

1 HARMEET K. DHILLON (SBN: 207873)
harmeet@dhillonlaw.com
2 JOHN-PAUL S. DEOL (SBN: 284893)
jpdeol@dhillonlaw.com
3 JESSE D. FRANKLIN-MURDOCK (SBN: 339034)
jfranklin-murdock@dhillonlaw.com
4 DHILLON LAW GROUP INC.
5 177 Post Street, Suite 700
San Francisco, California 94108
6 Telephone: (415) 433-1700
7 Facsimile: (415) 520-6593

8 Attorneys for Plaintiff
9 Ram Duriseti

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SANTA CLARA**

12 RAM DURISETI, an individual,

13 Plaintiff,

14 v.

15 STANFORD HEALTH CARE, a California
16 nonprofit corporation; and DOES 1-10.

17 Defendants.
18

CASE NO. _____

19 **COMPLAINT FOR:**

- 20 (1) Violation of Cal. Lab. Code § 1101
- 21 (2) Violation of Cal. Lab. Code § 1102
- 22 (3) Wrongful Termination in Violation of
Public Policy
- 23 (4) Violation of Cal. Bus. & Prof. Code §§
17200, *et seq.*

24 **DEMAND FOR JURY TRIAL**

25 Plaintiff Ram Duriseti (“Dr. Duriseti”), by and through his attorneys, Dhillon Law Group Inc.,
26 files this Complaint against Defendants Stanford Health Care (“SHC”) and Does 1–10, and alleges
27 and avers as follows:

28 **PRELIMINARY STATEMENT**

1. Dr. Duriseti is a physician and a decision and data scientist. Until SHC terminated Dr.
Duriseti’s employment through a forced resignation, Dr. Duriseti worked as a physician in the
pediatric emergency department at Stanford Hospital, which is owned and controlled by SHC.

2. Based on his review of his own medical history and the scientific literature regarding

1 the various COVID vaccines, Dr. Duriseti determined that a “booster” dose of a COVID vaccine
2 would be medically disadvantageous in his circumstances. Dr. Duriseti’s decision was based on an
3 informed, calculated understanding of the benefits the COVID vaccines do and do not offer, and the
4 possible interactions between the vaccines and his own pre-existing medical conditions.

5 3. Soon after the COVID booster doses became available under Emergency Use
6 Authorization, SHC mandated that its employees obtain a COVID booster shot.

7 4. Dr. Duriseti requested an exemption, which SHC denied.

8 5. Yet, SHC allowed Dr. Duriseti and other healthcare workers who had not received a
9 booster to continue working at SHC for many months.

10 6. In November 2022, Dr. Duriseti learned that he had been suspended in August 2022,
11 and that his suspension had been converted into an involuntary resignation.

12 7. Dr. Duriseti was not terminated because of his personal, medical decision. SHC
13 ignored Dr. Duriseti’s booster status for many months, just as it overlooked and continues to overlook
14 other employees’ noncompliance. Instead, SHC terminated Dr. Duriseti for engaging in political
15 activity relating to COVID policy that was at odds with SHC’s own policy preferences.

16 8. In doing so, SHC adopted and enforced an illegal rule against political activity and
17 violated Dr. Duriseti’s statutory right to engage in political activity free from retaliatory reprisals in
18 the workplace.

19 **PARTIES**

20 9. Plaintiff Ram Duriseti is an individual who resides, and, at all times relevant herein,
21 resided, in the County of San Mateo.

22 10. Upon information and belief, Defendant Stanford Health Care is a California nonprofit
23 public benefit corporation with its principal place of business in the County of Santa Clara.

24 11. The true names and capacities, whether individual, corporate or otherwise, of
25 Defendants named herein as Does 1 through 10, inclusive, are unknown to Plaintiff at this time, and
26 these Defendants are therefore sued by fictitious names. Plaintiff will amend this Complaint to state
27 the true names and capacities of Does 1 through 10 when they have been ascertained, together with
28 the appropriate charges and allegations.

1 **JURISDICTION AND VENUE**

2 12. This Court has jurisdiction over this action pursuant to the California Constitution,
3 Article VI, Section 10, which grants the Superior Court “original jurisdiction in all causes except
4 those given by statute to other courts.”

5 13. This Court has jurisdiction over all defendants because, upon information and belief,
6 each Defendant is either a citizen of California, has sufficient minimum contacts in California, and/or
7 otherwise intentionally avails himself, herself, or itself of the California market so as to render the
8 exercise of jurisdiction over him, her, or it by the California courts consistent with traditional notions
9 of fair play and justice.

10 14. Under Cal. Civ. Proc. Code section 395, venue is proper in the County of Santa Clara
11 because the tortious conduct and unlawful practices alleged herein were committed in the County of
12 Santa Clara.

13 **GENERAL ALLEGATIONS**

14 15. Dr. Duriseti holds a Doctor of Medicine from the University of Michigan Medical
15 School and a Doctor of Philosophy from the Stanford University School of Engineering.

16 16. Dr. Duriseti applies his training as a physician and a decision and data scientist in a
17 variety of fields, working as a pediatric emergency physician, a professor, a consultant, and a
18 technology start-up founder.

19 17. Applying the science of data to medicine is at the heart of what Dr. Duriseti does.

20 18. Dr. Duriseti was an attending Emergency Physician and faculty in the Stanford
21 Department of Emergency Medicine for almost twenty-three years (since November 2000). He is
22 currently a Clinical Associate Professor at Stanford University. Outside of his clinical duties, his
23 academic job description includes research and trying to advance the state of knowledge in medicine.
24 To this end, he is nationally published on the quantitative evaluation of complex medical decisions.
25 Dr. Duriseti has published a numerical paper on disparities in access during COVID,¹ has published
26 formal methodological comments on COVID-related journal articles,² has a publication pending on

27 ¹ <https://pubmed.ncbi.nlm.nih.gov/34125026/>

28 ² <https://publications.aap.org/pediatrics/article/doi/10.1542/peds.2022-056687/185379/School-Masking-Policies-and-Secondary-SARS-CoV-2;>

1 the impact of Pediatric mask mandates,³ has a manuscript in progress re-analyzing a mask randomized
2 controlled trial using random effects and Monte-Carlo methods, published opinion-editorials on
3 COVID policy matters co-authored with other academics,⁴ has offered testimony at the State Capitol,⁵
4 met with various State Senators about COVID policy, has a manuscript in progress with an
5 econometrics team at Ljubljana University in Slovenia, and has been working with a Bay Area County
6 Public Health department designing and implementing R-package (statistical analysis software
7 application) processing of their COVID data with a plan to publish the same. Dr. Duriseti's advocacy
8 has been consistent, public, quantitative, and evidence-based.

9 19. When governments around the world reacted to the COVID pandemic with lockdowns,
10 business and school closures, and mask and vaccine mandates, Dr. Duriseti examined these mitigation
11 measures using his data science and medical background and consistently concluded that these
12 measures resulted in devastating harms to lives and livelihoods that could not be justified by whatever
13 dubious public health benefits they generated.

14 20. Rather than remain quiet, Dr. Duriseti embarked on a campaign of political activity,
15 that is, action and advocacy geared toward influencing public policy.

16 21. Between April and May 2020, Dr. Duriseti prepared a submission for a Department of
17 Defense grant for a novel investigation award relating to the COVID pandemic. Despite support from
18 a Stanford Medical School panel, SHC's head of emergency medicine, Dr. Andra Blomkalns, whose
19 approval was required under Department of Defense policies, unilaterally blocked Dr. Duriseti's grant
20 application. Upon information and belief, Dr. Blomkalns blocked Dr. Duriseti's grant application
21 because of his alternative views on matters relating to COVID and pandemic management, including
22 early intubation of COVID patients, school closures, and lockdowns, which Dr. Duriseti

23 _____
24 <https://publications.aap.org/pediatrics/article/149/6/e2022056288/185413/Integrating-SARS-CoV-2-Antibody-Results-in>.

25 ³ "Child mask mandates for SARS-CoV-2: A systematic review" co-authored by invitation and under
26 review by The Lancet Child & Adolescent Health.

27 ⁴ [https://www.newsweek.com/were-physician-mathematician-data-scientist-n95s-wont-work-kids-](https://www.newsweek.com/were-physician-mathematician-data-scientist-n95s-wont-work-kids-opinion-1672207)
28 [opinion-1672207; https://www.newsweek.com/we-need-stop-indiscriminately-testing-covid-its-](https://www.newsweek.com/we-need-stop-indiscriminately-testing-covid-its-harming-our-kids-opinion-1699723)
[harming-our-kids-opinion-1699723](https://www.newsweek.com/we-need-stop-indiscriminately-testing-covid-its-harming-our-kids-opinion-1699723)

⁵ [https://docs.google.com/document/d/1cZ1B3v3IVZVCOY5cy-](https://docs.google.com/document/d/1cZ1B3v3IVZVCOY5cy-NE8YwPgcJd4PkzYFKxhxY92ik/edit)
[NE8YwPgcJd4PkzYFKxhxY92ik/edit](https://docs.google.com/document/d/1cZ1B3v3IVZVCOY5cy-NE8YwPgcJd4PkzYFKxhxY92ik/edit).

1 communicated to other Stanford faculty members, resulting in significant pushback.

2 22. In October 2020, Dr. Duriseti signed the Great Barrington Declaration, a public letter
3 articulating grave concerns about the damaging physical and mental health impacts of prevailing
4 COVID policies at the time, and recommending an alternative approach known as Focused Protection.

5 23. In December 2020, the Pfizer-BioNTech and Moderna-NIAID mRNA COVID
6 vaccines became available to certain members of the public. As a frontline healthcare worker, Dr.
7 Duriseti was among those given priority access to the vaccines. Dr. Duriseti declined the opportunity
8 to receive a vaccine at that time for three main reasons: (1) Dr. Duriseti believed based on his review
9 of the clinical research that he was not at notable risk of death or serious illness from COVID; (2)
10 other essential workers who faced a far greater risk of death or serious illness from COVID, including
11 environmental/janitorial service workers, delivery drivers, and residents with risk factors at SHC, did
12 not yet have access to the vaccine; and (3) there was no evidence that the vaccines were “sterilizing”
13 or “near-sterilizing” (i.e., able to prevent infection with COVID).

14 24. In March 2021, Dr. Duriseti joined ReOpen SUHSD, a local political advocacy group
15 whose mission was to advocate for in-person learning in the Sequoia Union High School District
16 (“SUHSD”).

17 25. In April 2021, Dr. Duriseti participated in an informational panel for the SUHSD.
18 During this informational panel, Dr. Duriseti emphasized the international and national data and
19 published literature demonstrating the safety of in-person schooling, with or without specific
20 mitigations in place, during the COVID pandemic, school opening outcomes from Europe since May
21 2020, and school opening outcomes since late summer 2020 in various states in the United States.

22 26. SHC issued a COVID vaccine mandate on July 6, 2021. It reinforced this directive in
23 compliance with the California Department of Public Health (“CDPH”) edict stating that all California
24 health care workers must be “fully vaccinated” by September 30, 2021. SHC issued a deadline of
25 August 15, 2021, for all SHC staff and employees.

26 27. In August 2021, representatives of Dr. Lauren Destino, Medical Staff President of
27 Lucille Packard Children’s Hospital, and Dr. Megan Mahoney, Chief of Staff of SHC approached Dr.
28 Duriseti regarding his compliance with SHC’s COVID vaccine requirement. At this point, Dr.

1 Duriseti had inquired about the availability of exemptions, but had not requested a formal exemption.
2 After ascertaining that he had negative anti-nucleocapsid antibody titers (indicating that Dr. Duriseti
3 most likely had no prior COVID infection), Dr. Duriseti decided to take the Janssen (Johnson &
4 Johnson) COVID vaccine.

5 28. On December 22, 2021, Governor Gavin Newsom and CDPH issued a COVID booster
6 mandate with a deadline of January 30, 2022, which was later extended to March 1, 2022. The Santa
7 Clara County Public Health Department, which oversees many SHC clinical operations, maintained a
8 February 1, 2022 deadline.

9 29. In December 2021, Dr. Duriseti joined the Urgency of Normal, a political advocacy
10 group devoted to minimizing the disruptions to children's education and health posed by overly
11 restrictive COVID mitigation measures. In January 2022, Dr. Duriseti was listed on Urgency of
12 Normal's website.

13 30. In January 2022, Dr. Duriseti contracted COVID from his vaccinated sixteen-year-old
14 teen. He experienced mild symptoms for two days and made a quick and complete recovery.

15 31. In January 2022, Dr. Duriseti co-authored an opinion-editorial in *Newsweek* with
16 Professor Ben Recht regarding pediatric N-95 respirator usage and school mask mandates more
17 generally. Dr. Duriseti and Professor Recht concluded based on their review of the available scientific
18 evidence that requiring children to wear masks at school (including N-95 respirators) would be an
19 ineffective mitigation strategy.

20 32. On February 1, 2022, Dr. Duriseti submitted a written request to SHC for an exemption
21 to SHC's booster requirement. Dr. Duriseti explained that his request was based on various personal,
22 medical factors, including his antibody levels after his recent COVID infection, and non-COVID-
23 related post-viral bronchitis (exacerbated by his otherwise mild asthma).

24 33. On February 8, 2022, Dr. Megan R. Mahoney, SHC's Chief of Staff, responded to Dr.
25 Duriseti's request for an exemption to SHC's booster requirement by extending the compliance
26 deadline to February 18, 2022. Dr. Mahoney stated Dr. Duriseti must provide evidence of compliance
27 by February 25, 2022, and that "[t]hose who remain without a Covid vaccine booster may be placed
28 on Administrative suspension until they are in compliance[.]"

1 34. As of the end of February 2022, Dr. Duriseti continued working clinical shifts at
2 Stanford Hospital with no objection from any SHC supervisor or administrator. Upon information and
3 belief, SHC allowed other healthcare workers who had not complied with SHC’s original vaccine or
4 booster mandate to continue working at Stanford Hospital during and after February 2022.

5 35. SHC was thus content to turn a blind eye to Dr. Duriseti’s booster status—until he
6 engaged in political activity that SHC deemed intolerable.

7 36. Upon information and belief, SHC maintained an implicit policy and/or rule under
8 which its physicians were prohibited from engaging in political activity contrary to SHC’s stated
9 policies regarding COVID.

10 37. SHC is intimately connected to Stanford University. Indeed, both entities have
11 overlapping management, and many doctors (including Dr. Duriseti) are affiliated with both Stanford
12 University and SHC. SHC further provides a significant amount of operating income for Stanford
13 University. Indeed, the Stanford University School of Medicine, SHC, and Stanford Children’s Health
14 – Lucile Packard Children’s Hospital Stanford all operate under a common Integrated Strategic Plan.

15 38. Just as SHC is hostile to those with dissenting views on COVID, so too is Stanford
16 University. Dr. Jay Bhattacharya published an article in *Tablet Magazine* on January 10, 2023, which
17 outlined the ways in which Stanford University failed to respect academic freedom with regard to Dr.
18 Bhattacharya’s research and advocacy around COVID. Dr. Bhattacharya discussed how junior
19 medical faculty “secretly supported the [Great Barrington Declaration] but were reticent to sign
20 officially for fear of reprisal from their department heads and Stanford administrators.” Dr.
21 Bhattacharya explained how his department chair “blocked an attempt to organize a seminar where
22 [he] would publicly present the ideas of the [Great Barrington Declaration].” Stanford interfered with
23 Dr. Bhattacharya and its former president, John Hennessey’s efforts to set up a discussion on COVID
24 policy. Dr. Bhattacharya explained how Stanford University “deplatformed” other “lockdown-skeptic
25 academics” at Stanford University. The Stanford University Faculty Senate went as far as to formally
26 censure Dr. Scott Atlas, who served as an adviser on COVID policy to President Trump, where Dr.
27 Atlas advocated for policies in line with those favored by Dr. Duriseti. The chair of Stanford
28 University’s epidemiology department helped circulate a secret petition asking the university

1 president to censor Dr. Bhattacharya for accurate testimony he provided Florida Governor Ron
2 DeSantis at a policy round table.

3 39. Upon information and belief, there are structural conflicts of interest that have
4 informed Stanford's COVID vaccination policy and its subsequent retaliation against Dr. Duriseti. Dr.
5 Bonnie Moldonado is the head of Pediatric Infectious Disease at SHC and played a pivotal role in
6 SHC's organized COVID position and response. According to Stanford School of Medicine Dean
7 Lloyd Minor, "Stanford Medicine's response to COVID-19 has been very much a team effort, with
8 hundreds of individuals playing essential roles . . . But Bonnie has become an axis around which all of
9 this spins."⁶ Dr. Moldonado also serves as the head of Infectious Disease for the American Academy
10 of Pediatrics ("AAP") and advises the California Department of Public Health on COVID related
11 matters. Unfortunately, Dr. Moldonado also has a close working relationship with Pfizer overseeing
12 Pediatric COVID vaccine clinical trials for Pfizer, receiving grant and research support from Pfizer,
13 and serving on Pfizer's Drug Safety and Monitoring Board (DSMB). In fact, in May 2021, as reports
14 of mRNA vaccine myocarditis were being reported to the CDC by physicians outside of VAERS, Dr.
15 Tom Shimabukuro of the Centers for Disease Control and Prevention reached out to Dr. Moldonado
16 to "coordinate response" to these reports.⁷ Dr. Moldonado, within a week of that email, issued a
17 statement through the AAP stating that the rates of myocarditis among the vaccinated population were
18 "no higher than without the vaccine," which was not consistent with the emerging data.⁸
19 Contemporaneous with the AAP announcement, in mid-May 2021, SHC was actively enrolling
20 children under 12 years old into the Pfizer COVID vaccine trial.⁹

21 40. Dr. Moldonado knew or should have known that subclinical myocarditis rates were
22 potentially higher as was discovered with the Smallpox vaccine. In the case of the Smallpox vaccine,
23 the subclinical rate was 60-times higher.¹⁰ Furthermore, as has become abundantly clear from autopsy
24 studies, COVID as a disease process does not cause notable cardiac inflammation while the mRNA
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26 ⁶ <https://stanmed.stanford.edu/covid-maldonado-leader-stanford/>.

27 ⁷ <https://twitter.com/ZackStieber/status/162595320227226624>.

28 ⁸ <https://tinyurl.com/yr5df5mv>.

⁹ <https://med.stanford.edu/news/all-news/2021/05/covid-19-vaccine-trials-for-children-under-12.html>.

¹⁰ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4368609/>.

1 vaccines cause a distinctive “stress cardiomyopathy”.¹¹ By August 2021, a large Providence Health
2 System study from January to May 2021 found increased rates of myocarditis and pericarditis in
3 employees and 75% of cases were male with median ages of 36 and 59 respectively.¹² While all of
4 these Providence cases did not experience short term morbidity, fatalities have since been
5 documented.¹³ Dr. Duriseti, who has received 29 vaccines in his last 26 years with SHC, knew the
6 COVID vaccines were not trialed to stop transmission, was watching the literature carefully and trying
7 to make the best decision given his own health history including myocarditis as a teen knowing full
8 well he could have a genetic predilection for the same.¹⁴

9 41. Dr. Duriseti was also aware that even while the vaccine was not trialed to assess
10 efficacy against significantly limiting transmission, the notion of “herd immunity” was misplaced
11 when discussing a seasonal respiratory virus where reinfection is the norm. This reality was even
12 recently acknowledged by Dr. Anthony Fauci in January 2023.¹⁵ Despite the limitations of Pfizer’s
13 trial protocol and this immunologic reality, Pfizer marketed this notion, and physicians involved in the
14 vaccine trials, including at SHC, promoted this notion.¹⁶ Indeed, Moderna’s subsequent release of
15 asymptomatic infection rates in November 2021 indicated a 50% lower efficacy rate against
16 asymptomatic infection against original strains.¹⁷

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23 ¹¹ <https://meridian.allenpress.com/aplm/article/146/8/925/477788/Autopsy-Histopathologic-Cardiac-Findings-in-2>; <https://pubmed.ncbi.nlm.nih.gov/34664804/>;
24 [https://www.thelancet.com/journals/lanres/article/PIIS2213-2600\(20\)30243-5/fulltext](https://www.thelancet.com/journals/lanres/article/PIIS2213-2600(20)30243-5/fulltext).

25 ¹² <https://jamanetwork.com/journals/jama/fullarticle/2782900>.

26 ¹³ <https://academic.oup.com/ehjcr/article/7/2/ytad063/7026024?login=false>.

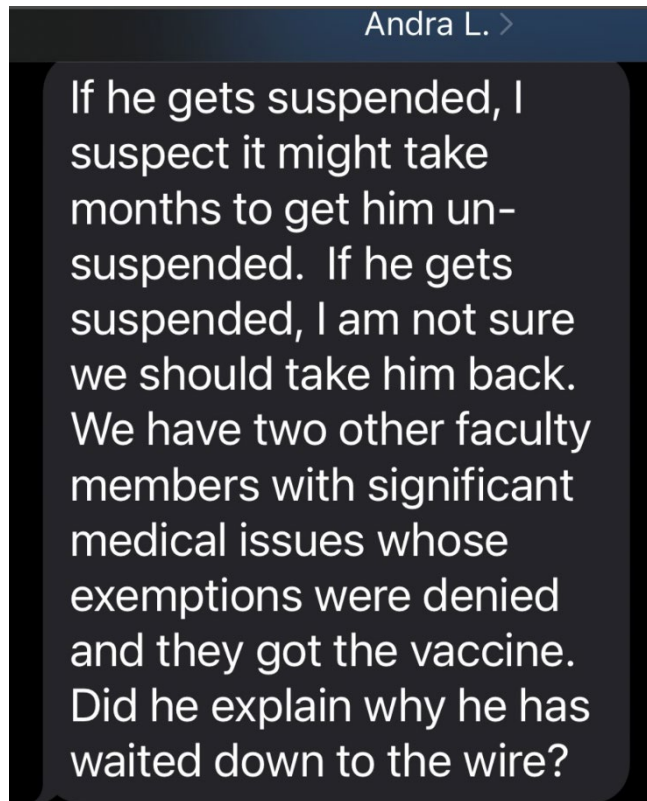
27 ¹⁴ https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9410742/pdf/10875_2022_Article_1360.pdf;
28 <https://www.mdpi.com/2076-393X/10/4/611>.

¹⁵ [https://www.cell.com/cell-host-microbe/fulltext/S1931-3128\(22\)00572-8](https://www.cell.com/cell-host-microbe/fulltext/S1931-3128(22)00572-8).

¹⁶ <https://med.stanford.edu/news/all-news/2021/05/covid-19-vaccine-trials-for-children-under-12.html>.

¹⁷ <https://www.nejm.org/doi/full/10.1056/NEJMoa2113017>.

1 42. Dr. Moldonado worked closely with Dr. Blomkalns, the Chief of the Department of
2 Emergency Medicine, to run COVID “Town Halls” for SHC. It was Dr. Blomkalns who notified Dr.
3 Duriseti’s supervisor that she did not want Dr. Duriseti to return to work at Stanford if he was
4 suspended for not taking the COVID vaccine.



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19 43. Dr. Duriseti thus knew that he and many others (men and boys in particular), were
20 being asked to entertain risk from this vaccine for unproven benefit to patients under his care on top of
21 the inevitable mild COVID infection risk that he eventually faced in January 2022 after more than two
22 years of directly caring for COVID patients in crowded Emergency Department settings. Furthermore,
23 Dr. Duriseti knew that the informed consent provided to him mentioned none of these risks especially
24 as they pertained to his specific clinical circumstances, and protecting his ability to provide for the
25 two households he supports, as required by the medical code of ethics.¹⁸

26 44. Between January 2022 and December 2022, Dr. Duriseti has testified as an expert in
27 various lawsuits involving mask mandates for children, employer vaccine mandates, and public health

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¹⁸ www.ama-assn.org/system/files/2019-06/code-of-medical-ethics-chapter-2.pdf.

1 fines levied against private organizations for alleged violations of COVID emergency measures. In
2 particular, Dr. Duriseti has met with Santa Clara County (“SCC”) officials and has written
3 declarations for Calvary Church’s case against SCC, SCC executives, and SCC Public Health
4 officials, including Dr. Sarah Cody, the SCC public health director. As all of these parties coordinate
5 closely with SHC through direct lines of communication, Dr. Duriseti is informed and believes that
6 SHC was aware of Dr. Duriseti’s expert testimony.

7 45. Dr. Duriseti has provided on-the-record comments regarding COVID policy to various
8 news outlets, including *The Australian* in September 2021 and *Tablet Magazine* in June 2022. Dr.
9 Duriseti has consistently argued against restrictive mandates, school closures, and other COVID
10 mitigation measures that, in his view, do more harm than good.

11 46. Between February and April 2022, Dr. Duriseti met with multiple California state
12 senators and submitted letters on behalf of California Parent Power and Urgency of Normal to oppose
13 three bills introduced by former California state senator Dr. Richard Pan, each of which would further
14 the burdensome and ineffective COVID mitigation measures Dr. Duriseti opposed and continues to
15 oppose.

16 47. On April 16, 2022, Dr. Duriseti testified at the State Capitol in Sacramento in
17 opposition to SB1479, which would drastically increase indiscriminate COVID testing among school
18 children. On April 24, 2022, Dr. Duriseti authored an opinion-editorial in *Newsweek* with Dr. Tracy
19 Beth-Hoeg regarding the same subject.

20 48. On May 18, 2022, Dr. Duriseti and Dr. Jay Bhattacharya met with SCC Chief
21 Executive Dr. Jeff Smith and Mayor Cindy Chavez regarding emergency medical services
22 professionals who lost their job due to SCC’s vaccine mandate in an effort to persuade these county
23 officials that medical professionals should not lose their job because of their decision not to receive a
24 COVID vaccine. After the meeting, Dr. Jeff Smith sent an email to Dr. Duriseti and Dr. Bhattacharya
25 (and several county officials) stating, “I wanted to send this quick note to thank you for talking with
26 me today. I appreciate your insights and careful research. You have helped me regarding my thinking
27 about COVID.”

28 49. On June 21, 2022, Urgency of Normal sent a letter co-authored and co-signed by Dr.

1 Duriseti to Drs. Ashish Jha (the White House Coronavirus Response Coordinator) and Rochelle
2 Walensky (the Director of the CDC) arguing that the CDC’s “guidelines with regards to testing,
3 isolation, and vaccine recommendations for children” were in need of revision to “ensure that public
4 health policies are not doing more harm than good.”

5 50. After working in the Pediatric Emergency Department from February 2022 forward
6 without having received a booster, SHC contacted Dr. Duriseti on July 25, 2022, about his booster
7 status. There was no reason provided for the new inquiry after SHC seemingly abandoned the
8 February 18, 2022 booster deadline it previously imposed on Dr. Duriseti. Upon information and
9 belief, SHC only contacted Dr. Duriseti about his booster status at this time because of the extensive
10 political activity he had engaged in between February and July of 2022, including his political
11 advocacy as well as his declarations supporting challenges to the then-prevailing orthodoxy around
12 COVID policy supported by SHC and its leadership.

13 51. On July 28, 2022, Dr. Duriseti sent a letter to Dr. Mahoney, requesting an exemption
14 from SHC’s booster requirement, given the recent “proffered threat of administrative suspension.” Dr.
15 Duriseti explained the rationale, both from a medical and a public health perspective, for declining the
16 booster shot.

17 52. On August 8, 2022, Dr. Mahoney responded to Dr. Duriseti’s email, informing him
18 that SHC was rejecting his request for an exemption to SHC’s booster requirement. Dr. Mahoney
19 explained that SHC’s decision was informed by SCC’s guidance. Dr. Mahoney set a deadline of
20 August 12, 2022, for Dr. Duriseti to submit proof of having received a booster “to avoid
21 suspension[.]”

22 53. Despite Dr. Mahoney’s representation, August 12, 2022, came and went with no word
23 from SHC regarding Dr. Duriseti’s status. Upon information and belief, SHC permitted other
24 healthcare workers at SHC to continue working despite not complying with SHC’s booster
25 requirement. SHC was therefore once again taking a hard line on paper with respect to its booster
26 policy, but not enforcing the policy in practice (except with regard to Dr. Duriseti).

27 54. On September 12, 2022, SCC rescinded its COVID order that SHC purportedly used as
28 the basis for its own COVID policies, including SHC’s denial of Dr. Duriseti’s request for an

1 exemption to its booster mandate.

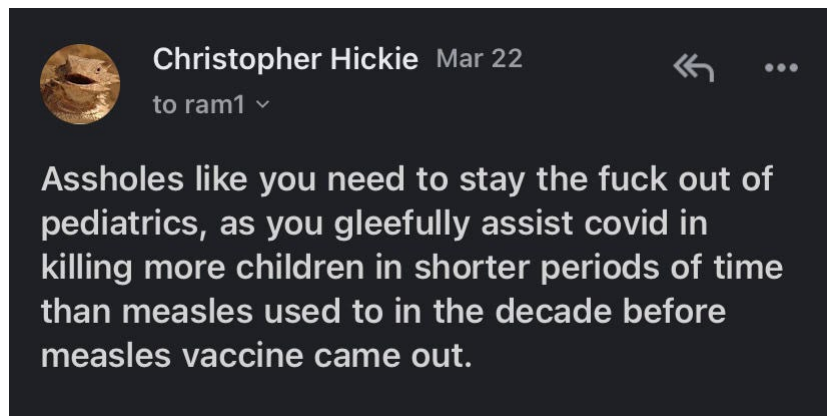
2 55. Upon information and belief, on or around September 22, 2022, members and
3 supporters of an organization called “No License of Disinformation” (“NLFD”) contacted SHC to
4 complain about Dr. Duriseti’s views. Dr. Taylor Nichols, a co-founder of NLFD, stated to Dr. Duriseti
5 on social media: “Just keep in mind, it always comes back in the end. Really a shame to see it impact
6 you professionally.”



16 Dr. Nichols continued, “But you know what else is public information? Medical licenses. And court
17 cases. Should I start searching? Like I’ve been doing this for a while. I don’t recommend the fucking
18 around if you can’t handle the finding out.”



1 After Dr. Duriseti’s critique of a study was published by the American Academy of Pediatrics, Dr.
2 Chris Hickie, also of NLFD and who wrote an opinion-editorial with Dr. Nichols, sent Dr. Duriseti an
3 email stating, “Subject: Go to Hell. [Body]: Assholes like you need to stay the fuck out of pediatrics
4 as you gleefully assist covid(sic) killing more children in shorter periods of time than measles used to
5 in the decade before measles vaccine came out”.



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14 Dr. Nichol’s followers proceeded to harass Dr. Duriseti by posting documents regarding personal (as
15 opposed to professional or political) matters. When Dr. Duriseti notified leadership within the SHC
16 Department of Emergency Medicine, a physician in leadership responded, “I’m familiar with Taylor’s
17 work on social media and misinformation as are several of us in the department.” The physician
18 further stated that he was aware of Dr. Nichols’ “work against misinformation,” which indicated that
19 the physician endorsed Dr. Nichols’ disparaging statements about Dr. Duriseti.

20 56. SHC continued to leave Dr. Duriseti in limbo, taking the position on paper that he must
21 comply with SHC’s barely-enforced booster mandate, but not taking any efforts to ensure his
22 compliance or punish him for non-compliance.

23 57. On November 10, 2022, Dr. Duriseti followed up with Dr. Mahoney and other senior
24 employees at SHC, requesting an update on his clinical status at SHC, particularly in light of SCC
25 having rescinded its COVID orders.

26 58. On November 11, 2022, Dr. Jay Shah, SHC’s new Chief of Staff, responded to Dr.
27 Duriseti, informing him for the first time that he had been suspended as of August 12, 2022, and that
28 such suspension will convert to voluntary resignation on November 12, 2022—the very next day.

1 59. Upon information and belief, SHC converted Dr. Duriseti’s status to “voluntary
2 resignation” on November 12, 2022, without providing notice by email or in accordance with any
3 deadlines provided by SHC’s bylaws.

4 60. By imposing a voluntary termination on Dr. Duriseti, SHC terminated Dr. Duriseti’s
5 employment by ending the employer-employee relationship between them.

6 61. Dr. Duriseti is required to report the “voluntary resignation” SHC imposed on him to
7 the Medical Board of California when Dr. Duriseti renews his license, to Dr. Duriseti’s community
8 hospital when he seeks renewal of admitting privileges, to medical licensing authorities in other states
9 in which Dr. Duriseti is seeking or may seek licensure.

10 62. SHC’s termination of Dr. Duriseti’s employment has also caused a loss of income,
11 loss of disability insurance through SHC, possible destabilization of his housing situation, and
12 reputational harm to Dr. Duriseti as a physician-scientist and a professional.

13 63. Upon information and belief, SHC continued as of November 12, 2022, and continues
14 to allow healthcare workers who are not in compliance with SHC’s booster mandate to work at SHC.

15 64. SHC therefore selectively applied its booster mandate to Dr. Duriseti, using its booster
16 policy as a pretext to force Dr. Duriseti’s termination from SHC because of Dr. Duriseti’s political
17 activities.

18 65. On November 21, 2022, Dr. Duriseti and three other physicians filed suit against
19 Governor Gavin Newsom and the California Medical Board regarding the constitutionality of AB
20 2098, which subjects physician who share “misinformation” and “disinformation” relating to COVID
21 to discipline.

22 66. On January 25, 2023, United States District Judge William B. Shubb issued a
23 preliminary injunction in favor of Dr. Duriseti and his co-plaintiffs, enjoining the enforcement of AB
24 2098, a law the California legislature adopted to punish physicians who disseminate “misinformation”
25 related to COVID.

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1 **LEGAL CLAIMS**

2 **FIRST CAUSE OF ACTION**

3 **Violation of California Labor Code § 1101**

4 67. Dr. Duriseti alleges and incorporates by reference the allegations in each of the
5 preceding paragraphs as if fully set forth herein.

6 68. California Labor Code section 1101 prohibits employers from making, adopting, or
7 enforcing any rule, regulation, or policy that forbids or prevents employees from engaging or
8 participating in politics, or controls or directs, or tending to control or direct the political activities or
9 affiliations of employees.

10 69. Upon an employer's violation of section 1101, the employee has a private right of
11 action for damages for injuries caused by the employer's violation. Cal. Lab. Code § 1105; *Lockheed*
12 *Aircraft Corp. v. Superior Court of Los Angeles County* (1946) 28 Cal.2d 481, 486.

13 70. Dr. Duriseti was employed by SHC.

14 71. While Dr. Duriseti was employed by SHC, SHC violated section 1101 through its
15 unwritten but enforced policy limiting the political activity of its employees. Under this policy,
16 employees were permitted, even encouraged, to engage in political activity in the form of speaking out
17 publicly in favor of restrictive COVID policies such as mask and vaccine mandates and school and
18 business closures, but discouraged and penalized (up to and including termination) for engaging in
19 political activity in the form of speaking out publicly against such restrictive COVID policies.

20 72. As a direct, foreseeable, and proximate result of SHC's unlawful actions, Dr. Duriseti
21 has suffered damages in an amount to be proven at trial, including losses in earnings, other
22 employment benefits, reputational injury, and other economic losses.

23 73. SHC committed the acts herein despicably, maliciously, fraudulently, and oppressively,
24 with the wrongful intention of injuring Dr. Duriseti, from an improper and evil motive amounting to
25 malice, and in conscious disregard of the rights of Dr. Duriseti. Dr. Duriseti is thus entitled to recover
26 punitive damages from SHC in an amount according to proof.

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1 **SECOND CAUSE OF ACTION**

2 **Violation of California Labor Code § 1102**

3 74. Dr. Duriseti alleges and incorporates by reference the allegations in each of the
4 preceding paragraphs as if fully set forth herein.

5 75. California Labor Code section 1102 prohibits employers from using the of threat of
6 discharge or loss of employment to coerce or influence or attempt to coerce or influence its employees
7 to adopt or follow or refrain from adopting or following any particular course or line of political
8 action or political activity.

9 76. Dr. Duriseti engaged in protected political activity, including, but not limited to,
10 joining and actively participating in advocacy organizations related to COVID policies, writing
11 opinion editorials and giving interviews to journalists in which he advocated against restrictive
12 COVID policies, serving as an expert witness in cases relating to restrictive COVID policies,
13 advocating against restrictive COVID policies in conversations with policymakers and public
14 officials, and suing the State of California over a newly passed law that aimed to penalize doctors for
15 disseminating “misinformation” related to COVID.

16 77. SHC terminated Dr. Duriseti’s employment when it converted Dr. Duriseti’s status to
17 voluntary resignation, thereby preventing him from working at SHC.

18 78. Upon information and belief, SHC terminated Dr. Duriseti’s employment to retaliate
19 against him for engaging in the types of political activity described above.

20 79. Upon information and belief, SHC used the pretext of Dr. Duriseti’s booster status to
21 terminate his employment, as evidenced by the following: (1) SHC did not enforce its booster policy
22 for approximately six months as Dr. Duriseti was permitted to work at SHC despite his lack of
23 compliance with SHC’s booster mandate; (2) there was a close temporal proximity between Dr.
24 Duriseti’s termination and his political activity; (3) influential employees at SHC and its close affiliate
25 Stanford University criticized Dr. Duriseti and others such as Drs. Jay Bhattacharya and Scott Atlas
26 for advocating for COVID policies similar to those for which Dr. Duriseti advocated; and (4) SHC
27 allowed other healthcare workers who had not received a booster to continue working.

28 80. As a direct, foreseeable and proximate result of SHC’s unlawful actions, Dr. Duriseti

1 has suffered damages in an amount to be proven at trial, including losses in earnings, other
2 employment benefits, reputational injury, and other economic losses.

3 81. SHC committed the acts herein despicably, maliciously, fraudulently, and oppressively,
4 with the wrongful intention of injuring Dr. Duriseti, from an improper and evil motive amounting to
5 malice, and in conscious disregard of the rights of Dr. Duriseti. Dr. Duriseti is thus entitled to recover
6 punitive damages from SHC in an amount according to proof.

7 **THIRD CAUSE OF ACTION**

8 **Termination in Violation of Public Policy**

9 82. Dr. Duriseti alleges and incorporates by reference the allegations in each of the
10 preceding paragraphs as if fully set forth herein.

11 83. California has a strong public policy that favors the rights of employees to engage in
12 political activity, as evidenced by the legislature's enactment of sections 1101 and 1102 of the
13 California Labor Code.

14 84. SHC violated the public policy embodied by sections 1101 and 1102 of the California
15 Labor Code by terminating Dr. Duriseti's employment in retaliation for Dr. Duriseti having engaged
16 in political activity.

17 85. As a direct, foreseeable and proximate result of SHC's unlawful actions, Dr. Duriseti
18 has suffered damages in an amount to be proven at trial, including losses in earnings, other
19 employment benefits, reputational injury, and other economic losses.

20 86. SHC committed the acts herein despicably, maliciously, fraudulently, and oppressively,
21 with the wrongful intention of injuring Dr. Duriseti, from an improper and evil motive amounting to
22 malice, and in conscious disregard of the rights of Dr. Duriseti. Dr. Duriseti is thus entitled to recover
23 punitive damages from SHC in an amount according to proof.

24 **FOURTH CAUSE OF ACTION**

25 **Violation of Cal. Bus. & Prof. Code §§ 17200, et seq.**

26 87. Dr. Duriseti alleges and incorporates by reference the allegations in each of the
27 preceding paragraphs as if fully set forth herein.

28 88. Section 17200 *et seq.* of the California Business and Professions Code (also known as

1 the “UCL”) prohibits unfair competition.

2 89. Under section 17200, unfair competition is defined as “any unlawful, unfair or
3 fraudulent business act or practice.” Violations of other statutes and laws, including, but not limited
4 to, sections 1101 and 1102 of the California Labor Code, as alleged herein, constitute unfair,
5 unlawful, or fraudulent business practices. Such violations also violate the UCL and give rise to a
6 claim for relief as specified in Section 17203 of the California Business and Professions Code.

7 90. Dr. Duriseti has suffered actual injury as a result of unfair competition as described
8 above, including SHC’s unlawful business acts and practices.

9 91. By committing the acts and practices alleged herein, SHC engaged in, and continues to
10 engage in, unfair competition within the meaning of UCL, and Dr. Duriseti continues to suffer harm
11 from these actions. Therefore, Dr. Duriseti is entitled to injunctive relief prohibiting the continuation
12 of such business acts.

13 92. Dr. Duriseti asks the Court to order SHC to enjoin SHC from continuing to violate the
14 UCL as alleged herein, up to and including an order requiring Dr. Duriseti’s reinstatement.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff Ram Duriseti respectfully prays for relief and judgment against Defendant Stanford Health Care, as follows, in amounts according to proof:

1. For judgment in favor of Dr. Duriseti against SHC;
2. For compensatory and special damages as set forth throughout the Complaint according to proof with prejudgment interest thereon to the extent allowable by law;
3. For all back-pay, front-pay, penalties, and statutory damages allowed by statute;
4. For injunctive relief and restitution, including reinstatement;
5. For all reasonable attorneys’ fees incurred by Dr. Duriseti in the prosecution of this matter, as permitted by statute, contract, and/or applicable law;
6. For an award of punitive damages;
7. For costs of suit incurred herein; and
8. For such other and further relief as the Court deems just and proper.

Date: March 9, 2023

DHILLON LAW GROUP INC.



By: _____

Harmeet K. Dhillon
John-Paul S. Deol
Jesse D. Franklin-Murdock

Attorneys for Plaintiff Ram Duriseti

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DEMAND FOR JURY TRIAL

Plaintiff Ram Duriseti demands a trial by jury on all claims and issues so triable.

Date: March 9, 2023

DHILLON LAW GROUP INC.



By: _____

Harmeet K. Dhillon
John-Paul S. Deol
Jesse D. Franklin-Murdock

Attorneys for Plaintiff Ram Duriseti