

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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KAORU PARKER, : Index No. :

Plaintiff, :

v. : as place of trial.

Plaintiff designates  
New York County

SEIKO CORPORATION OF AMERICA,  
SHINJI HATTORI, ETSUKO HATTORI, :  
YOSHIKATSU KAWADA and TAKASHI  
AOKI

The basis of venue is  
Defendant's place of  
business and residence.

: **SUMMONS**

Defendants.

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To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to  
serve a copy of your Answer on the Plaintiff within twenty (20) days after the service of this  
Summons, exclusive of the day of service, where service is made by delivery upon you  
personally within the state, or within thirty (30) days after completion of service where service is  
made in any other manner. In case of your failure to appear or answer, judgment will be taken  
against you by default for the relief demanded in the Complaint.

Dated: New York, New York  
March 10, 2015

ZIEGLER, ZIEGLER & ASSOCIATES LLP  
*Attorneys for Plaintiff*

By: /s/ Christopher Brennan  
Christopher Brennan, Esq.  
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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KAORU PARKER, : Index No. :

Plaintiff, : **COMPLAINT**

v. :

SEIKO CORPORATION OF AMERICA,  
SHINJI HATTORI, ETSUKO HATTORI, :  
YOSHIKATSU KAWADA and TAKASHI  
AOKI,

:

Defendants.

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Plaintiff, Kaoru Parker, by and through her attorneys Ziegler, Ziegler & Associates, LLP, as and for her Complaint against defendants Seiko Corporation of America ("Seiko"), Shinji Hattori ("defendant Shinji Hattori"), Etsuko Hattori ("defendant Etsuko Hattori"), Yoshikatsu Kawada ("defendant Kawada") and Takashi Aoki ("defendant Aoki" and defendant Aoki referred to collectively with Seiko, defendant Shinji Hattori, defendant Etsuko Hattori and defendant Kawada as the "Defendants"), states as follows:

**SUMMARY**

1. Kaoru Parker ("Ms. Parker" or "Plaintiff"), a Japanese citizen and United States green card holder, commenced employment with Seiko in New York in June 2014.

2. Ms. Parker was hired as a sales associate at a Seiko watch boutique that opened in August 2014 on Madison Avenue in Manhattan.

3. At Seiko, Ms. Parker has experienced and continues to experience employment discrimination based upon her race and sex.

4. The acts of employment discrimination Ms. Parker has experienced at Seiko include, but are not limited to, the following:

- being instructed by high-ranking Seiko executives not to work on a particular date when the Seiko boutique was being inspected by defendant Etsuko Hattori because defendant Etsuko Hattori had a deep-seated and longstanding prejudice against Japanese/non-Caucasian women, and such prejudice made it likely that defendant Etsuko Hattori would order Seiko to summarily terminate Ms. Parker's employment if she observed Ms. Parker working at the Seiko boutique;
- being forced to listen to inconsistent and incompatible workplace directives from high-ranking, American-based Seiko executives speaking in Japanese and from boutique supervisors speaking in English and then being forced to choose which workplace directives to follow;
- being ordered not to attend a grand opening gala for the Seiko's New York boutique due to her status as a Japanese woman; and
- being required to listen to Seiko's highest ranking executives based in the United States relate to her in Japanese clear and obvious violations of New York State and New York City employment discrimination laws while at the

same time being assured by lower ranking American Seiko executives that Seiko respected all applicable laws against employment discrimination.

5. Accordingly, Ms. Parker brings this employment discrimination case against the Defendants under the New York State Human Rights Law, N.Y. Executive Law §§ 290 et seq. (“State HRL”), the New York City Administrative Code §§ 8-101 et seq. (“City HRL”) and New York State common law.

### **THE PARTIES**

6. Ms. Parker has been employed with Seiko since June 2014. Ms. Parker is a citizen of Japan with permanent resident status in the United States. Ms. Parker has lived in the City of New York for over twenty years.

7. Seiko is a New York domestic corporation licensed to conduct business in the State of New York. Seiko is a wholly owned subsidiary of Seiko Holdings Corporation, a Japanese public corporation.

8. In 1881, Kintaro Hattori opened a watch shop in Tokyo, Japan, that eventually began to produce clocks under the name Seikosha. Seikosha was a predecessor to what would eventually become known as Seiko Holdings Corporation.

9. Seiko Holdings Corporation has over 13,000 employees worldwide and in 2014 had annual sales revenue of approximately two and a half billion United States dollars.

10. Defendant Shinji Hattori, a direct descendant of founder Kintaro Hattori, is the President and Chief Executive Officer of Seiko Holdings Corporation.

11. Defendant Etsuko Hattori owns approximately 9% of Seiko Holdings Corporation, making her the second largest shareholder in Seiko Holdings Corporation. Defendant Etsuko Hattori is also defendant Shinji Hattori's biological aunt.

12. Defendant Etsuko Hattori adopted defendant Shinji Hattori making her defendant Shinji Hattori's mother as well as his biological aunt.

13. Based upon her holdings in Seiko Holdings Corporation and her other assets, defendant Etsuko Hattori is among the wealthiest individuals in Japan.

14. Defendant Kawada is the President and CEO of Seiko and is a resident of the State of New York.

15. Defendant Aoki is the Vice President of Seiko and is a resident of the State of New Jersey.

#### **JURISDICTION AND VENUE**

16. This Court has subject matter jurisdiction over Plaintiff's claims under the State HRL statute, City HRL statute and under the common law of the State of New York. The amount of damages suffered by Plaintiff, exclusive of costs and legal fees, is in excess of the jurisdictional threshold level of this Court.

17. Contemporaneously with the filing of this Complaint, Ms. Parker has mailed a copy of this Complaint, along with a letter of explanation, to the New York City Commission of Human Rights and the Office of Corporation Counsel of the City of New York, satisfying the notice requirements of Section 8-502 of the New York City Administrative Code.

18. Venue in the Supreme Court of New York County is proper because Seiko is a New York Corporation and because Ms. Parker works for Seiko's boutique located at 510 Madison Avenue in New York County, New York.

### **FACTS RELEVANT TO ALL CLAIMS**

#### **Ms. Parker's Hiring By Seiko and Seiko's Business Plan**

19. Before Ms. Parker began working for Seiko in June 2014, she had extensive work experience in the field of luxury retail sales and the management of luxury retail store locations.

20. Prior to beginning work at Seiko, Ms. Parker had not worked for a Japanese-owned corporation for approximately twenty years. Ms. Parker was excited about what she thought was a promising opportunity to prove herself and advance within a Japanese-owned corporation.

21. Part of Ms. Parker's perception that Seiko offered her a good opportunity for career advancement was premised on the fact that she was fluent in both Japanese and English.

22. Ms. Parker assumed being Japanese and bilingual would be viewed as an asset at Seiko. However, Ms. Parker eventually learned the cruel irony that her status as a bilingual Japanese woman would mean that she would have no opportunity to succeed and advance within Seiko.

23. In or about 2013, Seiko Holdings Corporation developed a business plan that called for opening Seiko boutique locations in the United States. These Seiko boutiques locations would sell Seiko luxury watches.

24. Seiko Holdings Corporation decided that the first Seiko boutique based in the United States would be located in New York City and that if such boutique was successful, Seiko would open other boutiques around the United States.

25. In or about 2014, Seiko determined that its first United States boutique would be located at 510 Madison Avenue in Manhattan.

26. In or about May 2014, Ms. Parker learned of Seiko's plans to open a boutique in Manhattan and to potentially open additional boutiques in other locations in the United States.

27. In or about May 2014, Ms. Parker decided to apply for a position as a sales associate at the planned Seiko boutique. Ms. Parker hoped to help make such boutique a success and to one day be promoted to a managerial position at a new Seiko boutique location.

28. Ms. Parker was hired as a sales associate by Seiko in June 2014, and the Seiko boutique opened to the public on or about August 20, 2014.

**Ms. Parker's Invitation to Seiko's Grand Opening Party Revoked**

29. In conjunction with the opening of the boutique, Seiko arranged a grand opening party held atop Rockefeller Center on August 19, 2014.

30. Upon joining Seiko, Ms. Parker was invited to attend Seiko's grand opening party.

31. Ms. Parker purchased a new dress for the Seiko grand opening party.

32. Approximately one week prior to Seiko's grand opening party, Ms. Parker was informed by Seiko that she was no longer invited to attend such party.

33. Ms. Parker was informed that "there was no longer enough room" on the guest list for her to be permitted to attend the Seiko grand opening party.

34. Ms. Parker was confused and saddened by Seiko's revocation of her invitation to the grand opening party.

35. Ms. Parker's confusion turned to suspicion that Seiko was not telling her the truth when on August 20, 2014, a Japanese Seiko executive who had attended the party informed Ms. Parker that the venue where the party had been held was "quite large" and that there was "no reason" she could not have been on the guest list.

36. Based upon information and belief, Seiko withdrew Ms. Parker's invitation to the grand opening party because Seiko learned that defendant Etsuko Hattori might attend such party and Seiko did not want defendant Etsuko Hattori to learn that Ms. Parker, a Japanese woman, was employed by Seiko in a retail sales position.

**Ms. Parker's Employment at Seiko and Seiko's Supervision of Ms. Parker in Japanese and English**

37. After the Seiko boutique opened in August 2014, Ms. Parker's direct supervisor was Jim Turi, the manager of the Seiko boutique. Mr. Turi is an American man not fluent in Japanese, and Mr. Turi issued all workplace directives to Ms. Parker and her boutique colleagues in English.

38. Throughout Ms. Parker's tenure at the Seiko boutique, Mr. Turi informed Ms. Parker that both he and Seiko have been pleased with her work performance.

39. From the inception of Ms. Parker's tenure at the Seiko boutique to approximately November 20, 2014, defendant Kawada and defendant Aoki, whose



offices were located at Seiko's headquarters in New Jersey, would regularly visit the Seiko boutique. During such visits, both defendant Kawada and defendant Aoki would speak to Ms. Parker exclusively in Japanese while addressing all other Seiko employees in English. Defendant Kawada and defendant Aoki are both fluent in English.

40. In addition to visiting the Seiko boutique, defendant Kawada and defendant Aoki would frequently phone the Seiko boutique. After first speaking to Mr. Turi in English, defendant Kawada and defendant Aoki would ask that their calls be transferred to Ms. Parker, to whom they would speak exclusively in Japanese.

41. Ms. Parker, who is married to a non-Japanese speaking American, was not comfortable speaking in Japanese to defendant Kawada and defendant Aoki because she felt she was being rude to Mr. Turi and her other non-Japanese colleagues by doing so.

42. Despite Ms. Parker initially addressing defendant Kawada and defendant Aoki in English, defendant Kawada and defendant Aoki would only speak to Ms. Parker in Japanese. Ms. Parker was afraid to offend defendant Kawada and defendant Aoki, so she would then continue such conversations in Japanese.

43. Ms. Parker's discomfort about speaking Japanese to defendant Kawada and defendant Aoki was amplified because they regularly asked her for information and solicited her opinion about business-related matters occurring at the Seiko boutique.

44. Ms. Parker was concerned that because defendant Kawada and defendant Aoki were regularly speaking to her in Japanese, her American colleagues might assume that she was acting as an internal Seiko spy or that she was receiving some type of special treatment from Seiko's management.

**Ms. Parker Ordered Not to Report to Work**

45. On November 20, 2014 at approximately 3 PM, Ms. Parker was working at the boutique when defendant Aoki called and spoke to Mr. Turi.

46. After defendant Aoki concluded his conversation with Mr. Turi, he requested to speak to Ms. Parker.

47. Defendant Aoki, speaking only in Japanese, began the conversation by telling Ms. Parker that he wanted her to accompany a visiting Japanese watch craftsman to dinner in New York in December 2014.

48. After Ms. Parker agreed to take the visiting craftsman to dinner, she thought Mr. Aoki sounded nervous and uncomfortable as their telephone call continued.

49. Defendant Aoki prefaced the next part of the conversation by saying that he had been speaking with defendant Kawada and they both agreed that it was necessary to tell Ms. Parker "a very rude story."

50. Defendant Aoki asked Ms. Parker if she was aware that a very important person from the Hattori family (the family that founded Seiko Holdings Corporation in 1881, that currently manages Seiko Holdings Corporation, and that still owns a significant portion of Seiko Holdings Corporation's outstanding shares) was planning to visit New York to inspect the Seiko boutique on November 22, 2014.

51. Ms. Parker informed defendant Aoki that she was aware of the planned inspection and that she was scheduled to work at the Seiko boutique on November 22, 2014.

52. Defendant Aoki told Ms. Parker that he had spoken with defendant Kawada and that defendant Kawada wanted him to tell Ms. Parker about the member of the Hattori family who was scheduled to inspect the Seiko boutique.

**Seiko Details Defendant Etsuko Hattori's Racist and Sexist Conduct and Seiko's Longstanding Knowledge and Tolerance of Such Conduct**

53. Defendant Aoki informed Ms. Parker that the member of the Hattori family coming to New York for the boutique inspection was defendant Etsuko Hattori.

54. Defendant Aoki explained that defendant Etsuko Hattori was defendant Shinji Hattori's biological aunt, but that defendant Etsuko Hattori had adopted defendant Shinji Hattori and was considered defendant Shinji Hattori's mother by the Hattori family.

55. Defendant Aoki went on to describe Etsuko Hattori as a mean, horrible, very difficult, prejudiced, racist and rude person.

56. Defendant Aoki explained that defendant Etsuko Hattori believed she was an expert in the business of high end retail sales and that it was her practice to regularly inspect Seiko retail locations in Japan and elsewhere.

57. Defendant Aoki stated that during such inspections defendant Etsuko Hattori demonstrated a deep-seated and harsh prejudice against Japanese female Seiko employees by berating and humiliating them even when such employees provided excellent customer service.

58. Defendant Aoki informed Ms. Parker that it was not unusual for defendant Etsuko Hattori to order Seiko management to summarily fire Japanese female Seiko employees during such inspections. Defendant Aoki explained to Ms. Parker that it was common for defendant Etsuko Hattori to visit the Seiko location in

WAKO (a high end department store located in Tokyo) as often as three times a week for the sole purpose of berating the Japanese female Seiko sales representatives.

59. Defendant Aoki further informed Ms. Parker that although defendant Etsuko Hattori was prejudiced and rude toward Japanese female Seiko employees, defendant Etsuko Hattori was mild and respectful toward "Western people" who worked for Seiko.

60. Defendant Aoki told Ms. Parker that she would be a target of defendant Etsuko Hattori if she were present in the Seiko boutique during defendant Etsuko Hattori's inspection and therefore defendant Kawada and defendant Aoki felt that it would be best for Seiko if Ms. Parker were not working on November 22, 2014.

61. Ms. Parker was shocked that Seiko had ordered her not to appear at work because she was a Japanese woman, but fearing that she would lose her job if she refused Seiko's directive, Ms. Parker agreed not come to work on November 22, 2014.

62. Defendant Aoki was very pleased when Ms. Parker informed him that she would follow his order and told her that defendant Kawada would be happy that she "understood."

63. Defendant Aoki concluded the telephone conversation with Ms. Parker by instructing Ms. Parker to inform Mr. Turi that she would not report to work on November 22, 2014.

**Ms. Parker Informs Her English Speaking Supervisor of Seiko's Order That She Not Report to Work Due to Defendant Etsuko Hattori's Racism and Sexism**

64. After Ms. Parker finished her phone conversation with defendant Aoki, she went to Mr. Turi and informed him that she would not be at work on November 22, 2014.

65. Mr. Turi appeared confused by Ms. Parker's request, and it immediately became clear to Ms. Parker that defendant Aoki had never told Mr. Turi that defendant Kawada had instructed defendant Aoki to tell her not to work on November 22, 2014.

66. Ms. Parker also realized that while Seiko felt comfortable instructing her in Japanese not to appear at work due to a pending inspection of the Seiko boutique by a racist and sexist member of the Hattori family, Seiko was not comfortable imparting the same information to Ms. Parker's American supervisor in English.

67. Ms. Parker realized that defendant Aoki and defendant Kawada knew their instruction that she not appear at work during defendant Etsuko Hattori's inspection was both illegal and morally reprehensible and as such they were afraid to talk to Mr. Turi directly to explain why they did not want Ms. Parker in the boutique on November 22, 2014.

68. Mr. Turi informed Ms. Parker that she had already had a day off during the week and that she would be required to report to work on November 22, 2014.

69. Ms. Parker then explained to Mr. Turi the facts that defendant Aoki had related to her concerning defendant Etsuko Hattori's prejudice against Japanese female Seiko employees and that defendant Aoki had informed her that both he and defendant Kawada were convinced that Ms. Parker would be a target of defendant Etsuko Hattori's racism and sexism if she were to be present in the boutique during defendant Etsuko Hattori's inspection.

70. Mr. Turi told Ms. Parker that he would remove her from the work schedule for November 22, 2014 if defendant Aoki wanted her to be off said schedule.

71. While Ms. Parker was relating to Mr. Turi what defendant Aoki had told her concerning defendant Etsuko Hattori, an American female employee overheard the conversation and stated to Mr. Turi, "They are telling Kaoru (Ms. Parker) she has to disappear. That is not right."

72. Ms. Parker was already confused and unhappy about being told by Seiko not to come to work due to her race and sex, but after her American colleague voiced an opinion, Ms. Parker's confusion turned to anger and disgust.

73. Ms. Parker could not believe that in 2014 an employer based in New York City would have the audacity to order an employee not to report to work because an important person within such company was racist and sexist.

**Seiko Continues to Pressure Ms. Parker to Not Report to Work**

74. Approximately fifteen minutes after Ms. Parker concluded her phone call with defendant Aoki and after Ms. Parker had spoken to Mr. Turi about such phone call, defendant Aoki called Ms. Parker back at the boutique.

75. Once again speaking exclusively in Japanese, defendant Aoki began the phone conversation by instructing Ms. Parker to make sure certain flower arrangements were in place in the boutique for defendant Etsuko Hattori's planned inspection on November 22, 2014.

76. Defendant Aoki continued the conversation by aggressively questioning Ms. Parker if she had "understood" their earlier conversation and asked Ms. Parker if she had told Mr. Turi yet that she could not be at work on November 22, 2014. Defendant Aoki told Ms. Parker that it was very important that he be able to report to

defendant Kawada that Ms. Parker "understood" that she was not to report to work on November 22, 2014, so that defendant Kawada could have "good peace of mind."

77. Ms. Parker felt extremely pressured by defendant Aoki and informed him that she had told Mr. Turi that she could not be on the work schedule for November 22, 2014.

78. After Ms. Parker ended her second telephone conversation with defendant Aoki, it was clear to her that both defendant Kawada and defendant Aoki were terrified of defendant Etsuko Hattori and that they would do anything, including violate the law and facilitate racism and sexism in the workplace, in order to make sure defendant Etsuko Hattori not be "offended" by the sight of a Japanese female Seiko employee working in Seiko's New York City boutique.

79. After the conclusion of the work day on November 20, 2014, Ms. Parker left the Seiko boutique and became progressively more depressed and angered about what defendant Aoki had demanded of her during their telephone conversations.

80. Ms. Parker, who has resided in New York City for over twenty years, began to feel that her civil rights had been violated by Seiko. Ms. Parker could not help but wonder what the reaction of New Yorkers would be if an African American or Hispanic female employee were ordered not to go to work in New York City due to the racist and/or sexist beliefs of some "important person" who also had the power to fire employees at will.

81. Ms. Parker concluded that New Yorkers would be disgusted by any employer behaving in the manner that Seiko had behaved toward her.

**Ms. Parker Complains About Seiko's Employment Discrimination**

82. During the evening of November 20, 2014, Ms. Parker called Mr. Turi on his cell phone to inform him that she felt she was the victim of employment discrimination at Seiko.

83. Mr. Turi responded to Ms. Parker's concerns by saying that it was his opinion that defendant Aoki and defendant Kawada were "just trying to protect" Ms. Parker, and Mr. Turi ended the phone call shortly after saying so.

84. Within two minutes of ending their first phone call, Mr. Turi called Ms. Parker back and said that she "was right" and that defendant Aoki's directive, delivered on behalf of Mr. Kawada, that Ms. Parker not come to work on November 22, 2014 "was a problem." Mr. Turi informed Ms. Parker that he would call defendant Aoki on the next day and let defendant Aoki know that Ms. Parker was hurt and upset.

85. Ms. Parker reported to work at approximately 9:30 AM on November 21, 2014.

86. Mr. Turi was not scheduled to work on November 21, 2014, but he called the boutique that morning and informed Ms. Parker that he had attempted to call defendant Aoki earlier in the morning but Mr. Aoki had been unavailable.

**Seiko Forces Ms. Parker to Address Its Employment Discrimination against Her by Forcing Her to Speak Directly to a Seiko Executive Who Was Actively Engaged in Facilitating Employment Discrimination against Ms. Parker**

87. During the afternoon of November 21, 2014, Mr. Turi called Ms. Parker again at the boutique and informed her that he had spoken to defendant Aoki. Mr. Turi said he had told defendant Aoki about Ms. Parker's "feelings" and had told defendant Aoki that "New York is not Japan." Mr. Turi also said that defendant Aoki would call



Ms. Parker and that it was necessary that Ms. Parker "express your (Ms. Parker's) feelings" to defendant Aoki directly.

88. A short time after Mr. Turi's call, defendant Aoki called Ms. Parker at the boutique and once again spoke to her exclusively in Japanese.

89. Based on her earlier conversation with Mr. Turi, Ms. Parker assumed that the purpose of defendant Aoki's call was to discuss Seiko's directive that Ms. Parker not appear for work on November 22, 2014, but defendant Aoki avoided the issue and simply began talking about routine business matters.

90. When it became clear to Ms. Parker that defendant Aoki had no intention of discussing Seiko's order that she not appear at work due to a planned inspection of the boutique by Etsuko Hattori, Ms. Parker decided to introduce the issue into the conversation.

91. Ms. Parker told defendant Aoki that she was very unhappy about the order that she had received concerning defendant Etsuko Hattori. She said that prior to receiving such order she had pride as a Japanese person working within a Japanese company, but Seiko had destroyed that pride by insulting her dignity as a Japanese woman.

**Seiko Acknowledges That It Is Engaged in Employment Discrimination against Ms. Parker and Will Likely Continue to Engage in Employment Discrimination against Ms. Parker in the Future**

92. Ms. Parker asked if defendant Aoki thought it was correct for Seiko to order her not to appear at work, and defendant Aoki responded, "I think it is not a good thing, and I think it was a rude order due to your years of retail experience in New York."

93. Ms. Parker responded that her years of retail experience had nothing to do with why the order for her to stay away from work was wrong and that the real problem with the order was related to "civil rights and discrimination," to which defendant Aoki responded, "Well...maybe."

94. Ms. Parker informed defendant Aoki that she was deeply distressed because she was afraid of getting fired from her job, and she asked if it was true that defendant Etsuko Hattori had the power to fire Seiko employees.

95. Defendant Aoki informed her that he had never personally witnessed defendant Etsuko Hattori fire employees, but he said that it was widely known within Seiko and Seiko Holdings Corporation in Japan that defendant Etsuko Hattori had ordered numerous employees to be fired in the past.

96. Ms. Parker asked defendant Aoki if such employees that had been ordered fired by defendant Etsuko Hattori had done anything wrong, and defendant Aoki said that several were "fault free."

97. Ms. Parker asked defendant Aoki if Seiko Holdings Corporation in Japan had done anything to defend "fault free" employees who were ordered fired by Etsuko Hattori. Defendant Aoki responded that some within Seiko Holdings Corporation had tried to defend such fired employees, but defendant Etsuko Hattori was so powerful that even her son, defendant Shinji Hattori, was afraid of going against her wishes.

98. Ms. Parker asked defendant Aoki if Seiko would tell her "to disappear" again the next time defendant Etsuko Hattori visited the New York boutique if she did

not appear at work on November 22, 2014, as defendant Aoki had directed on behalf of defendant Kawada and Seiko.

99. Defendant Aoki responded to Ms. Parker by confirming to her that it was likely that Seiko make the same request if defendant Etsuko Hattori returned to New York.

100. Ms. Parker ended the conversation with defendant Aoki by telling him that Seiko had "broken her heart."

101. Based upon defendant Aoki's statements to Ms. Parker, made on behalf of defendant Kawada and Seiko, it became clear to Ms. Parker that as a Japanese woman she would never have the same opportunities to succeed and advance within Seiko that were available to her male colleagues.

**Seiko Issues Conflicting Directives to Ms. Parker in Japanese and English**

102. At no point in his telephone conversation with Ms. Parker on November 21, 2014 did defendant Aoki withdraw his directive, delivered on behalf of defendant Kawada and Seiko, that Ms. Parker not appear for work on November 22, 2014.

103. At approximately 5:00 PM on November 21, 2014, Ceres Sosa-Blundo, Seiko's director of retail operations and Mr. Turi's supervisor, called Ms. Parker at the boutique.

104. Ms. Sosa-Blundo told Ms. Parker that she could report to work on November 22, 2014.

105. Ms. Parker asked Ms. Sosa-Blundo whose directive she should follow because defendant Kawada and defendant Aoki had instructed her not to appear at work on November 22, 2014.

106. Ms. Sosa-Blundo told Ms. Parker that defendant Kawada and defendant Aoki "needed to understand the situation."

107. Ms. Parker asked Ms. Sosa-Blundo what Seiko would do if defendant Etsuko Hattori fired her, and Ms. Sosa-Blundo responded that she did not "think" that would happen.

108. After the conclusion of her telephone conversation with Ms. Sosa-Blundo, Ms. Parker was confused, depressed and fearful that she would lose her job if she disobeyed the directive that she not appear at work on November 22, 2014.

109. In addition, Ms. Parker was angry that Seiko was sending her different orders in different languages.

110. In Japanese and from Seiko's highest ranking executives in the United States, Ms. Parker was ordered not to come to work on November 22, 2014 because she was a Japanese woman, but in English, a lower ranking Seiko executive was telling Ms. Parker that she could attend work on November 22, 2014.

**Ms. Parker Suffers Incredible Stress Due to Seiko's Employment Discrimination**

111. When Ms. Parker finished work on November 21, 2014 and returned to her home, she felt incredible stress concerning whether to report to work the next day.

112. In the early morning of November 22, 2014, Ms. Parker called Mr. Turi and told him that she would not be at work because she was under incredible stress and had been unable to sleep, to which Mr. Turi responded, "OK."

113. On November 22, 2014, defendant Etsuko Hattori came to the Seiko boutique and conducted an inspection of the same. During such inspection the boutique was only staffed by American Seiko employees.

**Seiko Claims It Was "Only Trying to Protect" Ms. Parker and Seiko Fails to Deliver a Promised Apology to Ms. Parker for Its Employment Discrimination**

114. On Monday, November 24, 2014, Ms. Parker returned to work and was contacted via telephone by Michelle Mongno, the director of Seiko's human resources department.

115. Ms. Mongno began the conversation by alleging that Ms. Parker had indicated that she wanted to talk to Ms. Mongno.

116. Ms. Parker informed Ms. Mongno that she had never asked to speak to her, but if Ms. Mongno was interested in hearing what Ms. Parker had experienced at Seiko, Ms. Parker would relate the facts to her. To this, Ms. Mongno answered, "Please."

117. After Ms. Parker detailed what she had experienced at Seiko, Ms. Mongno told Ms. Parker, "Mr. Kawada and Mr. Aoki wanted to protect you. I do not want you to be upset. I want you to be happy."

118. Ms. Parker told Ms. Mongno that she continued to be upset and depressed about what had occurred, and Ms. Parker ended the phone conversation.

119. On November 25, 2014, Ms. Mongno called the boutique again and informed Ms. Parker that defendant Aoki was currently sitting next to her and that he wished to apologize to Ms. Parker.

120. Despite Ms. Mongno's statement that defendant Aoki wished to apologize to Ms. Parker, defendant Aoki did not speak during the telephone call, and Ms. Parker eventually hung up the phone.

**Seiko Materially Alters the Conditions of Ms. Parker's Employment Due to Her  
Complaints of Employment Discrimination**

121. Prior to November 20, 2014, defendant Kawada and defendant Aoki would regularly speak to Ms. Parker on the telephone at the boutique, and defendant Kawada and defendant Aoki would regularly visit the boutique during business hours while Ms. Parker was working.

122. During such phone calls and visits, defendant Kawada and defendant Aoki would discuss Seiko business issues with Ms. Parker. This included soliciting both Ms. Parker's opinions concerning the status of Seiko's existing business model at the Seiko boutique and Ms. Parker's ideas for improving such business model.

123. From November 21, 2014 through March 10, 2015, neither defendant Kawada nor defendant Aoki has spoken to Ms. Parker, and defendant Kawada and defendant Aoki have only visited the boutique on a single occasion while Ms. Parker has been working. During that visit, neither defendant Kawada nor defendant Aoki spoke to Ms. Parker or acknowledged her presence in the boutique.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS  
(Violation of State HRL)**

124. Plaintiff repeats and realleges paragraphs 1 through 123 as if fully set forth herein.

125. By the acts and practices described above, including, but not limited to, ordering Plaintiff not to appear at her place of employment due to her status as a Japanese woman, Defendants discriminated against Plaintiff in the terms and conditions of her employment on the basis of her race in violation of the State HRL.

126. Seiko is liable to Plaintiff as an “employer” pursuant to the State HRL.

127. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for aiding and abetting the discrimination against Plaintiff in violation of the State HRL.

128. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation because of the discriminatory conduct of the Defendants.

129. Defendants’ discriminatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff’s rights under the State HRL.

**AS AND FOR A SECOND CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of State HRL)**

130. Plaintiff repeats and realleges paragraphs 1 through 129 as if fully set forth herein.

131. By the acts and practices described above, including, but not limited to, ordering Plaintiff not to appear at her place of employment due to her status as a Japanese woman, Defendants discriminated against Plaintiff in the terms and conditions of her employment on the basis of her sex in violation of the State HRL.

132. Seiko is liable to Plaintiff as an “employer” pursuant to the State HRL.

133. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for aiding and abetting the discrimination against Plaintiff in violation of the State HRL.

134. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation because of the discriminatory conduct of the Defendants.

135. Defendants' discriminatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the State HRL.

**AS AND FOR A THIRD CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of State HRL-Retaliation)**

136. Plaintiff repeats and realleges paragraphs 1 through 135 as if fully set forth herein.

137. By the acts and practices described above, including, but not limited to, materially altering the conditions of Plaintiff's employment, Defendants retaliated against Plaintiff for reporting and opposing the unlawful racially discriminatory employment practices of Seiko.

138. Seiko, as an "employer," is liable to Plaintiff for its retaliation against her pursuant to the State HRL.

139. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for their retaliation against her by aiding and abetting such retaliation in violation of the State HRL.

140. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation because of Defendants' retaliatory conduct.

141. Defendants' retaliatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the State HRL.

**AS AND FOR A FOURTH CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of State HRL-Retaliation)**

142. Plaintiff repeats and realleges paragraphs 1 through 141 as if fully set forth herein.



143. By the acts and practices described above, including, but not limited to, materially altering the conditions of Plaintiff's employment, Defendants retaliated against Plaintiff for reporting and opposing the unlawful sexually discriminatory employment practices of Seiko.

144. Seiko, as an "employer," is liable to Plaintiff for its retaliation against her pursuant to the State HRL.

145. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for their retaliation against her for aiding and abetting such retaliation in violation of the State HRL.

146. Plaintiff is now suffering and will continue to suffer irreparable injuries and damages for physical and mental anguish and humiliation because of Defendants' retaliatory conduct.

147. Defendants' retaliatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the State HRL.

**AS AND FOR A FIFTH CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of City HRL)**

148. Plaintiff repeats and realleges paragraphs 1 through 147 as if fully set forth herein.

149. By the acts and practices described above, including, but not limited to, ordering Plaintiff not to appear at her place of employment due to her status as a Japanese woman, Defendants discriminated against Plaintiff in the terms and conditions of her employment on the basis of her race in violation of the City HRL.

150. Seiko, as an "employer," is liable to Plaintiff pursuant to the City HRL.

151. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for aiding and abetting the discrimination against Plaintiff in violation the City HRL.

152. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation because of Defendants' discriminatory conduct.

153. Defendants' discriminatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the City HRL.

**AS AND FOR A SIXTH CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of City HRL)**

154. Plaintiff repeats and realleges paragraphs 1 through 153 as if fully set forth herein.

155. By the acts and practices described above, including, but not limited to, ordering Plaintiff not to appear at her place of employment due to her status as a Japanese woman, Defendants discriminated against Plaintiff in the terms and conditions of her employment on the basis of her sex in violation of the City HRL.

156. Seiko, as an "employer," is liable to Plaintiff pursuant to the City HRL.

157. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for aiding and abetting the discrimination against Plaintiff in violation of the City HRL.

158. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation because of Defendants' discriminatory conduct.

159. Defendants' discriminatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the City HRL.

**AS AND FOR A SEVENTH CAUSE OF ACTION AGAINST ALL DEFENDANTS**  
**(Violation of City HRL-Retaliation)**

160. Plaintiff repeats and realleges paragraphs 1 through 159 as if fully set forth herein.

161. By the acts and practices described above, including but not limited to materially altering the conditions of Plaintiff's employment, Defendants retaliated against Plaintiff for reporting and opposing the unlawful racially discriminatory employment practices of Seiko.

162. Seiko, as an "employer," is liable to Plaintiff pursuant to the City HRL.

163. Defendant Kawada, defendant Aoki, defendant Etsuko Hattori and defendant Shinji Hattori are liable to Plaintiff for their retaliation against her for aiding and abetting such retaliation in violation the City HRL.

164. Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation as a result of Defendants' retaliatory conduct.

165. Defendants' retaliatory conduct toward Plaintiff constitutes a malicious, willful and reckless violation of Plaintiff's rights under the City HRL.

**AS AND FOR AN EIGHTH CAUSE OF ACTION AGAINST SEIKO**  
**(Negligent Hiring and Retention)**

166. Plaintiff repeats and realleges paragraphs 1 through 165 as if fully set forth herein.

167. At the time Seiko hired defendant Kawada for the position of President and CEO of Seiko, Seiko knew or should have known that defendant Kawada had a propensity to permit racial discrimination in the workplace.

168. As a result of Seiko's negligence in hiring and retaining defendant Kawada, Plaintiff was exposed to and suffered foreseeable harm that but for Seiko's negligence could have been avoided.

169. Because of Seiko's negligence in hiring and retaining defendant Kawada, Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation.

**AS AND FOR A NINTH CAUSE OF ACTION AGAINST SEIKO**  
**(Negligent Hiring and Retention)**

170. Plaintiff repeats and realleges paragraphs 1 through 169 as if fully set forth herein.

171. At the time Seiko hired defendant Kawada for the position of President and CEO of Seiko, Seiko knew or should have known that defendant Kawada had a propensity to permit sexual discrimination in the workplace.

172. As a result of Seiko's negligence in hiring and retaining defendant Kawada, Plaintiff was exposed to and suffered foreseeable harm that but for Seiko's negligence could have been avoided.

173. Because of Seiko's negligence in hiring and retaining defendant Kawada, Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation.

**AS AND FOR A TENTH CAUSE OF ACTION AGAINST SEIKO**  
**(Negligent Hiring and Retention)**

174. Plaintiff repeats and realleges paragraphs 1 through 173 as if fully set forth herein.

175. At the time Seiko hired defendant Aoki for the position of Vice President of Seiko, Seiko knew or should have known that defendant Aoki had a propensity to permit racial discrimination in the workplace.

176. As a result of Seiko's negligence in hiring and retaining defendant Aoki, Plaintiff was exposed to and suffered foreseeable harm that but for Seiko's negligence could have been avoided.

177. Because of Seiko's negligence in hiring and retaining defendant Aoki, Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation.

**AS AND FOR AN ELEVENTH CAUSE OF ACTION AGAINST SEIKO**  
**(Negligent Hiring and Retention)**

178. Plaintiff repeats and realleges paragraphs 1 through 177 as if fully set forth herein.

179. At the time Seiko hired defendant Aoki for the position of Vice President of Seiko, Seiko knew or should have known that defendant Aoki had a propensity to permit sexual discrimination in the workplace.

180. As a result of Seiko's negligence in hiring and retaining defendant Aoki, Plaintiff was exposed to and suffered foreseeable harm that but for Seiko's negligence could have been avoided.

181. Because of Seiko's negligence in hiring and retaining defendant Aoki, Plaintiff is now suffering and will continue to suffer irreparable injuries and monetary damages and damages for physical and mental anguish and humiliation.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully requests that this Court enter an award:

- (a) declaring the acts and practices complained of herein a violation of the State HRL and City HRL;
- (b) enjoining and permanently restraining these violations of the State HRL and the City HRL and directing Seiko to take such affirmative action as is necessary to ensure that these unlawful employment actions are eliminated;
- (c) directing judgment in favor of Plaintiff on her claims of Negligent Hiring and Retention;
- (d) directing Defendants to pay Plaintiff compensatory damages in an amount not less than \$10,000,000 for injury to her person and to her reputation, for adverse effects on her career and for diminished earning capacity resulting from the discriminatory and retaliatory actions of Defendants that constitute violations of the State HRL and City HRL;
- (e) directing Defendants to pay Plaintiff punitive damages in an amount not less than \$50,000,000 for Defendants' violation of the City HRL;

- (f) award Plaintiff damages in an amount not less than \$10,000,000 for each of her claims of Negligent Hiring and Retention;
- (g) award Plaintiff pre-judgment interest on all monies awarded to her;
- (h) award Plaintiff her reasonable attorneys' fees and costs; and
- (i) granting such other and further relief as the Court deems necessary and proper.

**DEMAND FOR TRIAL BY JURY**

Plaintiff hereby demands a trial by jury on all claims.

Dated: New York, New York  
March 10, 2015

ZIEGLER, ZIEGLER & ASSOCIATES, LLP

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Christopher Brennan

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