Company's pretextual explanation of "role elimination," Charging Party has recently learned that Mr. Brichler assumed her role on the Data Analytics team shortly after her termination. This, of course, is further evidence that Charging Party's role was not eliminated, but rather given to a white male subordinate of hers, despite having ten less years of experience than her. These

circumstances clearly establish that the Company unlawfully terminated Charging Party because she is a woman of color who dared to speak truth to the entrenched white male patriarchy at Respondent .

18. Following her termination on April 10, 2024, Charging Party encountered a series of unlawful retaliatory events orchestrated by the Company. Under the guise of a "clerical error," Lisa Wang, the General Counsel, abruptly shortened Charging Party's consideration period to accept her Severance Agreement (the "Agreement") from 45 days to just 21 days. This ham-handed tactic, evidently intended to coerce Charging Party into a rushed decision by jeopardizing her stock options, unmistakably bore the signs of continued unlawful retaliation against her. Moreover, the confusing language in the Agreement regarding her vested and contingent employee benefits only exacerbated the pressure Charging Party faced to sign it.

19. Charging Party, facing personal hardships and financial uncertainties, signed the Agreement on May 3, 2024. However, she continued to face further unlawful resistance by the Company, when, on May 8, 2024, Charging Party moved to exercise her stock options and on May 10, 2024, revoked the Agreement in accordance with Paragraph 29 therein. That day, Ms. Wang emailed Charging Party unjustifiably refusing to accept Charging Party's revocation, arguing that the signed revocation notice was received by Respondent's office after the seven-day revocation period had expired. Indeed, Respondent was deceitfully calculating the seven-day revocation period in Pacific time, when both Charging Party and Respondent are in Eastern time. Respondent's attempt to invalidate Charging Party's revocation was just another retaliatory action by the Company in an effort to intimidate and harass Charging Party.

20. Amidst escalating tensions, Respondent 's retaliatory actions were still in play after her termination. Despite approving Charging Party's stock options, Respondent has inexplicably failed to issue her stock option certificates. Also, curiously—other than to ratify the revocation the Company now seems to be contesting—Respondent did not pay Charging Party the severance it would owe her under an unrevoked Agreement until July 10, which Charging Party intends to send back to the Company. These are not just oversights; they are deliberate and retaliatory acts of bullying and intimidation—unlawful acts against Charging Party that reveal the Company's vindictive nature and elevate her claims to the highest level.

21. Thus, despite Charging Party's determination to remain optimistic, the ruthless discrimination and retaliation she has suffered at the Company has rendered her distraught and crest fallen. Indeed, Charging Party's emotional distress is clear and cognizable given the reality that Respondent has allowed Mr. Hutchinson and Mr. Campbell to press their unlawful campaign against Charging Party, and other employees of color, without repercussion.

22. It is clear from the foregoing that Respondent has engaged in unlawful discrimination on the basis of Charging Party's gender, and race and retaliation, in violation of Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166 ("Title VII"); Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981 ("§ 1981"); and the New York State Human Rights Law, New York State Executive Law, §§ 296 *et seq.* ("NYSHRL").

23. As a result of the foregoing, Charging Party has been and continues to be unlawfully discriminated against, humiliated, and degraded, and thus has suffered loss of rights, severe emotional distress, loss of income and earnings and verifiable damage to professional reputation.

24. As a result of Respondent's actions, Charging Party feels extremely degraded, victimized, embarrassed, and emotionally distressed.

25. Because Respondent's actions have been malicious, willful, outrageous, and done with full knowledge of the legion of law to the contrary, Charging Party demands punitive damages against Respondent.

26. Respondent's flagrant disregard of the above-referenced laws – including those not enforced by the EEOC – evidences a pattern and practice of discrimination and retaliation that falls squarely within the EEOC's investigatory and enforcement statutory mandates to investigate, and enforce prohibitions against, discriminatory conduct in the workplace.