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LAURA SCHWAB

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
ORANGE COUNTY

LAURA SCHWAB,

Case No. 30-2021-01229809-CU-OE-CJC

Plaintiff,

**COMPLAINT FOR DAMAGES**

vs.

**Assigned for All Purposes**

RIVIAN AUTOMOTIVE, LLC., and DOES 1  
through 20, inclusive,

Judge Stephanie George

Defendants.

1 Plaintiff LAURA SCHWAB complains and alleges as follows:

2 **INTRODUCTION**

3 1. Although Rivian's Chief Executive Officer boasts that the company's "culture is  
4 our most valuable product,"<sup>1</sup> a toxic "bro culture" at the company's highest levels derailed a  
5 high-performing female senior executive and allowed male executives to dodge responsibility for  
6 major problems within the company. After Rivian's highly-regarded head of sales and  
7 marketing, Laura Schwab, spoke up about the boys' club culture and gender discrimination she  
8 was experiencing from a C-level executive, Rivian abruptly fired her.

9 2. Rivian subjected Ms. Schwab to a textbook pattern of gender bias that,  
10 unfortunately, women who attain senior executive levels too often continue to experience. This  
11 pattern almost always involves male executives dismissing a woman's professional advice;  
12 trivializing her legitimate business concerns; excluding a woman from important strategy  
13 meetings and decisions in which her male peers are included; failing to share information that is  
14 needed for a female subordinate to run her part of the business; and generally fostering a "bro"  
15 culture that denigrates and marginalizes women executives.

16 3. Ms. Schwab experienced precisely this treatment from senior executives at Rivian,  
17 most notably Jiten Behl, Chief Commercial/Growth Officer. Mr. Behl routinely excluded her  
18 from meetings attended by Ms. Schwab's male peers, made decisions about Ms. Schwab's team  
19 without *her* input but *with* input from men on different teams, and dismissed the legitimate  
20 concerns she had regarding Rivian's misleading public statements and flawed business practices.  
21 Mr. Behl told Ms. Schwab not to communicate her concerns to the CEO Robert "RJ" Scaringe,  
22 who himself relied on a small group of men to make decisions.

23 4. Rivian's exclusionary, "bro" culture was an open secret, but Ms. Schwab's  
24 decision to report the discriminatory, hostile environment to Human Resources resulted in her  
25 termination just two days later. During the meeting where she was terminated, Mr. Behl  
26 acknowledged that she was not being terminated for cause or performance reasons; indeed, he  
27

28 <sup>1</sup> Form S-1, filed with the Securities and Exchange Commission on October 1, 2021  
(Letter to Prospective Investors and Rivian Owners from Robert J. Scaringe, Founder and Chief  
Executive Officer).

1 recognized that Ms. Schwab was “well-respected” and a “high performer”. The stated reason for  
2 her termination was Rivian’s move into an “operational” phase, and a corresponding  
3 reorganization. This rationale is false for many reasons. *First*, Ms. Schwab had the most  
4 automotive operations experience of anyone reporting to Mr. Behl, and she had a track record of  
5 executing and delivering on operations. *Second*, she was the *only* person let go as part of the  
6 “reorganization.” *Third*, this was precisely the role that Ms. Schwab was recruited to fill.  
7 *Fourth*, it is not credible that Rivian would simply lay off of a “well-respected” “high performer”  
8 in a leadership role as part of a routine reorganization, particularly when the company is on the  
9 eve of an IPO and is rapidly growing.

10 5. Ms. Schwab enjoyed a stellar career before enduring discrimination and retaliation  
11 at Rivian, including executive roles at Jaguar Land Rover and five years as President of Aston  
12 Martin Lagonda (The Americas)—the first female president in Aston-Martin’s 105 year history.  
13 Her termination has damaged her previously unblemished track record and reputation in the  
14 automotive industry, and the emotional impact is severe. Rivian’s unlawful conduct also cost  
15 Ms. Schwab millions of dollars in unvested equity on the eve of the company’s IPO.

### 16 PARTIES

17 6. Plaintiff Laura Schwab (“Plaintiff” or “Ms. Schwab”) is an individual residing in  
18 San Clemente in Orange County, California.

19 7. Upon information and belief, Defendant Rivian Automotive, LLC (“Defendant” or  
20 “Rivian”) is a company organized and existing pursuant to the laws of the State of Delaware,  
21 having its principal place of business in Irvine, California, and doing business throughout the  
22 State of California.

23 8. The true names and capacities of Defendants named herein as Does 1 through 20,  
24 inclusive, whether individual, corporate, associate or otherwise are unknown to Plaintiff, who  
25 therefore sues said Defendants by fictitious names pursuant to California Code of Civil Procedure  
26 section 474. Plaintiff will amend this Complaint to show such true names and capacities of Does  
27 1 through 20, inclusive, when they have been determined.

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1 in management and executive roles at Jaguar Land Rover, including as Director of Marketing for  
2 the UK, and five years as President of Aston Martin Lagonda for the Americas. Ms. Schwab was  
3 the first female president in Aston Martin's 105-year history. In that role, she grew the Americas  
4 region from the worst performing in the company to the number one performer in sales globally.  
5 She did this while overseeing the launch of six new vehicles, recruiting key brand ambassadors,  
6 and running the distribution network in Canada, the U.S., Mexico, and South America.

7 15. Ms. Schwab is known throughout the automotive industry because of both her  
8 professional accomplishments and the relationships she has cultivated over her career. She is a  
9 frequent speaker at automotive events and has received numerous honors for her leadership and  
10 work as a woman executive in a male-dominated industry.

11 16. Throughout Rivian's recruitment process, Ms. Schwab had regular interviews with  
12 Jiten Behl, Chief Commercial/Growth Officer. During these interviews and in discussions with  
13 other Rivian employees, she gleaned that the company had a dearth of operational automotive  
14 experience. Ms. Schwab also had reservations about leaving Aston Martin, one of the most well-  
15 established and reputable automakers in the world, for an automotive company that had debuted a  
16 prototype but had yet to manufacture a single vehicle. To that end, she conducted extensive due  
17 diligence to ensure that she would be a good fit with the company culture, that Rivian would  
18 utilize her expertise, and that she could succeed in the proposed role.

19 17. After approximately four months of interviews, Ms. Schwab moved into contract  
20 negotiations. The remuneration, bonus, and benefits Rivian offered were well below  
21 Ms. Schwab's expectations and market rates, given the scope of role and significant work that  
22 would be required to prepare Rivian in advance of its IPO, which was already behind schedule.  
23 Ms. Schwab would also be giving up generous benefits provided by Aston Martin, such that her  
24 compensation package would be less generous. Rivian's final offer was \$360,000 base salary, 40  
25 percent bonus, a \$4,000 per month stipend, a \$100,000 sign-on bonus, and \$1.5 million in equity  
26 in the form of RSUs.

27 18. Ms. Nicola reassured Ms. Schwab that because of Rivian's impending IPO, its  
28 equity plan would more than compensate for the shortfall. With the reassurance that Rivian

1 trucks would soon be rolling off the production line and that the company would go public in the  
2 next year, Ms. Schwab accepted the offer and began working as Vice President of Sales and  
3 Marketing on November 30, 2020.

4 19. As head of Sales and Marketing, Ms. Schwab was responsible for the following  
5 initiatives, programs, and products: marketing, business-to-business sales, remarketing (i.e., the  
6 ability to price and sell trade ins, as well as sell Rivian used vehicles), sales planning and  
7 operations, accessory sales, merchandise sales, retail experience, test drives, customer  
8 engagement centers, Rivian insurance, and a dotted line to Rivian financial services.

9 20. Ms. Schwab reported to Mr. Behl, who had seven other direct reports, six of  
10 whom were men: Larry Parker (Executive Creative Director), Patrick Hunt (then-Senior Director,  
11 Consumer Digital), Noe Mejia (Senior Director, Service Operations), Dagan Mishoulam (VP,  
12 Strategy), Rob Francis (Senior Director, Fleet Digital Products), and Marco Batra (Senior  
13 Director, Global Delivery Operations). The only other woman reporting to Mr. Behl was Anshu  
14 Narula, VP of Digital Technology. Many of the men had worked together in other capacities and  
15 thus had similar backgrounds. For example, Mr. Behl had worked with Mr. Mishoulam at a  
16 consulting firm, while Mr. Mejia and Mr. Batra were together at Tesla.

17 21. Unfortunately, none of them had anything approaching Ms. Schwab's breadth and  
18 depth of knowledge about automotive launch and operations. This was evidenced in part by  
19 Rivian's wholly deficient preparations for the vehicle's scheduled launch later that fall.  
20 Ms. Schwab's work was cut out for her.

21 22. In Ms. Schwab's first few months at Rivian, she had regular conversations with  
22 CEO Robert "RJ" Scaringe, but her check-ins grew less frequent over time. She learned that he  
23 only met with the newest hires and the "OG," a small group of men he hired when he founded  
24 the company. Ms. Schwab's exclusion from these meetings impacted her in different ways. The  
25 meetings were used as a forum to disseminate key information on Rivian's accomplishments and  
26 goals. Because she was not invited to attend, she was not getting this important core information  
27 and was in the dark about initiatives, including expectations for things to be shared with her team.

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23. Most Rivian employees received feedback during quarterly performance reviews, a.k.a. “recharges.” Ms. Schwab’s first recharge took place six months after she joined, in June 2021. She told Mr. Behl that things were going well, and they agreed that the area to focus on next quarter was the marketing team. Specifically, she wanted to get more production and content from the team and improve its relationship with the brand team, led by Mr. Parker. Mr. Behl told her that her performance was “very good” and that he thought everything was going well. He praised her specifically for working with and leading employees who others at Rivian had perceived to be difficult or too challenging to work with.

24. Despite being marginalized by male executives, there is no question that Ms. Schwab excelled in her role leading Rivian’s Sales and Marketing team. In less than a year, she launched the company’s test drive tour, led the successful opening of the company’s first “brand experience hub” in Venice, California, and developed a new merchandise collection, complete with in-house fulfillment through Rivian Parts Development Centers, slated for launch November 9.

25. She also grew the marketing team, created new content, and built up the Customer Relationship Management (CRM) team. The CRM team ultimately increased email subscriptions by nearly a third year over year. She hired new talent for business-to-business sales, developed strategy for the same, and led discussions with potential new business partners. And she oversaw the sale of the company’s first insurance policy and scoped the launch of an in-house insurance agency.

26. Along with her team, Ms. Schwab renegotiated a remarketing team contract, saving the company well over one million dollars. She led the development of an algorithm to take vehicles in on trade and created a residual value strategy to ensure the vehicles retained their maximum value throughout their lifecycle. She also created business and pricing strategy for accessories and expanded operations for the customer engagement centers.

27. Beginning in spring of 2021, Ms. Schwab started to raise the alarm about concerns she had relating to Rivian’s ability to deliver on its promises to investors. Shockingly,

1 Mr. Behl dismissed her concerns and explicitly asked Ms. Schwab not to raise these issues in  
2 front of Mr. Scaringe.

3 28. *First*, it was clear that the vehicles were underpriced, and each sale would result in  
4 a loss the company. Ms. Schwab ultimately contacted Dennis Lucey, Rivian's Finance Director,  
5 and worked with him to develop projections showing how much of a loss the company would  
6 incur if Rivian did not raise prices. Ms. Schwab raised this issue with several executives,  
7 including Mr. Behl, Stuart Dixon (Director of Product Management), and Andy Zicheck  
8 (Principal Product Manager). Mr. Behl brushed her off. Eventually, Mr. Hunt raised the issue  
9 with Mr. Behl, at which point Mr. Behl agreed that they would need to raise the vehicle prices  
10 after the IPO.

11 29. *Second*, the manufacturing process had yet to be refined to a point that the  
12 company could confidently assure a consumer of the vehicle's quality, integrity, and safety. For  
13 these reasons, Ms. Schwab told Mr. Behl that the first deliveries should go to Rivian employees.  
14 Mr. Behl dismissed her advice and questioned her conclusion, but this was ultimately the  
15 approach the company adopted.

16 30. *Third*, the publicly announced dates for manufacturing and delivery were not  
17 achievable. Rivian delivered a small handful of vehicles in September, despite having a much  
18 larger goal. Mr. Scaringe then announced an internal goal of delivering a specific number of  
19 vehicles by the end of 2021. In subsequent Sales and Operations planning meetings in  
20 September, Ms. Schwab said that this number was not achievable and that the company should  
21 set a realistic objective. This was a major issue since the S-1 filing stated that the company  
22 would deliver 1,000 vehicles in 2021.

23 31. Ms. Schwab also raised concerns surrounding Rivian's use of an expensive third-  
24 party vendor to execute its test drive events. Her input was again ignored, with the result that  
25 these events were over budget, leading to the last-minute cancellation of subsequent events.

26 32. Ms. Schwab's work was often impeded by the gender discrimination that she  
27 experienced from Mr. Behl and other male colleagues at Rivian. For example, Mr. Behl had  
28 initially asked her to help lead Project Apollo, the name given to the work and activities leading



1 up to the IPO. But when Mr. Parker challenged this decision, she was cut out of the decision-  
2 making process. Likewise, in summer of 2021, Ms. Schwab asked to lead the pricing  
3 discussions, as would be expected of someone in her role and with her extensive experience with  
4 vehicle pricing. Instead, Mr. Behl asked Mr. Hunt, who worked on consumer digital, to lead the  
5 discussion on both pricing and other integral projects.

6 33. Between September and October 2021, Mr. Behl cancelled every recurring weekly  
7 meeting scheduled with Ms. Schwab. The only communication she received from him in earnest  
8 was his request for a sample of the new merchandise for himself, his wife, and Mr. Scaringe. In  
9 contrast, Mr. Behl continued to meet regularly with his male direct reports.

10 34. On October 4, Ms. Schwab met with Claire McDonough, Rivian's CFO.  
11 Ms. Schwab asked Ms. McDonough if she could join the sales projections meetings with  
12 Mr. Scaringe and Mr. Behl, to make sure the company was setting reasonable target goals and  
13 accurately tracking production. Surprisingly, Ms. McDonough responded that she was also  
14 excluded from those meetings, which was bizarre since sales volume drives revenue: a key focus  
15 of the CFO. The only people in the room discussing volume and pricing were three guys:  
16 Mr. Scaringe, Mr. Behl, and Jake Kohn, the Vehicle Line Director.

17 35. This pattern of excluding female executives from the most important strategy and  
18 business operations meetings is one of the most revealing and also impactful types of gender  
19 discrimination experienced by senior executive women. This exclusion from key meetings is  
20 impactful not only to the woman executive's success, but to the business as well.

21 36. In addition, the persistent and visible exclusion of Ms. Schwab from key meetings  
22 undermined her standing with key senior leaders and other senior functional peers in the  
23 company. It diminished her influence and the perception that she was someone who should be  
24 consulted on key business decisions or whose opinion mattered. The exclusion also drove a  
25 wedge between her and peers on Mr. Behl's team and reinforced the "bro" culture in which  
26 Ms. Schwab was very much an "other." The message was clear: Ms. Schwab was not someone  
27 who mattered or toward whom it was in anyone's interest to be inclusive.

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1           37.     Towards the end of September 2021, Mr. Behl messaged Ms. Schwab on Slack  
2 and asked her not to hire any more marketing heads. She complied but asked what precipitated  
3 this decision. He said that she should just talk to Mr. Parker and ensure that he had enough  
4 support. She immediately reached out to Mr. Parker, who explained that he and Mr. Behl had  
5 met and unilaterally decided that *her* team was overstaffed but *his* needed more people.  
6 Ms. Schwab was surprised at their conclusion since the marketing team was operating within a  
7 preapproved budget that all members of Mr. Behl’s team had agreed to. Shortly thereafter,  
8 Ms. Schwab learned that Mr. Behl had directed the talent acquisition team to pause recruitment  
9 for the Director of Hospitality Programming role, without discussing the decision with  
10 Ms. Schwab. This was even more perplexing, as the company had just opened its first retail  
11 space in Venice, and it was struggling to manage events and production.

12           38.     On Saturday, October 9, Mr. Batra sent an email to Mr. Behl and Ms. Schwab  
13 regarding the upcoming test drives planned in New York. At a July meeting, the Commercial  
14 leadership team had decided that Mr. Batra’s team would manage delivery and drives of the  
15 vehicles brought to customer’s homes and Ms. Schwab’s team would own the strategy and  
16 manage the actual test drive program. Mr. Batra’s email asked how they would handle test drives  
17 after the New York mobile drive event. Ms. Schwab responded that she believed her team should  
18 continue to manage strategy and execution of the test drives going forward. Mr. Behl replied,  
19 dismissively, “Laura, just hand test drive to Marco!” She said that she would work on a  
20 transition with Mr. Batra in New York, where they would be seeing one another in person.

21           39.     The constant marginalization of Ms. Schwab’s voice and exclusion from  
22 important decisions made clear that Rivian had “bro” culture that excluded women and caused  
23 her male colleagues to hide mistakes and cover for one another rather than admit a wrong and  
24 course correct. This dynamic was even more apparent among Mr. Behl’s direct reports. Even  
25 two of Ms. Schwab’s male colleagues, Mr. Zicheck and Mr. Batra, acknowledged this problem  
26 and the issues it was creating within the organization.

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1           40.     Mr. Batra recognized that Mr. Behl's discriminatory behavior was inappropriate  
2 and forwarded Mr. Behl's response to Farinaz Raissi in Human Resources, noting that Mr. Behl's  
3 email could have been World War III.

4           41.     On Sunday, October 10, Ms. Schwab texted Mr. Behl and asked if they could  
5 schedule a long overdue check-in. He did not respond. She messaged him again on Slack the  
6 next day, stating that she wanted to discuss organization, test drives, and communication. Later,  
7 she called him. They eventually spoke late that evening, after she landed in New York. She said  
8 that she was hearing feedback from Mr. Parker, Mr. Hunt, and people on the recruiting team  
9 about her headcount and organization, but was not hearing directly from Mr. Behl, her  
10 supervisor. She said that it would be helpful if she could hear from him directly.

11           42.     Mr. Behl first grilled Ms. Schwab about the size of and structure of her ten-person  
12 marketing team. He was aggressive, condescending, and hostile. Ms. Schwab politely offered to  
13 walk him through the work her team had completed and planned, but he had no interest in the  
14 substance of her answers. She told him that she was very pleased with the work Lindsay Pearl  
15 was doing as Head of Marketing. He insisted that for each employee in marketing, Mr. Parker's  
16 brand team had to hire at least three more people to deliver on that work. Of course, this was  
17 nonsensical, and Ms. Schwab could have pushed back on Mr. Parker's claim if she had been part  
18 of the meeting where the two men discussed *her* team. Notably, Mr. Behl could not explain why  
19 he also excluded her from the discussion around whether to hire a head of hospitality  
20 programming.

21           43.     They also discussed the test drive program, which Mr. Behl insisted on giving to  
22 Mr. Batra. Ms. Schwab said that Mr. Scaringe had called the test drive program "critical," and  
23 that it would be risky to assign it to a team that had not thought through a rollout strategy.  
24 Mr. Behl again ignored her comment and began complaining about the earlier test drive events  
25 going over budget. Ms. Schwab immediately cut in and reminded him that she had opposed the  
26 third-party contractor they had used and that he had ignored her recommendations for a different,  
27 option. She noted that these issues were rooted in his decision to exclude her from important  
28 meetings, ignore her suggestions, and cancel their check-ins.

1           44.     Mr. Behl responded that he would respond to Slack messages sent in the evening,  
2 which was both inaccurate and insulting—he did not respond to messages she sent in the evening,  
3 and he had never asked other direct reports to only contact him after work. It was also not a  
4 workable strategy for any professional relationship. The call ended with Ms. Schwab stating that  
5 it was imperative for the two of them to communicate, that she would set up a meeting with the  
6 marketing team to go through their projects, and that she would work on a transition of mobile  
7 test drives to Marco Batra.

8           45.     The next day, Ms. Schwab called Ms. Raissi in HR and told her about the call with  
9 Mr. Behl. She told Ms. Raissi that she was concerned about Mr. Behl’s behavior, specifically  
10 that he was cancelling their check-ins and that he and Mr. Parker were making important  
11 decisions about her team without her in the room. She also raised the test drive program, which  
12 Mr. Behl had decided to remove from Ms. Schwab’s organization and give to Mr. Batra.

13           46.     Notably, Ms. Schwab complained to Ms. Raissi that there was a larger, more toxic  
14 issue at play—the “bro” culture that made Rivian more like an “old boys’ club” rather than a  
15 serious business. Ms. Schwab explained this was evidenced by the default assignment of  
16 important projects to men, Mr. Behl’s unwillingness to meet with her (or, as she had just learned,  
17 Ms. Raissi), her exclusion from meetings, the favoritism shown towards men, and Mr. Behl  
18 relying on other men to make decisions about Ms. Schwab’s team. She noted that the only way  
19 to be heard at Rivian was to be in the boys’ club or consistently be the loudest person in the  
20 room.

21           47.     Ms. Raissi suggested that Ms. Schwab write down her thoughts and share them  
22 with Mr. Behl. Ms. Schwab later sent Ms. Raissi an email thanking her for her time, though  
23 Ms. Raissi made no promise to investigate Ms. Schwab’s report of discrimination.

24           48.     Later that day, Mr. Batra picked Ms. Schwab up from her hotel in New York and  
25 the two drove to the nearby Rivian Service Center. She told him about the conversations with  
26 both Mr. Behl and Ms. Raissi. She also mentioned the “bro” culture that was making it  
27 impossible for her to do her job. He agreed with her characterization of Rivian’s culture and said  
28 that this was also impacting a member of his team, Jessie Yoste, and that he had raised the

1 problem with others at Rivian.<sup>3</sup> Ms. Schwab also told Ms. Pearl about the conversation with  
2 Mr. Behl.

3 49. On Wednesday, October 13, Ms. Schwab sent an email to Mr. Behl outlining next  
4 steps and do-outs based on their discussions. On Thursday, he asked her to meet him at the  
5 Irvine office on Friday morning to discuss organizational structure. She texted Ms. Raissi and  
6 asked if she had talked to Mr. Behl about their conversation, since she had talked to her in  
7 confidence. Ms. Raissi did not answer her question.

8 50. On Friday, October 15, Ms. Schwab drove to the Irvine office to meet with  
9 Mr. Behl. When she arrived, Mr. Behl and Ms. Raissi were both present. Mr. Behl told her that  
10 Rivian was moving into a new “operational” phase, and that they had decided to eliminate her  
11 position as part of a reorganization. Ms. Schwab reminded them that her team was doing  
12 operations, that she was one of the few automotive operations experts in leadership at the  
13 company, and that Rivian had recruited her to do operations. When Ms. Schwab asked if the  
14 termination had anything to do with her recent report of gender discrimination, Ms. Raissi  
15 acknowledged that she knew Ms. Schwab had talked to other employees about her concerns and  
16 recent conversations. Mr. Behl and Ms. Raissi acknowledged that Ms. Schwab was a “high  
17 performer” who was “very well respected” across the organization.

18 51. Rivian’s stated reasons for terminating Ms. Schwab are patently pretextual for at  
19 least four reasons.

20 52. *First*, Ms. Schwab was the only person laid off as part of this “reorganization,”  
21 and it makes no sense that the company would eliminate the head of sales and marketing just as  
22 its vehicles are beginning production and at the most critical juncture for the company to be  
23 marketing and selling its products on the eve of its IPO.

24 53. *Second*, “high performers” are seldom let go in a reorganization, especially when a  
25 company is actively recruiting and hiring hundreds of people each month. Even if there was a  
26 reorganization, any reasonable executive would, absent discrimination or retaliatory motive, find  
27 a new position for Ms. Schwab within Rivian, retain her talent, and put her skills to good use.

28 \_\_\_\_\_  
<sup>3</sup> Ms. Schwab believes that Mr. Batra had reported the discrimination to HR.

1           54.     *Third*, Ms. Schwab and her team *were* focused on operations, so Rivian’s pivot  
2 into an “operational phase” would benefit immensely from her knowledge, leadership, and  
3 proven track record. Indeed, this was precisely the role that Ms. Schwab was recruited to fill and  
4 that Rivian tailored for her. For example, Ms. Schwab’s team was responsible for opening the  
5 brand experience hub in Venice, which was an unmitigated success. In contrast, other Rivian  
6 teams tasked with operations had run over budget and under-delivered. If successful operations  
7 were the goal, Rivian should have retained the leader who had delivered.

8           55.     *Fourth*, Ms. Schwab was filling a vital and valuable role at the company, and there  
9 was a need for her leadership. Indeed, in the days following her termination, Ms. Schwab  
10 received dozens of messages from Rivian employees expressing their shock at her sudden  
11 departure and stating that she was the best leader and executive at the company.

12           56.     Ms. Schwab was fired shortly before her first year cliff and on the eve of the IPO,  
13 stripping her of the value she helped to create for the company and maximizing the damage to her  
14 unblemished professional reputation in the automotive industry.

#### 15                   **STATEMENT OF LWDA NOTICE COMPLIANCE**

16           57.     Plaintiff provided written notice by certified mail to the Labor and Workforce  
17 Development Agency (“LWDA”) and to Defendant of the legal claims and theories of this case.  
18 Plaintiff will amend her complaint to plead exhaustion of administrative remedies following the  
19 statutorily prescribed sixty-five day waiting period in which no response was received from the  
20 LWDA. Labor Code § 2699.3.

#### 21                   **FIRST CAUSE OF ACTION**

##### 22                   **(Private Attorneys General Act, Labor Code § 2699)**

23           58.     Plaintiff, on behalf of herself, and all other current or former employees, re-alleges  
24 and incorporates by reference all allegations previously made in Paragraphs 1 through 57 above  
25 as if fully set forth herein.

26           59.     Under the Private Attorneys General Act of 2006, Labor Code sections 2698-  
27 2699.5, an aggrieved employee, on behalf of himself or herself and other current or former  
28

employees, may recover penalties under any provision of the Labor Code that provides for civil penalties. These penalties are in addition to any other relief available under the Labor Code.

60. As set forth above, Defendant has committed violations for which the Labor Code provides for penalties, including violating Sections 1102.5.

61. As a direct result of Defendant's conduct as described above, Plaintiff is entitled to recover the maximum civil penalties permitted by the Private Attorneys General Act from Defendant for all violations of Labor Code sections 1102.5, as well as reasonable attorney's fees and costs.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Laura Schwab prays for judgment and the following specific relief against Rivian Automotive, LLC, as follows:

1. A declaratory judgment that the practices complained of herein are unlawful under the California Labor Code and a declaration that: Defendant is found to have violated Cal. Labor Code § 1102.5;

2. For penalties as provided under the Private Attorneys General Act, codified as Labor Code section 2698, *et seq.*, and distributed in accordance with the Act; and

3. Costs of action incurred herein, including expert fees;

4. Attorney's fees, including fees pursuant to California Code of Civil Procedure section 1021.5 and California Labor Code section 2699; and

5. For such other and further relief that the Court may deem just and proper.

DATED: November 4, 2021

Respectfully submitted,

RUDY, EXELROD, ZIEFF & LOWE, LLP

By: 

DAVID A. LOWE

ZOË R. DeGEER

JANE G. FARRELL

*Attorneys for Plaintiff*

LAURA SCHWAB