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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **IN AND FOR THE COUNTY OF LOS ANGELES, CENTRAL DIVISION**

13 PAIGE HOLLAND-THIELEN, an individual;
14 YAMAN ABDULHAK, an individual;
15 SCOTT BECK, an individual; REBEKAH
16 CLARK, an individual; DEBORAH
17 LAWRENCE, an individual; CLAIRE
18 MALLON, an individual; TOM MOLINE, an
19 individual and ANDRÉ NADEAU, an
20 individual,

21 Plaintiffs,

22 vs.

23 SPACE EXPLORATION TECHNOLOGIES
24 CORPORATION D/B/A SPACEX, a Texas
25 corporation; and ELON MUSK, an individual.

Case No. **24STCV14693**

COMPLAINT FOR:

1. SEXUAL HARASSMENT – HOSTILE WORK ENVIRONMENT IN VIOLATION OF FEHA
2. RETALIATION IN VIOLATION OF FEHA
3. FAILURE TO PREVENT DISCRIMINATION, HARASSMENT, AND RETALIATION IN VIOLATION OF FEHA
4. SEXUAL HARASSMENT IN VIOLATION OF FEHA
5. DISCRIMINATION IN VIOLATION OF FEHA
6. WHISTLEBLOWER RETALIATION (LABOR CODE § 1102.5)
7. WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY
8. UNLAWFUL BUSINESS PRACTICES (BUSINESS AND PROFESSIONS CODE §17200)

26 Plaintiffs Paige Holland-Thielen, Yaman Abdulhak, Scott Beck, Rebekah Clark, Deborah
27 Lawrence, Claire Mallon, Tom Moline, and André Nadeau (“Plaintiffs”) complain and allege as
28 follows:

NATURE OF CASE

1
2 1. Elon Musk (“Musk”) trumpets Space Exploration Technologies Corporation
3 (“SpaceX”) as the leader to a brave new world of space travel, but runs his company in the dark
4 ages—treating women as sexual objects to be evaluated on their bra size, bombarding the
5 workplace with lewd sexual banter, and offering the reprise to those who challenge the “Animal
6 House” environment that if they don’t like it they can seek employment elsewhere.

7 2. The eight Plaintiffs in this case challenged this unlawful conduct in an “Open
8 Letter” to management and, consistent with its “love it or leave it” policy, SpaceX summarily
9 terminated them for daring to seek changes that would simply align the workplace culture with
10 the norms of legal civility as defined by state and federal law. Upon information and belief,
11 Defendant Musk personally ordered the Plaintiffs’ terminations.

12 3. This action seeks to hold SpaceX and Musk personally accountable for their gross
13 misconduct.

THE PARTIES

14 4. Plaintiff Paige Holland-Thielen was employed by SpaceX in Hawthorne,
15 California from March 26, 2018 to June 16, 2022. She was at all relevant times hereto a resident
16 of Los Angeles County.

17 5. Plaintiff Yaman Abdulhak was employed by SpaceX in Hawthorne, California
18 from approximately February 2018 to July 22, 2022. He was at all relevant times hereto a resident
19 of Los Angeles County.

20 6. Plaintiff Scott Beck was employed by SpaceX in Hawthorne, California from
21 October 16, 2017 to June 16, 2022. He was at all relevant times hereto and continues to be a
22 resident of Los Angeles County.

23 7. Plaintiff Rebekah Clark was employed by SpaceX in Hawthorne, California from
24 July 26, 2021 to August 17, 2022. She was at all relevant times hereto and continues to be a
25 resident of Los Angeles County.

26 8. Plaintiff Deborah Lawrence was employed by SpaceX in Redmond, Washington
27 from approximately June 2018 to August 1, 2022. At all relevant times hereto, she was a resident
28

1 of the state of Washington. Just like all the other Plaintiffs, her work for SpaceX was directed by
2 managers at its Hawthorne, California facility, she frequently worked in Hawthorne, and on
3 information and belief, her unlawful termination from employment occurred in Hawthorne,
4 California.

5 9. Plaintiff Claire Mallon was employed by SpaceX in Hawthorne, California from
6 approximately August 2017 to June 16, 2022. She was at all relevant times hereto a resident of
7 Los Angeles County.

8 10. Plaintiff Tom Moline was employed by SpaceX in Hawthorne, California from
9 June 2, 2014 to June 16, 2022. He was at all relevant times hereto and continues to be a resident
10 of Los Angeles County.

11 11. Plaintiff André Nadeau was employed by SpaceX in Hawthorne, California from
12 October 25, 2021 to July 29, 2022. He was at all relevant times hereto and continues to be a
13 resident of Los Angeles County.

14 12. Defendant SpaceX is a Texas Corporation headquartered in Hawthorne, California
15 (Los Angeles County).

16 13. Upon information and belief, Defendant Musk is the founder, Chief Executive
17 Officer, Chairman, Chief Technology Officer, and majority owner of SpaceX. Upon information
18 and belief, Musk is a resident of the state of Texas. Since SpaceX's founding, there has been and
19 continues to be such unity of interest and ownership between SpaceX and Musk that there is no
20 separate corporate status as between them. Further, Musk insists that all company decision-
21 making run through him. Musk's maniacal control over personnel decisions at his businesses,
22 including SpaceX, and his failure to give Human Resources personnel reign in creating and
23 implementing protocols and best practices in keeping with the law has directly contributed to
24 Plaintiffs' harm as alleged herein.

25 **JURISDICTION AND VENUE**

26 14. Venue is proper in Los Angeles County pursuant to Cal. Civ. Proc. Code §§ 395(a)
27 and 395.5. Defendant SpaceX resides in Los Angeles County where it is headquartered. The acts,
28 omissions, damages, and injury that form the basis of this lawsuit occurred at SpaceX's

1 headquarters in Los Angeles County. In addition, at the time of the allegations contained herein,
2 Plaintiffs Paige Holland-Thielen, Yaman Abdulhak, Scott Beck, Rebekah Clark, Claire Mallon,
3 Tom Moline, and Andre Nadeau each resided and worked for SpaceX in Los Angeles County.

4 15. At all times relevant hereto, SpaceX was Plaintiffs' employer within the meaning
5 of Government Code §§ 12926(d), 12940 (a), (h), (l), (h) (3) (A) and (i), and 12950, and the
6 California Labor Code, and regularly employed in excess of five (5) or more persons and is
7 therefore subject to the jurisdiction of this Court.

8 16. This Court has general jurisdiction to adjudicate this unlimited civil case, in which
9 the total amount in controversy, exclusive of interests and costs, exceeds \$35,000.

10 17. This Court has jurisdiction to adjudicate Plaintiffs' claims under the Fair
11 Employment and Housing Act pursuant to California Government Code § 12965(b).

12 18. This Court has personal jurisdiction over Defendants because they maintain a
13 place of business located in Los Angeles County and regularly conduct business here.

14 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

15 19. At all times herein mentioned, the Fair Employment and Housing Act, California
16 Government Code §§ 12900 through 12996 (hereinafter "FEHA"), was in full force and effect and
17 binding on Defendants.

18 20. Within the time provided by FEHA and in compliance with the requirements of
19 FEHA, Plaintiffs filed complaints for the FEHA claims asserted herein with the California Civil
20 Rights Division ("CRD"). Plaintiffs Paige Holland-Thielen, Yaman Abdulhak, Scott Beck,
21 Rebekah Clark, Claire Mallon, Tom Moline, and André Nadeau each received a "right to sue"
22 letter on June 10, 2024. As such, they have satisfied administrative prerequisites with respect to
23 all FEHA-related filings.

24 21. SpaceX terminated the employment of each Plaintiff between June 16, 2022 and
25 August 17, 2022. Therefore, Plaintiffs' state claims are timely filed and their FEHA-related cases
26 are likewise timely filed within one year from which they received their "right to sue" letters.
27
28

FACTUAL ALLEGATIONS

Facts Common to All Plaintiffs

1
2
3 22. During the course of their employment with SpaceX, each Plaintiff experienced
4 exposure to unwanted conduct and comments of a sexual nature by Elon Musk that created a
5 hostile and abusive work environment.

6 23. Defendant Musk knowingly and purposefully created an unwelcome hostile work
7 environment based upon his conduct of interjecting into the workplace vile sexual photographs,
8 memes, and commentary that demeaned women and/or the LGBTQ+ community. Examples of
9 the patently offensive material that Musk directly or indirectly caused to be published in the
10 workplace include:

11 a. Tweeting to the former CEO of YouTube, “if you touch my wiener, you
12 can have a horse;”

13 b. In response to a post voicing concerns that Musk’s ownership of Twitter
14 would increase hate crimes, tweeting to Alexandria Ocasio-Cortez “Stop hitting on me”;

15 c. Mocking Bill Gates by creating a meme of him with a pregnant-looking
16 belly, accompanied by the text, “in case u need to lose a boner fast;”

17 d. Tweeting to Senator Ron Wyden, “Why does ur pp [profile picture] look
18 like u just came;”

19 e. Commenting that competition “Can’t get it up (to orbit) lol;”

20 f. Posting an angry face in response to LGBTQ icons, with the statement
21 “June is almost here – here it comes!” (Referencing gay pride month);

22 g. Tweeting “Pronouns suck”;

23 h. Posting the caption “when you put “he/him in ur bio” accompanied by a
24 picture of a soldier reveling in having just shot people by smearing their blood on his face;

25 i. Circulating a meme teaching “ladies” what “Mansplaining” means;

26 j. Announcing his “idea” to create a Texas university similar to MIT which
27 he would call “TITS” and where “Ds [women’s bra size] would get degrees,” accompanied by an
28 altered photo rendering a rocket to appear to be a giant penis;

1 k. Posting a poll asking “Tesla should make hot Catgirl robots?” with two
2 answers: “Absolutely” and “Of Course”;

3 l. Responding to a message from “Ms. Muff” saying “come here... no, come
4 here” with an arrow pointing in a downward motion;

5 m. Tweeting that “Jack in the Box should do double duty as a sperm donor
6 clinic – name is [okay emoji];” and following it up with another Tweet: “wow, this mayo sure is
7 salty;”

8 n. In response to news about a sexual harassment charge against him, Musk
9 posts, “Finally, we get to use Elongate as scandal name. It’s kinda perfect;”

10 o. Posting a photo still from a Monty Python movie with subtitle “Biggus
11 Dickus;”

12 p. Posting “erotic democracy >> sclerotic democracy;”

13 q. Posting a photo of one dinosaur bent over another, saying “pull my hair”
14 and the other retorting “I’m fuckin trying,” with Musk’s commentary, “Deep Thots;”

15 r. Posting a cartoon depiction of a machine transforming into a man with a
16 giant crane—appearing to be an erect penis—with the comment, “Check out our new crane;”

17 s. Posting what appears to be an altered photograph of a stained glass window
18 depicting the Virgin Mary giving Jesus a hand-job, along with the comment, “lil meme juice for
19 the weekend;”

20 t. Posting a skeletal x-ray of a person holding their lower back with the
21 comment “My back after carrying my huge cock all day.”

22 24. A true and correct copy of these materials is attached hereto as Exhibit A, page
23 four.

24 25. Although Musk issued these posts on his own Twitter (now X) account, they
25 immediately permeated the SpaceX workplace and employees could not escape seeing them or
26 hearing about them. Musk’s utterances were quickly circulated by email, Teams channels, and/or
27 word of mouth and widely discussed.
28

1 26. On information and belief, Musk knew that his vile and offensive posts permeated
2 the workplace and that management took no action to prevent these posts from entering the
3 workplace and took no action to remove them.

4 27. Musk also intentionally drew employee attention to his Twitter feed by frequently
5 using the account to report out company news. For instance, Musk’s idea for “TITS” university
6 was announced in the midst of reporting on a successful rocket launch. SpaceX also intentionally
7 drew employee attention to Musk’s Twitter feed: the company handbook references Musk’s
8 account as a source of approved company news that employees could share publicly.
9 Unsurprisingly, employees and the public alike perceived Musk’s Twitter feed to be a
10 representation of SpaceX’s culture itself.¹ Plaintiffs were each disgusted and offended by this
11 barrage of Musk’s illicit sexual banter and demeaning view of women and LGBTQ+ employees.

12 28. Musk’s conduct of interjecting this juvenile, grotesque sexual banter into the
13 workplace had the wholly foreseeable and intentional result of encouraging other employees to
14 engage in similar conduct. As pled below, several Plaintiffs experienced direct harassment that
15 mimicked Musk’s posts, such as showing a phallic symbol with the words “up, up, up,” or
16 making comments about “tits,” which created a wildly uncomfortable hostile work environment.

17 29. Plaintiffs experienced a pervasively sexist culture at SpaceX. In technical
18 meetings, senior engineers referred to mechanical parts as “chodes” and “schlongs” (euphemisms
19 for male genitals). It was also common for engineers to apply crude and demeaning names to
20 products in an attempt at humor, often at the expense of women and LGBTQ+ individuals. For
21 example, the name “Upskirt Camera” was used for a camera on first stage of the Falcon rocket
22 that views the bottom of the second stage. The name “Fun Tunnel,” a euphemism for anal sex,
23 was used to refer to a structure on the Dragon vehicle that astronauts use to transfer to the
24 International Space Station. The term “B-plugs,” a euphemism for anal sex toys, was used to

25 _____
26 ¹ See, e.g., <https://www.yahoo.com/tech/elon-musk-made-gross-sex-130902137.html>;
27 <https://mashable.com/article/elon-musk-sexist-joke-tweets>;
28 <https://www.forbes.com/sites/sethcohen/2020/07/25/tesla-founder-elon-musk-uses-twitter-to-mock-transgender-inclusion/?sh=1145d301647f>; <https://cleantechnica.com/2020/12/16/real-friends-interrupt-you-when-you-are-making-a-mistake/>.

1 describe for structures on the bottom of Dragon used to manage splashdown loads. Vibration
2 tables were named after strip clubs.

3 30. Management’s flippant attitude toward harassment in the workplace is reflected in
4 a video starring SpaceX’s upper management, including Vice President of Human Resources
5 (“HR”) Brian Bjelde, President and COO Gwynne Shotwell, and Elon Musk that mocks and
6 makes light of sexual misconduct and banter. For example, in one video scene the narrator
7 discusses the type of people who would be invited to join flights to Mars and portrays a photo of a
8 beautiful, large-breasted woman. Another scene features Mr. Bjelde having an employee
9 demonstrate how to spank him in the “correct” manner. Upon information and belief,
10 management screened this video at an employee holiday party in Hawthorne.

11 31. SpaceX’s hostile work environment received national attention when, on
12 December 14, 2021, ex-SpaceX engineer Ashley Kosak published an article on Lioness about the
13 sexual harassment and belittling conduct she experienced at SpaceX between 2017 and 2021,
14 including upper management’s failure to take corrective action.² On the same day, The Verge
15 published a story containing accounts by five former SpaceX employees of sexual harassment
16 they each experienced and SpaceX’s failure to address it.³

17 32. These articles immediately circulated throughout the workplace. Plaintiffs read
18 them and had experienced and/or witnessed similar behavior and similar failure by management
19 to take corrective action. Around this same time, President Shotwell sent an email to the
20 company promising that SpaceX would undertake a “sexual harassment internal audit.” Of
21 course, the results of this so-called audit, when it finally came out, failed to identify any
22 problems with the workplace culture or HR systems and triggered no substantive changes.
23 President Shotwell also discredited Ms. Kosak’s allegations in company meetings.

24
25
26 ² <https://www.lioness.co/post/at-spacex-we-re-told-we-can-change-the-world-just-don-t-try-to-stop-the-sexual-harassment>

27 ³ <https://www.theverge.com/22831380/spacex-employees-harassment-workplace-misconduct-elon-musk>
28

1 33. Plaintiffs’ concerns regarding unaddressed harassment were further heightened
2 when on May 19, 2022, the Business Insider reported that SpaceX had settled a claim by an ex-
3 SpaceX flight attendant who accused Musk of asking her to “do more” during a massage,
4 exposing his penis to her, and offering to buy her a horse in exchange for his desired sexual
5 favors.

6 34. Plaintiffs were extremely disturbed by the allegations contained in the May 19,
7 2022 article and found the allegations to be reflective of the harassing and degrading hostile
8 workplace environment that they experienced at SpaceX.

9 35. Instead of receiving any affirmation of SpaceX’s commitment to create a safe
10 workplace in response to these allegations, President Gwynne Shotwell issued a company-wide
11 email supporting Musk and insisting that the anonymous complainant was lying. Musk himself
12 issued a stream of Tweets furthering his inappropriate workplace behavior by making fun of the
13 allegations and degrading the complainant.

14 36. Plaintiffs were aghast at SpaceX’s formal response to the allegations of Musk’s
15 sexual harassment—calling out and castigating the alleged victim—as this response obviously
16 undermined, rather than affirmed, employees’ right to be free from sexual harassment. These
17 actions, which were carried out by SpaceX’s top officers including Elon Musk and President
18 Gwynne Shotwell, had the foreseeable and actual result of offending, causing distress, and
19 intruding upon Plaintiffs’ well-being so as to disrupt their emotional tranquility in the workplace
20 and undermine their personal sense of well-being.

21 37. In response to management’s failure to appropriately address concerns raised by
22 the Lioness and Verge articles and by the anonymous victim of Musk’s alleged sexual
23 provocation, and in response to their own experiences of grossly inappropriate sexual banter in
24 the workplace, employees arranged meetings in an attempt to formally air their concerns and seek
25 redress. For example, employees in Plaintiff Paige Holland-Thielen’s department held an ad hoc
26 “women’s forum” on May 23, 2022 to discuss the allegations. Vice Presidents Mark Juncosa and
27 Terrence O’Shaughnessy attended, as did HR Director Lindsay Chapman. At this meeting
28 Plaintiff Holland-Thielen linked the allegations against Musk to his online statements and voiced

1 how distressing and disruptive it was to hear such sexist comments from her company’s leader.
2 Vice President Juncosa stated that Musk was not going to change.

3 38. Another meeting about sexual harassment took place on May 24, 2022, hosted by
4 manager Michael Saqr of the Starship Software team. At least one hundred people attended,
5 including Plaintiffs Holland-Thielen, Abdulhak, Moline, and Nadeau. At this meeting, Plaintiff
6 Holland-Thielen announced that she wanted to form a group to take more action to address hostile
7 work environment concerns and invited anyone who was interested in participating to contact her
8 to join.

9 39. The other seven Plaintiffs reached out to Plaintiff Holland-Thielen to join the
10 group to take further action to protest the culture of sexual harassment at SpaceX and
11 management’s failure to take action, and to initiate meaningful workplace changes. The
12 employees used a non-work messaging channel to communicate with one another. Ultimately,
13 Plaintiffs and their colleagues decided to draft an “Open Letter” to management asking that they
14 implement changes including simply keeping Musk’s inappropriate, unwelcome comments
15 separate from the workplace.

16 40. The Open Letter was a document contained on a Sharepoint site within SpaceX’s
17 intranet. The Open Letter began by referencing the “recent allegations against our CEO and his
18 public disparagement of the situation,” and stated that, “SpaceX’s current systems and culture do
19 not live up to its stated values, as many employees continue to experience unequal enforcement of
20 our oft-repeated ‘No Asshole’ and ‘Zero Tolerance’ policies. This must change.” The Letter also
21 explicitly called out Musk’s Twitter feed, noting that, “As our CEO and most prominent
22 spokesperson, Elon is seen as the face of SpaceX—every Tweet that Elon sends is a de facto
23 public statement by the company.” The Letter was accompanied by a document titled
24 “Unwelcome behavior on Elon’s Twitter” which contained “a compilation of various examples of
25 problematic Twitter posts by Elon, including ‘unwelcome behavior’, ‘subtle sexual harassment’,
26 ‘sexual harassment, and bullying directed at individuals and various marginalized groups via his
27 Twitter posts.” It characterized the posts as an “ongoing pattern of harassment” that
28 “encourage[s] a workplace culture that is hostile to various marginalized and underrepresented

1 groups . . . (including sex, sexual orientation, age, and race/religion[.])” The Open Letter also
2 included a document titled “Proposed Action Items” in which Plaintiffs asked SpaceX to take
3 specific remedial action, including “address and condemn Elon’s harmful Twitter behavior” and
4 “define and uniformly respond to all forms of unacceptable behavior.” The employees urged:
5 “SpaceX must establish safe avenues for reporting and uphold clear repercussions for all
6 unacceptable behavior, whether from the CEO or an employee starting their first day.”

7 41. A true and correct copy of the Open Letter, Unwelcome behavior on Elon’s
8 Twitter, and Proposed Action Items is attached hereto as Exhibit A.

9 42. Plaintiffs Holland-Thielen, Beck, and Moline were the primary Open Letter
10 authors; Plaintiffs Abdulhak, Clark, Mallon, Nadeau, and Lawrence contributed feedback and
11 ideas.

12 43. Plaintiffs Holland-Thielen, Beck, and Moline were the publicly listed “owners” of
13 the Sharepoint page. They made the Sharepoint publicly viewable (within SpaceX’s intranet only)
14 on June 15, 2022. Plaintiffs sent a link to the Sharepoint page directly to top executives at 8:00
15 am Pacific Time. Starting at 9:00 am, Plaintiffs began to share the link via email and/or Teams
16 channel with their colleagues.

17 44. At approximately 1:00 pm that day, President Shotwell emailed Plaintiffs Holland-
18 Thielen and Moline instructing them to “stop flooding employees [sic] communications channels
19 immediately.” Plaintiffs Holland-Thielen and Moline complied and ceased sharing the link to the
20 Open Letter to group forums.

21 45. On information and belief, on June 15, 2022, Elon Musk asked HR representative
22 Stephen Duarte, a trusted sycophant, to travel from SpaceX’s facility in Texas to Hawthorne to
23 deal with the employees responsible for writing the Open Letter. Upon information and belief,
24 after Duarte arrived in Hawthorne that day, he joined a phone call between Musk and VP of HR
25 Bjelde wherein Musk directed Bjelde to fire the authors of the Open Letter. Upon information and
26 belief, Bjelde replied that HR should at least perform an investigation first, otherwise it would
27 “look bad”; but Musk simply replied, “I don’t care – fire them.”
28

1 46. The next day, June 16, 2022, SpaceX terminated Plaintiffs Moline, Beck, Holland-
2 Thielen, and Mallon. HR called each of them separately into a meeting with President Shotwell,
3 VP Bjelde, and HR Representative Rebecca Balayan. In each meeting, VP Bjelde told the
4 Plaintiff that SpaceX had performed an investigation and had determined that the Plaintiff was
5 “instrumental in conceiving, writing, and distributing the Open Letter,” and therefore SpaceX was
6 terminating their employment effective immediately. That afternoon, Shotwell sent an email to
7 the entire company with the subject line “Please stay focused on the SpaceX mission,” in which
8 she called the Open Letter “overreaching activism” and stated that, “[w]e performed an
9 investigation and have terminated a number of employees involved.”

10 47. On the heels of the first wave of terminations, Plaintiffs Clark, Abdulhak, and
11 Nadeau vocally protested the terminations and questioned management about their rationale for
12 this retaliation in response to their colleagues’ activity of seeking compliance with basic civil
13 liberties protected under state and federal law.

14 48. On June 17, 2022, the Falcon department held a meeting with Falcon Vice
15 President Jon Edwards to discuss the terminations and the Open Letter. At this meeting, Plaintiff
16 Abdulhak asked Edwards if Musk would be permitted to engage in sexual harassment
17 “unchecked.” Edwards responded that there was nothing that management could do about Musk
18 or the environment he had created because “SpaceX is Elon and Elon is SpaceX.” In response,
19 Abdulhak asked how, given that fact, an investigation into allegations against Musk could be fair
20 and impartial. He received no response. Plaintiff Clark asked Edwards if SpaceX shared Musk’s
21 view that a woman’s value was in her bra size, referring to his “TITS” Tweet. Edwards refused to
22 answer the question. Edwards told employees that if they could not tolerate the existing
23 environment in the workplace, they should leave and find employment elsewhere.

24 49. After terminating the known authors of the Open Letter on June 16, 2022, HR
25 continued its “investigation” to discover the identity of other leaders. Specifically, SpaceX
26 obtained access to some portion of the chat group that Plaintiffs and their colleagues had used to
27 organize the Open Letter. HR Director Lindsay Chapman, assisted by Stephen Duarte among
28 other HR representatives, began to interrogate employees they knew or suspected of participating.

1 Chapman and her assistants interrogated Plaintiffs Abdulhak, Clark, Nadeau, and Lawrence about
2 their role in supporting the drafting and dissemination of the letter, and/or in challenging
3 management about the prior termination decisions. Following these coercive interrogations with
4 Chapman, SpaceX terminated Plaintiffs Abdulhak, Clark, Nadeau, and Lawrence in retaliation for
5 their protected conduct.

6 50. On information and belief, up through and including the current date SpaceX has
7 not taken action to redress the harassment, hostile work-environment, and retaliation described
8 above.

9 **Facts Specific to Plaintiff Paige Holland-Thielen**

10 51. Plaintiff Paige Holland-Thielen was employed by SpaceX in Hawthorne,
11 California from March 26, 2018 to June 16, 2022 as an engineer.

12 52. Ms. Holland-Thielen was subjected to sexual harassment at SpaceX. For example,
13 in December 2021, she asked to speak with principal engineer Dan Mayo. Mr. Mayo came over to
14 her desk and looked at her computer screen, which showed a graph that plotted data pointing
15 downward. He made a sexual allusion to an erect penis and said, "How can we get it up, up, up?"
16 Holland-Thielen reported the experience to her manager, Yuri Kubo. Mr. Kubo said that it was
17 not the first time he had heard complaints about Mr. Mayo's behavior towards women and
18 encouraged Holland-Thielen to report it to HR. Holland-Thielen was fearful of reporting this to
19 HR, but worked up the courage to do so in approximately May of 2022. She was fired before she
20 learned the outcome of HR's investigation, or if any investigation was ever undertaken. Upon
21 information and belief, Mayo remained a principal engineer at SpaceX until he left in 2023.

22 53. Ms. Holland-Thielen also experienced gender discrimination at SpaceX. In her
23 first role as a Ground Software Engineer, she was the only woman on the ground software team
24 and was treated differently than her male colleagues. Her team lead, Jack Dunaway, routinely
25 rejected her proposals and requests to work on software projects despite her credentials as a
26 software engineer. Instead, Jack gave these opportunities to Holland-Thielen's male colleagues
27 and many times neglected to give Holland-Thielen assignments at all. This differential treatment
28 affected Holland-Thielen's performance evaluations, where she was directed to get more

1 “technically familiar” with key software projects—but Jack repeatedly denied her the
2 opportunities to do so, despite her requests. As a result, she was not promoted during the over two
3 years that she spent on this team, March 2018 to April 2020, but instead remained a Level 1 (the
4 level that SpaceX slated new graduates into), despite the fact that she had seven years of prior
5 software experience.

6 54. When Holland-Thielen expressed frustration about being routinely assigned
7 rotations on the support or operations team within ground software instead of development roles,
8 lead Kyle Hosford gave her the feedback that she was too aggressive. This was a double standard
9 because of Holland-Thielen’s gender. She never observed men being criticized for being too
10 aggressive. In fact, her assigned mentor (a woman) once advised her that to succeed at SpaceX
11 she should do what the most aggressive male would do in any situation.

12 55. Realizing that she could not grow and succeed in ground software, in April 2020
13 Holland-Thielen switched teams and became a Launch Systems Software Engineer on the
14 software automation tools team. Although her technical prowess was recognized once she moved,
15 Holland-Thielen continued to experience gender discrimination at work. Her male colleagues also
16 routinely took credit for her work. After she brought one such instance to her manager Justin
17 Richeson’s attention, he criticized her for being “too emotional.”

18 56. In October 2022, Holland-Thielen became a Lead Avionics Operations and
19 Automation Engineer in the department now known as Starshield. Despite being a team lead of a
20 critical functional area, she was routinely excluded from crucial planning meetings and had to ask
21 her male colleagues to tell her when the meetings were held because she was not invited.

22 57. Shortly after the Lioness and Verge articles came out in December 2021, Holland-
23 Thielen attended a SpaceX women’s forum where HR Director Lindsay Chapman addressed the
24 articles’ allegations. Instead of meaningfully addressing the issues, Chapman was dismissive
25 about employees’ concerns and made wholly inappropriate jokes, such as: “I’ve never been
26 sexually harassed; I must not be hot enough.” Chapman also stated that Ashley Kosak was not
27 truthful. When employees asked Chapman what HR’s rubric was for responding to complaints of
28 sexual harassment, Chapman responded that, “It’s hard to develop a rubric. Things are not black

1 and white, they are fifty shades of gray,” alluding to a well-known sexually explicit fiction series.
2 Ms. Chapman then giggled and said, “Maybe I should not have said that.” Holland-Thielen was
3 aghast at how the Director of HR treated very serious allegations like a joke.

4 58. In the aftermath of the May 2022 Business Insider article and the company’s
5 offensive response thereto, Holland-Thielen created the chat group to coordinate a protest to and
6 create changes in the company’s handling of sexual harassment. Holland-Thielen was one of the
7 primary authors of the Open Letter and one of the publicly listed “owners” of the Sharepoint page
8 hosting the Open Letter. On June 15, 2022, Holland-Thielen emailed the link to the Open Letter
9 to several executives and to the Women’s Network.

10 59. On June 16, 2022, HR called Holland-Thielen into a meeting with Brian Bjelde,
11 President Shotwell, and HR representative Rebecca Balayan. Mr. Bjelde stated that they had
12 performed an investigation, and determined that Holland-Thielen was “instrumental in
13 conceiving, writing, and distributing the Open Letter” and as a result, SpaceX was terminating her
14 employment.

15 60. Holland-Thielen experienced severe emotional distress because of her treatment by
16 SpaceX including stress, anxiety, panic, trauma, shame, and embarrassment.

17 **Facts Specific to Plaintiff Yaman Abdulhak**

18 61. Plaintiff Yaman Abdulhak was employed by SpaceX in Hawthorne, California
19 from approximately February 2018 to July 22, 2022 as an engineer.

20 62. In January 2021, Plaintiff Abdulhak joined a diversity group within the software
21 team at SpaceX. The first issue that the group decided to address was the experience of women
22 working at SpaceX. Abdulhak led a survey of diverse applicants to seek to understand their
23 perceptions of working for SpaceX. The group learned that Musk’s online behavior was one
24 reason why women did not want to work at SpaceX. Management did not respond when the
25 group presented its findings.

26 63. In approximately mid to late 2021, Plaintiff Abdulhak took SpaceX’s “Appropriate
27 Behavior” training. He noticed that many of the examples of inappropriate behavior cited in the
28 training as something that would result in disciplinary action closely resembled the contents of

1 Musk's Tweets. He sent a message to HR Director Jamin Gallman with copies of the Tweets that
2 he felt violated the policy. Gallman thanked Abdulhak and took no action. Abdulhak also raised
3 the issue at a meeting of the software team's diversity group, of which manager Michael Saqr was
4 a member. He was told there is nothing that can be done about Musk's Tweets.

5 64. Thus, when the allegations of harassment in Kosak's Lioness article and Verge
6 articles came out in December 2021, Abdulhak was deeply troubled. HR dismissed the essay as
7 false and filled with inaccuracies. Abdulhak was very troubled by HR's handling of sexual
8 harassment at the company and by the impact of HR's response on his coworkers. He was also
9 aware of HR Director Lindsay Chapman claiming she had no experiences with sexual harassment
10 at work because she wasn't "hot enough." Thereafter, Abdulhak pressed HR, including Gallman,
11 for updates on the progress of the alleged audit that management had purportedly undertaken to
12 address the hostile work environment, but they continually told him to wait. When the Business
13 Insider article came out on May 19, 2022 regarding Musk's alleged request for sexual favors from
14 a SpaceX flight attendant, Abdulhak attended and vocally spoke out during the May 24, 2022
15 meeting with manager Saqr. Specifically, Abdulhak spoke up about how Musk's Twitter feed
16 offended him, including Musk's comments mocking the sexual harassment allegations against
17 himself. Shortly thereafter, Abdulhak joined the chat group organized by Plaintiff Holland-
18 Thielen and helped to write the Open Letter.

19 65. Abdulhak also vociferously protested the June 16 terminations of his colleagues in
20 response to their work on the Open Letter. He spoke out against the terminations at the June 17
21 Falcon meeting led by Vice President Edwards and attended by HR representative Janet
22 Fernandez, and again at another meeting later that day with Vice President Jessica Jensen and
23 another member of HR. In response to statements by Jensen communicating that those involved
24 in the Open Letter deserved to be terminated, Abdulhak said that he had been involved in the
25 Open Letter and asked why he had not been terminated. Jensen looked at the HR representative
26 and then responded, "I don't know." The following workday, June 20, 2022, Abdulhak's
27 manager, Sandy Simmons, pulled him aside and told Abdulhak that he needed to choose between
28 fostering a safe, diverse workforce and getting to Mars. Abdulhak responded that he was not

1 going anywhere, and wanted to continue to try to improve the work environment at SpaceX.
2 Simmons said that it's Musk's company and we need to do whatever he says, including
3 terminating Abdulhak if instructed to do so. When Abdulhak said that SpaceX was a terrible
4 place for women to work and that many women did not feel safe there, Simmons replied that they
5 could choose to leave.

6 66. On July 15, 2022, HR Director Lindsay Chapman and HR representative Jordann
7 Schoonover interrogated Abdulhak about the June 17, 2022 Falcon meeting with Jon Edwards.
8 HR was "investigating" the meeting because Plaintiff Clark, who had also attended, had told her
9 manager that the meeting made her feel unsafe at work, and her manager reported this to HR.
10 Chapman and Schoonover asked Abdulhak what he had said and what he had heard at the
11 meeting. Abdulhak reported that Edwards had acted in a physically intimidating manner and had
12 made him feel uncomfortable both with what he said, and how angrily he said it. He reported that
13 Edwards told the group that Musk controls everything at SpaceX and that nothing happens
14 without his approval. He reported that Edwards had said, "Elon is SpaceX, and SpaceX is Elon."
15 He also reported that Edwards said, "I cannot do anything about the company, so either make
16 yourself okay with Elon's behavior or find someplace else to work." Abdulhak reported that in
17 response to Edward's statements he had pointed out to Edwards that if Musk controlled
18 everything at SpaceX, a sexual harassment investigation against Musk could not possibly be fair.

19 67. Chapman and Schoonover interrogated Abdulhak again on July 21, 2022, this time
20 about his role in the Open Letter. Chapman began the meeting by telling Abdulhak that the
21 meeting was attorney-client privileged and that he could not discuss the meeting with anyone.
22 Abdulhak acknowledged his participation in the Open Letter. A few hours later, Stephen Duarte
23 came to Abdulhak's desk and told him that he was being placed on administrative leave. The next
24 day, July 22, 2022, Chapman sent Abdulhak an email informing him that SpaceX was terminating
25 his employment.

26 68. Abdulhak suffered emotional distress because of his treatment by SpaceX.
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Facts Specific to Plaintiff Scott Beck

1
2 69. Plaintiff Scott Beck was employed by SpaceX in Hawthorne, California from
3 October 16, 2017 to June 16, 2022 as an engineer.

4 70. Beck was deeply troubled when Ashely Kosak’s account of sexual harassment she
5 had experienced was reported in the Lioness article in December 2021 because Beck had
6 personally worked with Kosak. Beck was also distressed because he heard other female co-
7 workers echo the concerns raised in the articles and express that they had themselves been
8 sexually harassed at SpaceX and/or that they perceived that SpaceX tolerated sexual harassment.

9 71. Beck was motivated by the reports in the articles, discussions regarding rampant
10 harassment, and his own experiences of the hostile workplace environment to join a diversity and
11 inclusion task force within his department, Materials & Processes, to address SpaceX’s lack of
12 response to improve working conditions for women and other minorities/members of the
13 LGBTQ+ community.

14 72. Shortly thereafter, the Business Insider article regarding Musk’s alleged sexual
15 harassment of a SpaceX employee was released. Beck was disturbed by the allegations against
16 Musk—claims that appeared to be consistent with the attitude towards women that he observed
17 and heard about—and he found President Shotwell’s response to the article to be unconscionable.
18 On May 25, 2022, Beck sent an email to Shotwell, Bjelde, and his manager Charles Kuehman.
19 Beck expressed that, “I know few, if any, women at SpaceX who do not have a mental list of
20 stories about times they were made to feel uncomfortable, unwelcome, or otherwise less-than at
21 work.” Beck also explained why the company’s response to the allegations was so inappropriate,
22 noting that “Elon is displaying to our employees and the world that at SpaceX if you come
23 forward with your experiences, they will be disparaged and deflected, not investigated.” He did
24 not receive a response to this email.

25 73. In late May 2022, Beck learned about Holland-Theilen’s chat group from Plaintiff
26 Mallon and joined it. He participated in drafting the Open Letter. He was one of the publicly-
27 listed “owners” of the Sharepoint page where the Open Letter was hosted. On June 15, 2022,
28

1 Beck shared a link to the Open Letter with his immediate colleagues and the Teams channel for
2 his diversity and inclusion task force.

3 74. On June 16, 2022, HR called Beck into a meeting with Brian Bjelde, President
4 Shotwell, and HR representative Rebecca Balayan. Bjelde stated that they had performed an
5 investigation and determined that Beck was “instrumental in conceiving, writing, and distributing
6 the Open Letter” and as a result, SpaceX was terminating his employment.

7 75. Beck suffered emotional distress because of his treatment by SpaceX.

8 **Facts Specific to Plaintiff Rebekah Clark**

9 76. Plaintiff Rebekah Clark was employed by SpaceX in Hawthorne, California from
10 approximately July 26, 2021 to August 17, 2022 as an engineer.

11 77. Upon her employment, Clark observed that the culture at SpaceX was hostile to
12 women and that the culture was fostered from the top down by Musk. Clark observed that the
13 male engineers that she worked with repeated Musk’s inappropriate, sexually charged Twitter
14 comments. For example, she heard comments about “tits” at work following Musk’s Tweet about
15 creating “TITS” university. The uninhibited openness of employees’ repetition of Musk’s foul
16 “jokes” in the workplace created a great deal of discomfort and unease for Clark.

17 78. Clark found the accounts reported in the articles in Lioness and The Verge to be
18 consistent with, or reflective of, the work environment that she experienced. The Business Insider
19 article alleging Musk’s sexual harassment of an employee was the final straw for Clark. She was
20 particularly dismayed by President Shotwell’s response to the article. Clark believed that
21 Shotwell’s statements communicated to employees (and the world) that there was a strong
22 tendency in the company to not treat issues of sexual harassment with the seriousness they should
23 be treated, that SpaceX would often avoid holding accountable those responsible for such
24 misconduct, and that Elon Musk could act with impunity. These articles and her own experience
25 sparked Clark’s desire to implement change in SpaceX’s handling of sexual harassment
26 complaints and the hostile work environment fostered by Musk’s conduct.

27 79. In June 2022, Clark learned about Holland-Thielen’s chat group from Plaintiff
28 Abdulhak and joined it. She assisted in drafting the Open Letter. On approximately June 16,

1 2022, she posted a link to the Open Letter Sharepoint page on her team’s confluence page. On
2 June 16, 2022, she learned that SpaceX had fired Plaintiffs Moline, Beck, Holland-Thielen, and
3 Mallon. She became fearful of retaliation and confided in her manager, Sandy Simmons, that she
4 had participated in drafting the Open Letter.

5 80. The next day, June 17, 2022, Clark attended the Falcon meeting with Vice
6 President Jon Edwards and HR representative Janet Fernandez. She observed that Mr. Edwards
7 acted in an angry and aggressive manner in response to employees’ concerns about the hostile
8 work environment promulgated by tolerance for Musk’s offensive, sexist comments and the
9 imbalanced and inappropriate support for Musk in response to allegations that he sexually
10 propositioned an employee during work time on a company jet. Clark spoke up at the meeting and
11 suggested that Musk could simply state on Twitter that his views were his own and not the
12 company’s views—thereby at a minimum enabling the company to separate itself from and
13 disavow Musk’s disparaging diatribes. Edwards responded that this was impossible because
14 SpaceX was Elon’s company. Edwards stated, “SpaceX is Elon and Elon is SpaceX.” Edwards
15 also said that anyone who didn’t like it could leave. Clark pushed Mr. Edwards to clarify whether
16 Elon’s “TITS” Tweet indicating that a woman is valued based upon the size of her breasts was the
17 view of SpaceX. Edwards ultimately repeated words to the effect of, “SpaceX is Elon and Elon is
18 SpaceX.” Mr. Simmons was also present at this meeting. Simmons nodded his head in agreement
19 with Edwards and repeated some of the things Edwards said, such as “the mission [to Mars] is the
20 most important thing,” and “there is no time to focus on these issues at work.”

21 81. After the meeting, Clark was deeply shaken and upset. She went for a walk with
22 her manager, Sandy Simmons. Simmons stated that SpaceX had made it clear what it thinks of
23 women, and that she needed to choose whether she wanted to keep working at the company or
24 worry about the issues raised in the Open Letter.

25 82. The following week, Mr. Simmons held a meeting with his team where he stated
26 that he did not want to have any further group discussions about the Open Letter or the Falcon
27 meeting with VP Edwards. Afterwards, Clark told Mr. Simmons that she was disappointed they
28 could not talk further about these issues as a group, and that she did not feel safe at SpaceX.

1 Approximately one hour later Clark received a Teams message from HR representative Rebecca
2 Balayan who informed her that Mr. Simmons had reported their conversation to HR. Ms. Balayan
3 instructed Clark to work from home effective immediately and she did so.

4 83. On July 29, 2022, HR Director Lindsay Chapman interrogated Clark about the
5 June 17 Falcon meeting with VP Edwards. Plaintiff Clark reported what had taken place and told
6 Chapman that SpaceX needed to make it clear that sexual harassment was not allowed, that
7 women were valuable for more than just their bodies, and that the messaging needed to come
8 from the top of the company since there seemed to be confusion as to the company's official
9 position on these issues. Clark also stated that, "this was why we wrote the Open Letter."

10 84. On August 12, 2022, Lindsay Chapman asked for another meeting with Clark.
11 Chapman stated that she had concluded her investigation, that Ms. Clark had "incorrectly
12 perceived" what had occurred at the Falcon meeting, and that Mr. Edwards had not acted
13 inappropriately. Clark told Ms. Chapman that it felt as though SpaceX wanted to intimidate
14 employees and prevent them from coming forward.

15 85. On August 16, 2022, HR representative Jordann Schoonover asked Clark to meet
16 with her. Ms. Schoonover stated that, "leadership has been watching you" and informed Clark
17 that she was being terminated.

18 86. Clark suffered emotional distress because of her treatment by SpaceX.

19 **Facts Specific to Plaintiff Deborah Lawrence**

20 87. Plaintiff Deborah Lawrence was employed by SpaceX in Redmond, Washington
21 from approximately June 2018 to August 1, 2022 as an engineer.

22 88. During the entire course of her employment, Lawrence reported up to Mark
23 Juncosa, Vice President of Vehicle Engineering in Hawthorne, California. Additionally, from
24 September 2021 through the end of her employment, which includes the period when Lawrence
25 engaged in protected activity and was wrongfully terminated, Lawrence's direct manager, Brian
26 Riley, was in Hawthorne, California. Lawrence's pay statements issued from Hawthorne and
27 listed the Hawthorne facility as her employer. When Lawrence was hired, her new hire paperwork
28 included the following documents: the California Labor and Workforce Development Agency's

1 Disability Insurance Provisions pamphlet; a California Department of Fair Employment and
2 Housing (“DFEH”) Family Rights Act pamphlet; a California Paid Family Leave pamphlet; a
3 DFEH Sexual Harassment pamphlet; and a California Labor Commissioner’s “Time of Hire
4 Pamphlet. It contained no Washington related material whatsoever. Therefore, Lawrence was a
5 California employee.

6 89. The Lioness and Verge articles sparked discussions among Lawrence and her co-
7 workers about SpaceX’s treatment of women. From her own observations of the workplace as
8 sexist and hostile to women, Lawrence believed that the allegations in the articles were true.

9 90. After the Business Insider published the allegation that Musk had sexually
10 harassed an employee in May 2022, conversations about sexual harassment at SpaceX increased
11 among Lawrence’s co-workers. Lawrence was offended by President Shotwell’s company-wide
12 response claiming that Musk had to be innocent because it demonstrated a fundamental lack of
13 understanding of how sexual harassment works: that is, just because Musk did not act sexually
14 towards Shotwell, his equal, that did not mean he was innocent of harassing low-level employees.

15 91. Frustrated with the company’s lack of action to improve treatment of women,
16 Lawrence joined Holland-Thielen’s chat group in May 2022 and helped draft the Open Letter.

17 92. On July 20, 2022, HR Director Lindsay Chapman and HR representative Stephen
18 Duarte interrogated Lawrence about her involvement in the Open Letter. Ms. Chapman began the
19 meeting by telling Lawrence that the meeting was attorney-client privileged and that she could
20 not discuss the meeting with anyone. During this interrogation, Lawrence admitted that she was
21 involved and acknowledged that screenshots Ms. Chapman showed her from the chat group, sent
22 by “D”, were her communications. Shortly after the meeting ended, HR informed Lawrence that
23 she was being placed on administrative leave. On July 22, 2022, Chapman called Lawrence and
24 informed her that she was being terminated effective August 1, 2022.

25 93. Lawrence suffered emotional distress because of her treatment by SpaceX.

26 **Facts Specific to Plaintiff Claire Mallon**

27 94. Plaintiff Claire Mallon was employed by SpaceX in Hawthorne, California from
28 approximately August 2017 to June 16, 2022 as an engineer.

1 95. Ms. Mallon experienced a number of harassing incidents during her employment
2 at SpaceX. As a SpaceX intern in 2016, a male technician told her that their department did not
3 have any women because it was difficult to find women capable of thinking logically and that
4 women were biologically incapable of being engineers. She reported the incident to HR, which
5 performed an investigation and told Mallon the comments she reported were a
6 “miscommunication.” HR took no discernible corrective action in response to her report.

7 96. In 2019, Ms. Mallon reported a male colleague to HR for repeatedly bringing up
8 sexually explicit topics with her, which made her uncomfortable. For example, he invited her to a
9 sex party, told her about his sexual practices, and inquired about her own sexual activities. HR
10 claimed that it conducted an investigation but did not take any discernible action to correct her
11 colleague’s behavior. SpaceX promoted this same male harasser to a senior role later that same
12 year.

13 97. Mallon also faced gender discrimination at work. In her 2018 performance
14 evaluation, her manager criticized her for being too “coarse/straightforward.” In her 2019
15 evaluation, Mallon was told to “absorb feedback cheerfully.” This was a double standard applied
16 to Mallon because of her gender, as Ms. Mallon never observed men criticized for being
17 straightforward or for not taking feedback cheerfully enough.

18 98. The double standards applied to women prevented Mallon from being promoted at
19 the same rate as her male colleagues. In June 2019, her manager David Forinash cited her direct
20 manner as a reason why he would not promote her to Engineer II. He said that she had been too
21 brash when handling an incident in which a coworker had unplugged Mallon’s test stand which
22 compromised Mallon’s work in a dangerous manner. Mallon never observed her male colleagues
23 being criticized for being too direct; in fact, Mallon’s Vice President, Mark Juncosa, was well-
24 known for using harsh words. For example, Mallon heard him tell an employee to “take two
25 fucking seconds to think about everything you do shitty.”

26 99. In the summer of 2019, Mallon asked her supervisor, David Forinash, what she
27 needed to do to be promoted. She printed out the “leveling chart” describing the skills of
28 engineers at each level, and asked him to fill out the skills she needed to obtain for Level II. He

1 told her that she needed to design and deliver a new product. She did so, and she was promoted in
2 November 2019. However, in the conversation telling Mallon that she would be promoted,
3 Forinash also said that he was not going to highlight her new product because he did not want
4 other engineers to think they had to do the same to earn a promotion. Several of Mallon's male
5 colleagues were promoted to Level II without designing and delivering a new product. Mallon
6 raised this disparate treatment to Forinash and asked that he backdate her promotion by six
7 months, but he refused. Mallon reported the issue to HR but to Mallon's knowledge, HR took no
8 action whatsoever.

9 100. SpaceX also denied Mallon a promotion in August of 2021 due to her gender. At
10 that time, she had transferred to a new team under manager Tom Bracht. Ms. Mallon asked
11 Bracht if he would promote her to the role of Senior Engineer along with the transition. Mr. Bracht
12 told her, "I want to promote people that my team would be excited about," implying that
13 promotions were a form of a popularity contest in an overwhelmingly male and sexist
14 environment. In the following review cycle, Mr. Bracht rounded her review scores as follows: 3.8
15 (individual) to a 3, and 3.7 (teamwork) to a 4, resulting in a "3-4" score. When Mallon challenged
16 the score "rounding" that he had done, Bracht did not defend his action but also refused to change
17 it. This score was important because a "4-4" score would have made Mallon eligible for
18 promotion to Senior Engineer, while a "3-4" would delay it by at least another review period.
19 Bracht also failed to provide any meaningful feedback in response to Mallon's query on how she
20 could improve her performance.

21 101. In January 2022, Ms. Mallon filed a complaint with HR about a male co-worker
22 whose conduct was making her uncomfortable. This co-worker asked her out to lunch multiple
23 times per week, made suggestive comments to her, and stared at her chest. He acted the same way
24 towards another female co-worker, who told Mallon that she also reported him to HR. HR's only
25 response to Mallon's complaint was to suggest that Mallon give this coworker feedback on his
26 conduct, as she would do with technical feedback about work.

27 102. Due to her own experiences, Mallon was familiar with the culture of sexual
28 harassment at SpaceX when the Lioness and Verge articles came out. Shortly after their

1 publication, Ms. Mallon attended the women’s forum where HR Director Lindsay Chapman made
2 light of the allegations, joking about her own attractiveness and how sexual harassment was not
3 black and white but rather “fifty shades of grey.” Mallon found Ms. Chapman’s conduct to be
4 inappropriate, offensive, and belittling to those with legitimate sexual harassment complaints.

5 103. After the Business Insider article came out, on or about May 31, 2022, Mallon
6 organized a women’s forum for her department. Vice President of HR Brian Bjelde was present at
7 the meeting. Mallon spoke at the meeting. She shared her experiences of sexual harassment and
8 gender discrimination at SpaceX, and addressed the allegations against Musk. She said that she
9 thought SpaceX was not adequately responding to those allegations or to sexual harassment as a
10 whole.

11 104. In late May 2022, Mallon learned about the chat group from Holland-Thielen and
12 joined. She helped draft the Open Letter. On June 15, 2022, she emailed the link to the Open
13 Letter to several executives, and to a Teams channel.

14 105. On June 16, 2022, HR called Mallon into a meeting with Brian Bjelde, President
15 Shotwell, and HR representative Rebecca Balayan. Mr. Bjelde stated that they had performed an
16 investigation, and determined that Mallon was “instrumental in conceiving of, drafting, and
17 distributing the Open Letter” and as a result, SpaceX was terminating her employment.

18 106. Mallon suffered emotional distress because of her treatment by SpaceX.

19 **Facts Specific to Plaintiff Tom Moline**

20 107. Plaintiff Tom Moline was employed by SpaceX in Hawthorne, California from
21 June 2, 2014 to June 16, 2022 as an engineer.

22 108. When The Verge and The Lioness published their articles detailing sexual
23 harassment at SpaceX on December 14, 2021, Mr. Moline found that the articles reflected the
24 misogynist culture that permeated SpaceX. His manager Arezoo Orouki addressed the articles at
25 the team’s next weekly team meeting in the week of December 19, 2021. At that meeting, Mr.
26 Moline shared that he was deeply disturbed by President Shotwell’s attempt to discredit Ms.
27 Kosak (author of The Lioness article) and downplay the seriousness of the allegations. Mr.
28 Moline stated he believed the women who had described instances of sexual harassment and

1 discrimination at SpaceX. At this meeting, two of Mr. Moline’s female coworkers spoke up and
2 corroborated the sexual harassment and discrimination experienced by female employees at
3 SpaceX.

4 109. Given the continuing implicit acceptance of the hostile work environment exposed
5 in the December 2021 articles and experienced by his colleagues, Mr. Moline felt compelled to
6 ensure that management took appropriate action to implement meaningful change. To that end, he
7 kept a watchful eye on the progress of the company’s promised “sexual harassment audit” that
8 was purportedly undertaken in December. In March 2022, he sent a letter to President Shotwell
9 requesting an update on the sexual harassment audit and expressing dissatisfaction with the lack
10 of progress. He also published his letter on a confluence page (public to employees of SpaceX)
11 called “Sexual Harassment Audit Update Template” so that other employees could use the letter
12 as a template for sending their own feedback to President Shotwell and to press for an update by
13 International Women’s Day, March 8, 2022.

14 110. Mr. Moline did not receive a response to his letter. On May 19, 2022, Moline saw
15 the Business Insider report of Musk sexually harassing an employee—a report that affirmed his
16 concern that the company urgently needed to address the sexist, hostile work environment.
17 Aware of the need to acknowledge and confront these real workplace issues, Mr. Moline was
18 outraged when, instead of using this occasion to implement self-reflection and change, President
19 Shotwell supported Musk and effectively disclaimed the victim’s experience. On or around May
20 24, 2022, Mr. Moline created two confluence pages. The first contained a letter to President
21 Shotwell offering feedback on how her defense of Musk had run afoul of SpaceX’s anti-
22 harassment policy and would make employees feel afraid to report harassment. This letter was
23 created as a template that employees could copy and submit on their own. Mr. Moline sent his
24 letter to President Shotwell by email, asking her to reaffirm a commitment to mitigating sexual
25 harassment at SpaceX, but she did not respond. The second confluence page was called “Sexual
26 Harassment Response Action Items” and was intended to facilitate drafting and editing employee
27 demands to the company around the handling of sexual harassment in the workplace. This page
28 eventually became the starting point for the “Open Letter.” Mr. Moline sent the links to these two

1 confluence pages to the Women’s Network Teams channel. Within an hour or two of sending the
2 links, Mr. Moline was contacted by Human Resources Director Lindsay Chapman and asked to
3 meet with her and Jamin Gallman, another HR Director. The meeting took place on May 24, with
4 Ms. Chapman interrogating Moline on why he had made the confluence pages.

5 111. On June 2, 2022, Moline and Holland-Thielen met with the head of the Women’s
6 Network at SpaceX, Anny Ning. Ms. Ning had long been a leader at the company in calling out
7 sexual harassment and discrimination and seeking a better working environment for women. Ms.
8 Ning reported that she had had a meeting that day with President Shotwell and head of HR Brian
9 Bjelde regarding employees’ reaction to the allegations against Musk and President Shotwell’s
10 response thereto. Ms. Ning reported that it was clear that President Shotwell was not going to
11 modify her email supporting Musk and debunking the victim, nor would the company take any
12 other measures to address the issue.⁴

13 112. Moline continued his efforts to effectuate change by working with his colleagues
14 in drafting the Open Letter. He was one of the listed “owners” of the Sharepoint page on which
15 the Open Letter was hosted. On June 15, 2022, he sent links to the Open Letter in several
16 employee Teams channels.

17 113. On June 16, 2022, HR called Moline into a meeting with Brian Bjelde, President
18 Shotwell, and HR representative Rebecca Balayan. Mr. Bjelde stated that they had performed an
19 investigation, and determined that Moline was “instrumental in conceiving, writing, and
20 distributing the Open Letter” and as a result, SpaceX was terminating his employment.

21 114. Moline suffered emotional distress because of his treatment by SpaceX.

22 **Facts Specific to Plaintiff André Nadeau**

23 115. Plaintiff André Nadeau was employed by SpaceX in Hawthorne, California from
24 October 25, 2021 to January 28, 2022 as an intern, and from then until July 29, 2022 as an
25 engineer.

26 _____
27 ⁴ Upon information and belief, Space X terminated Ms. Ning on June 16, 2022, the same day as
28 Plaintiffs Holland-Thielen, Moline, Beck, and Mallon, for sharing the link to the Open Letter with
the Women’s Network.

1 116. Nadeau was new to SpaceX at the time the Lioness and Verge articles came out in
2 December 2021, having only been employed there for approximately two months. He was
3 extremely alarmed by the allegations in the articles and SpaceX’s lack of appropriate response.
4 He believed that addressing the allegations seriously should be a top priority for the company.

5 117. Nadeau attended a meeting with HR Director Lindsay Chapman shortly after the
6 articles were published in order to ascertain what action SpaceX would be taking to address this
7 type of behavior. To his surprise, far from discussing corporate accountability, Chapman asserted
8 that the allegations were untrue. Other employees pushed back, saying that they had experienced
9 similar instances of sexual harassment at SpaceX. Nadeau noticed that the employees in
10 attendance were mostly women, and he was troubled that more men had not attended the meeting
11 given that they made up a strong majority of the SpaceX workforce. Nadeau spoke up, pointedly
12 asking Ms. Chapman what SpaceX planned to do to make anti-harassment a priority.

13 118. After the Business Insider article came out in May 2022, Nadeau was disgusted by
14 the allegations against Musk and his Twitter response. Nadeau was further offended by President
15 Shotwell’s response in which she effectively “sided” with Musk’s version of what occurred— i.e.
16 *nothing*—and simply dismissed the alleged victim’s claims. He felt that the company was once
17 again sweeping claims of sexual harassment under the rug. Nadeau was concerned by the
18 company’s repeated non-action because he felt that the work culture was being ruined by the
19 company’s tolerance of sexual harassment. Nadeau specifically feared that the company’s
20 endorsement of Musk’s crass response would embolden SpaceX employees to act similarly,
21 exacerbating the harassment. On May 23, 2022, Nadeau attended the meeting where Plaintiff
22 Holland-Thielen invited her co-workers to take action on this issue.

23 119. Plaintiff Nadeau joined Holland-Thielen’s chat group, and helped draft the Open
24 Letter. On June 15, 2022, he sent the link to the Open Letter to several Teams channels.

25 120. Nadeau was extremely troubled by the retaliatory firings of his colleagues and
26 protested to management. Specifically, on June 27, 2022, Nadeau sent an email to Brian Bjelde
27 asking to speak with him about the contents of the Open Letter and reiterating the importance of
28 creating an “anti-harassment culture” at SpaceX. The same day, he emailed his Vice President,

1 Mark Juncosa, asking to speak with him about the terminations and expressing frustration that the
2 terminations had shut down conversations about the points raised in the Open Letter. Bjelde
3 responded that he would meet with Nadeau later, which he never did. Juncosa responded that
4 Nadeau could raise his concerns in an upcoming Women’s Forum meeting that Juncosa planned
5 to attend, but did not agree to meet individually with Nadeau. In addition, on July 1, 2022,
6 Nadeau attended a meeting with his director Brad Fosdick where Nadeau expressed his concern
7 that the firings were illegal. Fosdick responded that he trusted SpaceX executives.

8 121. On July 19, 2022, Lindsay Chapman asked Nadeau to meet with her. Ms.
9 Chapman began the meeting by telling Nadeau that the meeting was attorney-client privileged
10 and that he could not discuss the meeting with anyone. She then began to question him about his
11 involvement in writing the Open Letter and Nadeau admitted that he was part of the chat group.
12 Nadeau then told Ms. Chapman that he did not feel comfortable answering her questions because
13 his colleagues had just been fired because of the Open Letter and that he feared retaliation.
14 Nadeau said that he thought the terminations were illegal. Chapman threatened disciplinary action
15 if he did not answer her questions. Nadeau asked if they could meet again so that he could finish
16 answering her questions because he had another work meeting scheduled to start, and Ms.
17 Chapman agreed. They met again on July 21, 2022. Again, Ms. Chapman asked Nadeau for the
18 details of his role in the Open Letter and he answered all her questions.

19 122. On July 29, 2022, Ms. Chapman emailed Nadeau asking for another meeting.
20 When he arrived in the meeting room later that day, Ms. Chapman told him that SpaceX was
21 terminating his employment.

22 123. Nadeau suffered emotional distress because of his treatment by SpaceX.

23 **FIRST CAUSE OF ACTION**

24 **SEXUAL HARASSMENT - HOSTILE WORK ENVIRONMENT**

25 FEHA, Cal. Gov’t Code §§ 12923, 12940

26 *On behalf of Plaintiffs Holland-Thielen, Abdulhak, Beck, Clark, Mallon, Moline, and Nadeau,*
27 *against all Defendants*

28 124. Plaintiffs repeat and reallege all of the allegations set forth in the preceding
paragraphs as if the same were fully set forth herein and with the same full force and effect.

1 125. At all relevant times, the FEHA was in full force and fully binding upon
2 Defendants.

3 126. Section 12940 prohibits harassment in the workplace because of sex, gender, and
4 sexual orientation. Defendants' pattern of sexually harassing conduct, and tolerance of same,
5 constitutes a hostile work environment based on sex, gender, and sexual orientation, in violation
6 of § 12940.

7 127. The pattern of sexually harassing conduct at SpaceX and Defendants' tolerance of
8 the same was severe and pervasive. It created a work environment that was hostile, intimidating,
9 offensive, oppressive, and abusive.

10 128. Defendant Musk, the CEO of Defendant SpaceX, engaged in sexually harassing
11 conduct and creation of a hostile work environment personally. SpaceX tolerated Musk's
12 unlawful behavior, and told employees who did not like it that they could find a job somewhere
13 else. SpaceX failed to take any corrective action whatsoever.

14 129. As a direct and proximate cause of Defendants' unlawful actions, Plaintiffs have
15 suffered injury, including but not limited to emotional distress, entitling them to compensatory
16 damages in an amount to be proven at trial.

17 130. Defendants' actions were willful, malicious, fraudulent, and oppressive, and were
18 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
19 are informed and believe and thereon allege that the actions of Defendants' employees, officers,
20 directors, and/or managing agents were undertaken with the prior approval, consent, and
21 authorization of Defendants and were subsequently authorized and ratified by them as well by the
22 and through their officers, directors, and/or managing agents. Plaintiffs are therefore entitled to
23 recover punitive damages in an amount according to proof at trial.

24 131. Plaintiffs are entitled to reasonable attorneys' fees and costs pursuant to California
25 Government Code § 12965(b).

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SECOND CAUSE OF ACTION
RETALIATION

FEHA, Cal. Gov't Code §12940(h)

On behalf of Plaintiffs Holland-Thielen, Abdulhak, Beck, Clark, Mallon, Moline, and Nadeau, against all Defendants

132. Plaintiffs repeat and reallege all of the allegations set forth in the preceding paragraphs as if the same were fully set forth herein and with the same full force and effect.

133. At all times relevant to this action, FEHA was in full force and binding upon Defendants. FEHA requires Defendants to refrain from retaliating against any employee for exercising rights under FEHA, including, but not limited to, complaining of discrimination and/or harassment.

134. FEHA also makes it an unlawful employment practice for Defendants to retaliate against any employee for opposing conduct that the employee reasonably and in good faith believed constituted unlawful discrimination or harassment.

135. Plaintiffs exercised their rights under FEHA including, but not limited to, complaining of and opposing discrimination, harassment, and a hostile work environment.

136. Defendants, as alleged herein above, retaliated against Plaintiffs for exercising their rights under the FEHA, including but not limited to complaining of and opposing the discrimination, harassment, and hostile work environment that they observed and that they were being subjected to by Defendants, and protesting the wrongful terminations of their colleagues who had engaged in this protected activity.

137. Plaintiffs' exercise of their rights under FEHA was a motivating reason for Defendants' retaliation towards Plaintiffs and termination of their employment as complained of herein.

138. As a direct and proximate result of Defendants' retaliation, Plaintiffs have suffered, and continue to suffer, substantial damages including, but not limited to, back wages, future wages, lost benefits, emotional distress, and other pecuniary and non-pecuniary losses in an amount to be proven at trial. Plaintiff Holland-Thielen has suffered severe emotional distress and discomfort, including stress, anxiety, panic, trauma, shame, and embarrassment, all to her

1 detriment and damage in amount not fully ascertained but within the jurisdiction of this court and
2 subject to proof at the time of trial.

3 139. Defendants' actions were willful, malicious, fraudulent, and oppressive, and were
4 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
5 are informed and believe and thereon allege that the actions of Defendants' employees, officers,
6 directors, and/or managing agents were undertaken with the prior approval, consent, and
7 authorization of Defendants and were subsequently authorized and ratified by them as well by the
8 and through their officers, directors, and/or managing agents. Plaintiffs are therefore entitled to
9 recover punitive damages in an amount according to proof at trial.

10 140. Plaintiffs are entitled to reasonable attorneys' fees and costs pursuant to California
11 Government Code § 12965(b).

12 **THIRD CAUSE OF ACTION**

13 FAILURE TO PREVENT DISCRIMINATION, HARASSMENT AND RETALIATION IN
14 VIOLATION OF FEHA

15 California Government Code §12940(k)

16 *On behalf of Plaintiffs Holland-Thielen, Abdulhak, Beck, Clark, Mallon, Moline and Nadeau,*
17 *against Defendant SpaceX*

18 141. Plaintiffs repeat and reallege all of the allegations set forth in the preceding
19 paragraphs as if the same were fully set forth herein and with the same full force and effect.

20 142. At all times hereto, the FEHA, including Government Code§ 12940(k), was in full
21 force and effect and was binding upon Defendants. This subsection imposes a duty on SpaceX to
22 take all reasonable steps necessary to prevent the discrimination, harassment, and retaliation alleged
23 herein from occurring. As alleged above, Defendants violated this subsection and breached their
24 duty by failing to take all reasonable steps necessary to prevent harassment and retaliation from
25 occurring.

26 143. Specifically, Plaintiffs complained about acts of sexual harassment they had
27 experienced or observed, complained about Musk's personal contribution to the hostile work
28 environment as alleged above, yet Defendants did nothing to remedy the harassment or prevent
further harassment. In fact, managers expressly told Plaintiffs that the company would *not*
attempt to correct Musk's behavior or prevent his offensive sexually charged comments and vile

1 jokes from being communicated in the workplace, that SpaceX “could not” change the
2 environment because Musk “owned” the Company, and suggested that anyone who could not put
3 up with the work environment should leave and find work elsewhere.

4 144. Plaintiffs further complained about the retaliation visited on their colleagues after
5 the initial wave of firings. Plaintiffs communicated to HR that the firings were illegal and seemed
6 designed to intimidate employees from speaking up about sexual harassment. Not only did
7 Defendant do nothing to prevent or remedy this retaliation, it furthered it by then firing the
8 employees who complained about retaliation.

9 145. The above said acts of Defendant constitutes violations of the FEHA and were a
10 proximate cause in Plaintiffs’ damages as stated below.

11 146. As a direct and proximate result of Defendant’s failure to prevent harassment and
12 retaliation, Plaintiffs have suffered, and continue to suffer, substantial damages including, but not
13 limited to, back wages, future wages, lost benefits, emotional distress, and other pecuniary and
14 non-pecuniary losses in an amount to be proven at trial. Plaintiff Holland-Thielen has suffered
15 severe emotional distress and discomfort, including stress, anxiety, panic, trauma, shame, and
16 embarrassment, all to her detriment and damage in amount not fully ascertained but within the
17 jurisdiction of this court and subject to proof at the time of trial.

18 147. Defendant’s actions were willful, malicious, fraudulent, and oppressive, and were
19 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
20 are informed and believe and thereon allege that the actions of Defendant’s employees, officers,
21 directors, and/or managing agents were undertaken with the prior approval, consent, and
22 authorization of Defendant and were subsequently authorized and ratified by it as well by the and
23 through its officers, directors, and/or managing agents. Plaintiffs are therefore entitled to recover
24 punitive damages in an amount according to proof at trial.

25 148. Plaintiffs are entitled to reasonable attorneys’ fees and costs pursuant to California
26 Government Code § 12965(b).

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FOURTH CAUSE OF ACTION
SEXUAL HARASSMENT

FEHA, Cal. Gov't Code § 12940(j)
On behalf of Plaintiff Mallon against Defendant SpaceX

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4 149. Plaintiff Mallon repeats and realleges all of the allegations set forth in the
5 preceding paragraphs as if the same were fully set forth herein and with the same full force and
6 effect.

7 150. At all times relevant to this action, FEHA was in full force and binding upon
8 Defendants. FEHA requires Defendants to refrain from harassing any employee on the basis of a
9 protected characteristic, including, but not limited to gender and sex. FEHA also makes it an
10 unlawful employment practice for Defendants to harass any employee based upon the perception
11 that the employee is a member of a protected class of that the employee is taking or has taken
12 certain actions because the employee is a member of a protected class.

13 151. Pursuant to California Government Code §12940(j)(3), SpaceX's supervisors are
14 personally liable for any harassment prohibited by FEHA that is perpetrated by them.

15 152. Plaintiff Mallon was a member of a protected class within the meaning of
16 California Government Code §12940 et. seq., because she is a female and Defendants were aware
17 of her gender.

18 153. Plaintiff Mallon reported numerous instances of sexual harassment by co-workers
19 to SpaceX's HR department, but HR failed to take any steps to address or remediate the
20 harassment, and Mallon continued to experience it on an on-going basis until the time of her
21 wrongful termination.

22 154. In addition to the foregoing, California Government Code §12940(i) also prohibits
23 any individual from actually or attempting to aid, abet, incite, compel, or coerce the doing of any
24 of the acts forbidden under FEHA.

25 155. If an individual participates in the decision-making process, tacitly approves of the
26 improper action, fails to take action upon learning of the unlawful conduct, or participates in the
27 unlawful conduct that is the basis of the discriminatory condition, the individual is considered to
28 have aided and abetted under FEHA. *Matthews v. Superior Court* (1995) 34 Cal.App.4th 598.

1 162. FEHA also makes it an unlawful employment practice for Defendants to
2 discriminate against any employee based upon the perception that the employee is a member of a
3 protected class or that the employee is taking or has taken certain actions because the employee is
4 a member of a protected class.

5 163. Plaintiffs Holland-Thielen and Mallon were members of a protected class within
6 the meaning of California Government Code §12940 *et. seq.*, because Plaintiffs are women.
7 Defendants were aware of Plaintiffs' gender.

8 164. If an individual participates in the decision-making process, tacitly approves of the
9 improper action, fails to take action upon learning of the unlawful conduct, or participates in the
10 unlawful conduct that is the basis of the discriminatory condition, the individual is considered to
11 have aided and abetted under FEHA. *Matthews v. Superior Court* (1995) 34 Cal.App.4th 598.

12 165. Here, Plaintiffs' managers and SpaceX's HR department had the ability to stop
13 the illegal activity and discrimination experienced by Plaintiffs; however, managers and HR not
14 only failed to take any actions to stop the discriminatory conduct, but, as alleged herein, they
15 participated in conduct and decision- making processes designed to illegally discriminate against
16 Plaintiffs as well as tacitly approved of the discriminatory conduct that was undertaken towards
17 Plaintiffs.

18 166. At all times relevant to this action, SpaceX unlawfully discriminated against
19 Plaintiffs Holland-Thielen and Mallon as previously alleged, on the basis of Plaintiffs' gender and
20 sex, including by denying them work opportunities, giving them less favorable performance reviews
21 than men with similar or worse performance, and refusing to promote them.

22 167. Defendant was substantially motivated to discriminate against Plaintiffs including,
23 but not limited to, by denying them work opportunities, giving them less favorable performance
24 reviews than men with similar or worse performance, and refusing to promote them, because of
25 their gender.

26 168. As a direct and proximate result of Defendant's discrimination, Plaintiffs have
27 suffered, and continues to suffer, substantial damages including, but not limited to, back wages,
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1 future wages, lost benefits, emotional distress, and other pecuniary and non-pecuniary losses in an
2 amount to be proven at trial.

3 169. Defendant's actions were willful, malicious, fraudulent, and oppressive, and were
4 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
5 are informed and believe and thereon allege that the actions of Defendant's employees, officers,
6 directors, and/or managing agents were undertaken with the prior approval, consent, and
7 authorization of Defendant and were subsequently authorized and ratified by it as well by the and
8 through its officers, directors, and/or managing agents. Plaintiffs are therefore entitled to recover
9 punitive damages in an amount according to proof at trial.

10 170. Plaintiffs are entitled to reasonable attorneys' fees and costs pursuant to California
11 Government Code § 12965(b).

12 **SIXTH CAUSE OF ACTION**
13 **WHISTLEBLOWER RETALIATION**
14 California Labor Code §1102.5
On behalf of all Plaintiffs against all Defendants

15 171. Plaintiffs repeat and reallege all of the allegations set forth in the preceding
16 paragraphs as if the same were fully set forth herein and with the same full force and effect.

17 172. At all times material to this Complaint, Labor Code §1102.5 was in effect and
18 binding on SpaceX. This section requires SpaceX, or any person acting on behalf of SpaceX, to
19 refrain from retaliating against an employee who discloses information to a person with authority
20 over the employee or to another employee who has authority to investigate, discover, or correct the
21 violation or noncompliance, if the employee has reasonable cause to believe that the information
22 discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state,
23 or federal rule or regulation, regardless of whether disclosing the information is part of the
24 employee's job duties.

25 173. Labor Code 1102.5 also prohibits SpaceX, or any person acting on behalf of SpaceX,
26 from retaliating against an employee because SpaceX believes that the employee disclosed or may
27 disclose information to a government or law enforcement agency, to a person with authority over
28 the employee or another employee who has the authority to investigate, discover, or correct the

1 violation or noncompliance, or for providing information to, or testifying before, any public body
2 conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe
3 that the information discloses a violation of state or federal statute, or a violation of or
4 noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the
5 information is part of the employee's job duties.

6 174. As alleged hereinabove, Plaintiffs disclosed to SpaceX, including SpaceX's
7 Human Resources Department and supervisors, the illegal discrimination, harassment, and
8 retaliation that was taking place at SpaceX in violation of state and federal laws. Plaintiffs also
9 disclosed SpaceX's failure to redress unlawful harassment including the creation and perpetuation
10 of a hostile work environment in violation of state and federal laws.

11 175. Separately, Plaintiffs Abdulhak, Clark, and Nadeau disclosed that SpaceX
12 terminated the employment of Plaintiffs Moline, Beck, Holland-Thielen, and Mallon in violation
13 of state and federal laws.

14 176. All of the individuals that Plaintiffs disclosed the illegal behavior to either had
15 authority over Plaintiffs or the authority to investigate, discover, or correct the violations.

16 177. SpaceX retaliated against Plaintiffs for whistleblowing by terminating their
17 employment in violation of Labor Code §1102.5.

18 178. As a direct and proximate result of SpaceX's conduct, Plaintiffs have suffered, and
19 continue to suffer, substantial damages including, but not limited to, back wages, future wages,
20 lost benefits, emotional distress, and other pecuniary and non-pecuniary losses in an amount to be
21 proven at trial. Plaintiff Holland-Thielen has suffered severe emotional distress and discomfort,
22 including stress, anxiety, panic, trauma, shame, and embarrassment, all to her detriment and
23 damage in amount not fully ascertained but within the jurisdiction of this court and subject to
24 proof at the time of trial.

25 179. Defendants' actions were willful, malicious, fraudulent, and oppressive, and were
26 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
27 are informed and believe and thereon allege that the actions of Defendants' employees, officers,
28 directors, and/or managing agents were undertaken with the prior approval, consent, and

1 authorization of Defendants and were subsequently authorized and ratified by them as well by the
2 and through their officers, directors, and/or managing agents. Plaintiffs are therefore entitled to
3 recover punitive damages in an amount according to proof at trial.

4 180. Pursuant to Labor Code §1102.5(f) and in addition to the foregoing, Plaintiffs are
5 entitled to the imposition and recovery of a civil penalty of \$10,000.00 for each violation.

6 181. Plaintiffs are entitled to reasonable attorneys' fees and costs pursuant to California
7 Government Code § 1102.5(j).

8 **SEVENTH CAUSE OF ACTION**
9 **WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY**
10 *On behalf of all Plaintiffs against all Defendants*

11 182. Plaintiffs repeat and reallege all of the allegations set forth in the preceding
12 paragraphs as if the same were fully set forth herein and with the same force and effect.

13 183. It is well-established public policy in the state of California to “protect and
14 safeguard the right an opportunity of all persons to seek, obtain, and hold employment without
15 discrimination or abridgement,” and to “prevent and deter unlawful employment practices and
16 redress the adverse effects of those practices on aggrieved persons.” Gov. Code §§12920,
17 12920.5.

18 184. During their employment at SpaceX, each Plaintiff actively sought to create a safe
19 work environment for women and members of the LGBTQ+ community, to prevent and deter
20 unlawful employment practices, and/or protested the wrongful termination of others who engaged
21 in such activity.

22 185. Plaintiffs' above activities constituted a substantial motivating reason for SpaceX's
23 disciplinary action and termination of each of them.

24 186. Each Plaintiff was harmed by SpaceX's disciplinary action and termination of their
25 employment.

26 187. SpaceX's termination of Plaintiffs' employment was a substantial factor in causing
27 Plaintiffs' harm.

28 188. As a direct and proximate result of SpaceX's conduct, Plaintiffs have suffered, and
continue to suffer, substantial damages including, but not limited to, back wages, future wages,

1 lost benefits, emotional distress, and other pecuniary and non-pecuniary losses in an amount to be
2 proven at trial. Plaintiff Holland-Thielen has suffered severe emotional distress and discomfort,
3 including stress, anxiety, panic, trauma, shame, and embarrassment, all to her detriment and
4 damage in amount not fully ascertained but within the jurisdiction of this court and subject to
5 proof at the time of trial.

6 189. Defendants' actions were willful, malicious, fraudulent, and oppressive, and were
7 committed with wrongful intent to harm Plaintiffs in conscious disregard of their rights. Plaintiffs
8 are informed and believe and thereon allege that the actions of Defendants' employees, officers,
9 directors, and/or managing agents were undertaken with the prior approval, consent, and
10 authorization of Defendants and were subsequently authorized and ratified by them as well by the
11 and through their officers, directors, and/or managing agents. Plaintiffs are therefore entitled to
12 recover punitive damages in an amount according to proof at trial.

13 **EIGHTH CAUSE OF ACTION**
14 **UNLAWFUL BUSINESS PRACTICES**
15 California Business and Professions Code §17200
16 *On behalf of all Plaintiffs against all Defendants*

17 190. Plaintiffs repeat and reallege all of the allegations set forth in the preceding
18 paragraphs as if the same were fully set forth herein and with the same full force and effect.

19 191. Plaintiffs are informed, believe, and based thereon allege, that the practices alleged
20 herein constitute an unlawful, unfair, and/or fraudulent business practice, as set forth in Business
21 & Professions Code §17200, *et. seq.*

22 192. Plaintiffs are informed, believe, and based thereon allege, that the practices alleged
23 herein present a continuing threat to members of the public as Defendants conducted and continue
24 to conduct business activities in California while failing to comply with the legal mandates cited
25 herein.

26 193. Furthermore, skirting the legal mandates cited herein presents a threat to the general
27 public in that the enforcement of such laws is essential to ensure that all California employers
28 complete equally, and that no California employer receives an unfair competitive advantage at the
expense of its employees.

1 194. As a result of Defendants' conduct, Plaintiffs have suffered damages, in an amount
2 to be determined according to proof at trial.

3 195. Defendants, engaging in the conduct hereinabove alleged, acted fraudulently,
4 maliciously, and oppressively, and thereby entitling Plaintiffs to an award of punitive damages
5 pursuant to California Civil Code §3294.

6 196. As a result of Defendants' unlawful and unfair business practices, Plaintiffs are
7 entitled and do seek restitution, injunctive relief and other appropriate relief available under
8 Business and Professions Code §§17200 and 17203.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiffs seeks judgment against Defendants, and each of them, in an
11 amount according to proof, as follows:

- 12 1. For an order declaring that Defendants' conduct violates the statutes and laws
13 referenced herein;
- 14 2. For an order finding in favor of Plaintiffs on all counts asserted herein;
- 15 3. For general, compensatory, and consequential damages according to proof,
16 including, but not limited to, for lost wages, earnings, and other employee benefits, emotional
17 distress, and all other sums of money, together with interest on these amounts;
- 18 4. For all liquidated damages and statutory penalties authorized or required by law;
- 19 5. For restitution of all wrongfully withheld amounts in an amount according to proof;
- 20 6. For special damages according to proof;
- 21 7. For all equitable relief;
- 22 8. For general damages for mental pain and anguish and emotional distress;
- 23 9. For preliminary and permanent public injunctions enjoining and restraining
24 Defendants from continuing the unfair and unlawful business practices set for above, and the
25 requiring the establishment of appropriate and effective policies, procedures, and practices in
26 place to prevent future violations of the aforementioned California laws;
- 27 10. For declaratory relief;
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1 11. For pre-judgment and post-judgment interest on each of the foregoing at the legal
2 rate from the date the obligation became due through the date of judgment on this matter as
3 required by law;

4 12. For punitive and exemplary damages on all applicable causes of action in amounts
5 sufficient to punish Defendants for the wrongful conduct alleged herein and to deter such conduct
6 in the future;

7 13. For an award to Plaintiffs of their reasonable costs of suit, attorneys' fees, and
8 expert witness fees under all applicable statutory or contractual basis; and

9 14. For such other and further relief as this Court may deem just and proper.

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Dated: June 12, 2024

Respectfully submitted,

/s/ Anne B. Shaver
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Counsel for Plaintiffs

Exhibit A

An open letter to the Executives of SpaceX,

In light of recent allegations against our CEO and his public disparagement of the situation, we would like to deliver feedback on how these events affect our company's reputation, and through it, our mission. Employees across the spectra of gender, ethnicity, seniority, and technical roles have collaborated on this letter. We feel it is imperative to maintain honest and open dialogue with each other to effectively reach our company's primary goals together: making SpaceX a great place to work for all, and making humans a multiplanetary species.

As SpaceX employees we are expected to challenge established processes, rapidly innovate to solve complex problems as a team, and use failures as learning opportunities. Commitment to these ideals is fundamental to our identity and is core to how we have redefined our industry. But for all our technical achievements, SpaceX fails to apply these principles to the promotion of diversity, equity, and inclusion with equal priority across the company, resulting in a workplace culture that remains firmly rooted in the status quo.

Individuals and groups of employees at SpaceX have spent significant effort beyond their technical scope to make the company a more inclusive space via conference recruiting, open forums, feedback to leadership, outreach, and more. However, we feel an unequal burden to carry this effort as the company has not applied appropriate urgency and resources to the problem in a manner consistent with our approach to critical path technical projects. To be clear: recent events are not isolated incidents; they are emblematic of a wider culture that underserves many of the people who enable SpaceX's extraordinary accomplishments. As industry leaders, we bear unique responsibility to address this.

Elon's behavior in the public sphere is a frequent source of distraction and embarrassment for us, particularly in recent weeks. As our CEO and most prominent spokesperson, Elon is seen as the face of SpaceX—every Tweet that Elon sends is a de facto public statement by the company. It is critical to make clear to our teams and to our potential talent pool that his messaging does not reflect our work, our mission, or our values.

SpaceX's current systems and culture do not live up to its stated values, as many employees continue to experience unequal enforcement of our oft-repeated "No Asshole" and "Zero Tolerance" policies. This must change. As a starting point, we are putting forth the following categories of action items, the specifics of which we would like to discuss in person with the executive team within a month:

Publicly address and condemn Elon's harmful Twitter behavior. SpaceX must swiftly and explicitly separate itself from Elon's personal brand.

Hold all leadership equally accountable to making SpaceX a great place to work for everyone. Apply a critical eye to issues that prevent employees from fully performing their jobs and meeting their potential, pursuing specific and enduring actions that are well resourced, transparent, and treated with the same rigor and urgency as establishing flight rationale after a hardware anomaly.

Define and uniformly respond to all forms of unacceptable behavior. Clearly define what exactly is intended by SpaceX's "No Asshole" and "Zero Tolerance" policies and enforce them consistently. SpaceX must establish safe avenues for reporting and uphold clear repercussions for all unacceptable behavior, whether from the CEO or an employee starting their first day.

We care deeply about SpaceX's mission to make humanity multiplanetary. But more importantly, we care about each other. The collaboration we need to make life multiplanetary is incompatible with a culture that treats employees as consumable resources. Our unique position requires us to consider how our actions today will shape the experiences of individuals beyond our planet. Is the culture we are fostering now the one which we aim to bring to Mars and beyond?

We have made strides in that direction, but [there is so much more to accomplish.](#)

Proposed Action Items

Publicly address and condemn Elon's harmful Twitter behavior. SpaceX must swiftly and explicitly separate itself from Elon's personal brand.

- Publicly state that Elon's Twitter behavior is not in line with SpaceX values.
- Expand the company's official social media presence to provide a professional and coherent public image of the company completely separate from Elon's online presence.
- Cease retweeting or directly linking to Elon's personal social media posts on any official SpaceX channels.

Hold all leadership equally accountable to making SpaceX a great place to work for everyone. Apply a critical eye to issues that prevent employees from fully performing their jobs and meeting their potential, pursuing specific and enduring actions that are well resourced, transparent, and treated with the same rigor and urgency as establishing flight rationale after a hardware anomaly.

- Institute an executive-level position, distinctly independent from Human Resources, responsible for ensuring that SpaceX is a great place to work for all individuals.
- Create direct channels for employee feedback to this new executive on the state of SpaceX culture across all departments to hold ourselves accountable for making progress towards this goal.
- Document workplace culture progress by regularly reporting data on employee hiring, promotion, and attrition disaggregated by experience, performance, and background.

Define and uniformly respond to all forms of unacceptable behavior. Clearly define what exactly is intended by SpaceX's "No Asshole" and "Zero Tolerance" policies and enforce them consistently. SpaceX must establish safe avenues for reporting and uphold clear repercussions for all unacceptable behavior, whether from the CEO or an employee starting their first day.

- Update the Employee Handbook and enforce annual in-person participation in comprehensive Diversity, Inclusion, and Misconduct training to ensure all employees adhere to these guidelines. Leadership candidates should be evaluated on these criteria.
- Commit to a consistent and transparent process for responses to all substantiated claims of misconduct, regardless of the alleged perpetrator.
- Document the efficacy of these policies by regularly reporting aggregate data on unacceptable behavior claims, involved party outcomes, and disciplinary actions.

To provide feedback on the above action items, fill out [this survey](#) or scan the QR code below.



<https://s.surveypplanet.com/h409awcp>

Unwelcome behavior on Elon's Twitter

This document is a compilation of various examples of problematic Twitter posts by Elon, including “unwelcome behavior”, “subtle sexual harassment”, “sexual harassment”¹, and bullying directed at individuals and various marginalized groups via his Twitter posts. It also includes examples of excessively vulgar and sexual content that is inappropriate at our workplace. Most of these tweets have been posted within the last two years (March 2020 - June 2022). The purpose of this document is to warn coworkers of the resulting harm to our work culture, harm to marginalized employees, and our impaired ability as a community of space enthusiasts to do the amazing work which we're all here for.

The tweets selected for this document were chosen because they most clearly depict the “Bro culture” Elon seems to not only tolerate, but embrace and encourage online and in his personal life. The effects of these tweets, however, are not just limited to public perception of Elon's character. [Elon's Twitter account](#) is routinely used to announce SpaceX company news, is referenced in page 23 of the SpaceX employee handbook as a source of company news, and is documented as an official source of company information ([source](#)) in various SEC filings made by Tesla ([example](#)). For these and other reasons, statements made by Elon on Twitter either directly speak for SpaceX or indirectly reflect on our company's culture and those who work here. Various examples support this claim, from personal accounts of families and friends reaching out to employees asking if they agree with what Elon says to news articles and essays written about the type of work culture being promoted at SpaceX in light of statements made by Elon online². And in the absence of SpaceX saying otherwise, there's no reason for anyone to believe that the behavior repeatedly and consistently demonstrated by Elon in public, in spaces used for official company announcements, is not acceptable at SpaceX.

The content that Elon creates and promotes demonstrates tolerance, and even encouragement, of a workplace culture that is hostile to various marginalized and underrepresented groups. By mocking federally protected characteristics (including sex, sexual orientation, age, and race/religion), trivializing serious and traumatic challenges faced by those marginalized, and silencing attempts at raising legitimate concerns about our workplace culture by dismissing them as politically motivated attacks, Elon has set a very concerning example for what is acceptable and tolerated at SpaceX.

By staying silent on his public actions, taken on a platform which is considered official company communication, SpaceX and its executives have affirmed that Elon's behavior is acceptable at our company.

Please note that for each example screenshotted, a link is provided to the official source so that the full context can be examined. The vast majority of Tweets are still live on Elon's account, but

¹ Such language, defined on [this PDF](#) published by the United Nations, often leads to a “hostile work environment”.

² Examples of articles are included with various tweets throughout this document.

some which have been deleted are also included because they are relevant in establishing the ongoing pattern of harassment and/or bullying that started years ago and continues to this day.

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Tweets targeting or affecting an individual

If you touch my wiener



Chad Hurley @Chad_Hurley · May 20

Hey, @elonmusk! Stop horsing around and close this Twitter deal. We all want a happy ending!

1,496

3,476

68.5K



Elon Musk

@elonmusk

Replying to @Chad_Hurley



Hi Chad, long time no see!

Fine, if you touch my wiener, you can have a horse.

2:04 PM · May 20, 2022 · Twitter for iPhone

7,061 Retweets **2,122** Quote Tweets **134.3K** Likes



Status: online

Link: <https://twitter.com/elonmusk/status/1527757119239380993>

Describe me while exposed



The screenshot shows a Twitter thread. The top tweet is from Elon Musk (@elonmusk) dated May 19, with the text "And, for the record, those wild accusations are utterly untrue". It has 1,726 replies, 2,839 retweets, and 23.3K likes. Below it is a reply from the same user, replying to @elonmusk and @TaraBull808. The reply text reads: "But I have a challenge to this liar who claims their friend saw me 'exposed' – describe just one thing, anything at all (scars, tattoos, ...) that isn't known by the public. She won't be able to do so, because it never happened." The reply is timestamped "9:24 PM · May 19, 2022 · Twitter for iPhone" and has 3,560 retweets, 2,011 quote tweets, and 25.5K likes.

Elon Musk ✓ @elonmusk · May 19
And, for the record, those wild accusations are utterly untrue
1,726 replies 2,839 retweets 23.3K likes

Elon Musk ✓ @elonmusk
Replying to @elonmusk and @TaraBull808
But I have a challenge to this liar who claims their friend saw me “exposed” – describe just one thing, anything at all (scars, tattoos, ...) that isn’t known by the public. She won’t be able to do so, because it never happened.
9:24 PM · May 19, 2022 · Twitter for iPhone
3,560 Retweets 2,011 Quote Tweets 25.5K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1527505449905528846>

Context: Elon presumably challenging the accuser to describe his genitalia, after the [Sexual Harassment allegation at SpaceX](#) reported by Insider on May 19th, 2022.

Stop hitting on me



Alexandria Ocasio-Cortez @AOC · Apr 29 ...

Tired of having to collectively stress about what explosion of hate crimes is happening bc some billionaire with an ego problem unilaterally controls a massive communication platform and skews it because Tucker Carlson or Peter Thiel took him to dinner and made him feel special

51.4K 23.5K 190.4K



Elon Musk @elonmusk ...

Replying to @AOC

Stop hitting on me, I'm really shy

2:27 PM · Apr 29, 2022 · Twitter for iPhone

52.1K Retweets 10.6K Quote Tweets 515.4K Likes

Status: online

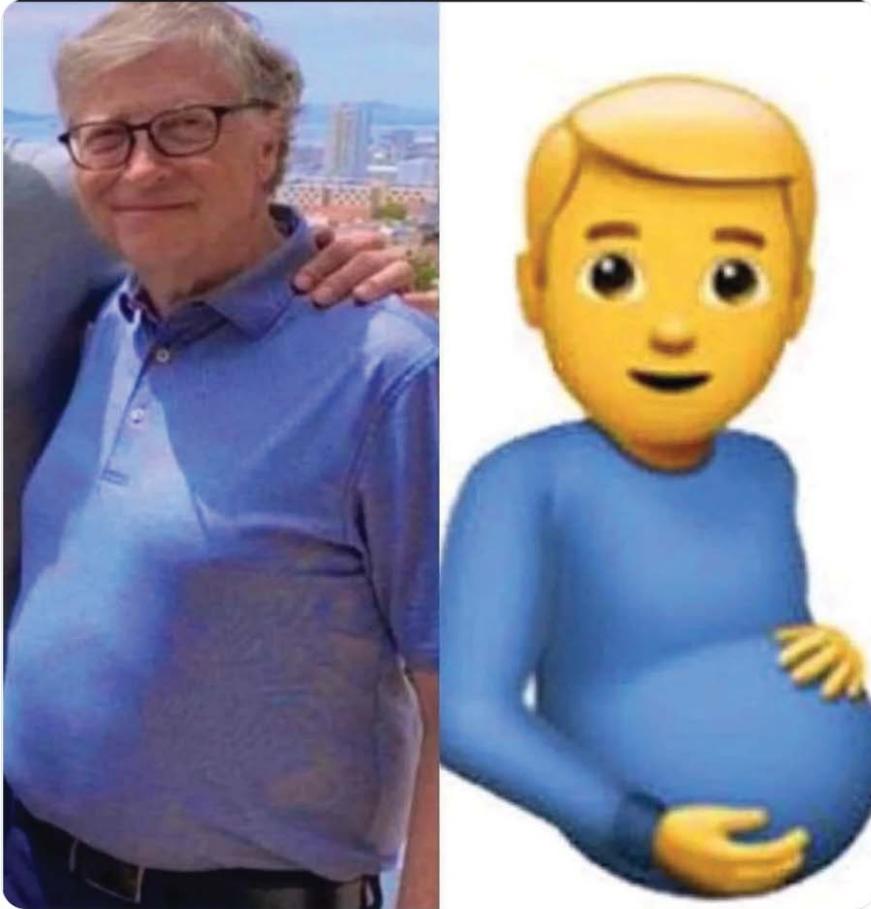
Link: <https://twitter.com/elonmusk/status/1520152887090892800>

In case you need to lose a boner



...

in case u need to lose a boner fast



8:30 PM · Apr 22, 2022 · Twitter for iPhone

142.6K Retweets **31.3K** Quote Tweets **1.4M** Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1517707521343082496>

Article:

<https://nypost.com/2022/06/06/elon-musk-posts-vulgar-tweet-about-bill-gates-during-fued/>

I keep forgetting you're still alive

Bernie Sanders @SenSanders · Nov 13, 2021 ...
We must demand that the extremely wealthy pay their fair share. Period.
11.5K 23.2K 276.2K

Elon Musk @elonmusk · Nov 14, 2021 ...
I keep forgetting that you're still alive
35.1K 66.6K 291.4K

Elon Musk @elonmusk ...
Replying to @elonmusk and @SenSanders
Want me to sell more stock, Bernie? Just say the word
...
7:24 AM · Nov 14, 2021 · Twitter for iPhone

Status: online

Link: <https://twitter.com/elonmusk/status/1459891238384115722>

Articles:

- <https://www.cnn.com/2021/11/14/business/elon-musk-bernie-sanders-tweet/index.html>
- <https://www.independent.co.uk/news/world/americas/us-politics/elon-musk-bernie-sanders-tweet-b1957625.html>

Looks like you just came

← **Tweet**

 **Ron Wyden**  @RonWyden · Nov 6, 2021 ...

Whether or not the world's wealthiest man pays any taxes at all shouldn't depend on the results of a Twitter poll. It's time for the Billionaires Income Tax.

 **Elon Musk**  @elonmusk · Nov 6, 2021

Much is made lately of unrealized gains being a means of tax avoidance, so I propose selling 10% of my Tesla stock.

Do you support this?
[Show this poll](#)

3,119 2,192 16.3K

 **Elon Musk**  @elonmusk ...

Replying to @RonWyden

Why does ur pp look like u just came?

3:57 PM · Nov 7, 2021 · Twitter for iPhone

10.3K Retweets 5,808 Quote Tweets 94.1K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1457497438474981384>

Article: <https://sports.yahoo.com/elon-musk-made-gross-sex-130902137.html>

Can't get it up (to orbit)



Kenneth Chang @kchangnyt · Apr 26, 2021

SCOOP: Jeff Bezos' Blue Origin files a protest against NASA's awarding of the lunar lander contract to Elon Musk's SpaceX.



nytimes.com

Jeff Bezos' Rocket Company Challenges NASA Over SpaceX Moon La...
The space agency picked Elon Musk's company over two other bidders to take its astronauts back to the lunar surface.

447

832

5,199



Elon Musk ✓
@elonmusk

Replying to @kchangnyt

Can't get it up (to orbit) lol

4:31 PM · Apr 26, 2021 · Twitter for iPhone

4,775 Retweets 1,363 Quote Tweets 49.2K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1386825367948644352>

You're an idiot



Jarrett Walker @humantransit · Dec 14, 2017
In cities, @elonmusk's hatred of sharing space with strangers is a luxury (or pathology) that only the rich can afford. Letting him design cities is the essence of elite projection. humantransit.org/2017/07/the-da...



Yonah Freemark @yfreemark · Dec 14, 2017
To summarize Elon Musk's views on transit: It's terrible. You might be killed. Japanese trains are awful. Individualized transport for everyone! Congestion? Induced demand? Climate change impacts? Unwalkable streets? Who cares! wired.com/story/elon-mus...

in the ass,” he continued. “That’s why
t. And there’s like a bunch of random
might be a serial killer, OK, great. And
like individualized transport, that go
nen you want.”

189 1,473 3,885



Elon Musk @elonmusk · Dec 14, 2017
You're an idiot

811 4,973 35.8K



Elon Musk @elonmusk · Dec 14, 2017
Sorry

110 336 2,895



Adam Lilling @ALilling · Dec 14, 2017
Sorry that he's an idiot?

4 24 232



Elon Musk @elonmusk

Replying to @ALilling and @humantransit

Meant to say “sanctimonious idiot”

10:13 PM · Dec 14, 2017 · Twitter for iPhone

237 Retweets 70 Quote Tweets 2,937 Likes

Status: online

Link: <https://twitter.com/elonmusk/status/941500121564332032>

Link: <https://twitter.com/elonmusk/status/941551760799277056>

Context: A tweet from Jarrett Walker, a public transit planning and policy consultant, criticizing him for championing individual, over public, transport.

Article:

<https://www.theguardian.com/cities/2017/dec/21/elon-musk-public-transport-transit-painful-twitte>

⌵

Tweets targeting or affecting a group

Here it comes



7:44 AM · May 31, 2022 · Twitter for iPhone

147K Retweets 23.1K Quote Tweets 1.4M Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1531647849599057921>

Later followed by this tweet:



We are trying to accelerate sustainable energy, so what matters is how much someone can contribute to that goal.

Personal choices are your own and are respected.

9:05 AM · Jun 1, 2022 · Twitter for iPhone

4,426 Retweets 534 Quote Tweets 69.3K Likes

Link: <https://twitter.com/elonmusk/status/1532030554778087424>

Note the original "here it comes" tweet is still up. An apology, if this is what it is, means nothing if behavior is not corrected.

Politically motivated



Status: online

Link: <https://twitter.com/elonmusk/status/1527491436005957633>

Context: the [Sexual Harassment allegation at SpaceX](#) reported by Insider on May 19th, 2022

Mansplaining



Elon Musk ✓
@elonmusk



10:46 AM · May 19, 2022 · Twitter for iPhone

30.8K Retweets **4,202** Quote Tweets **368K** Likes

Status: online

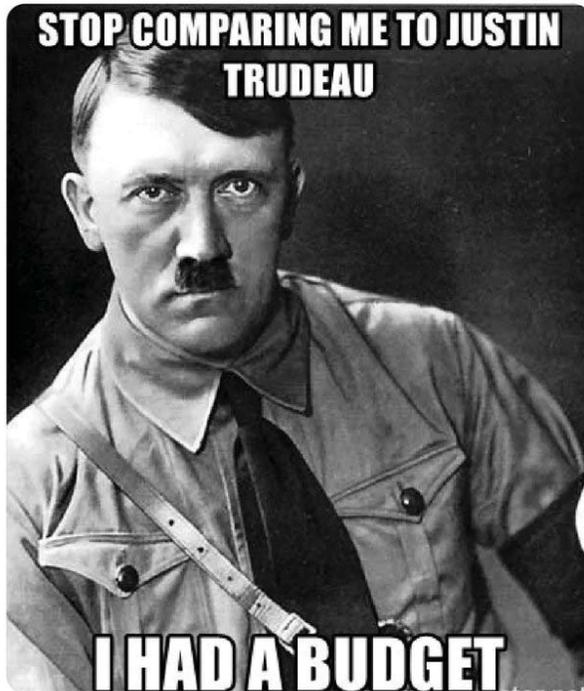
Link: <https://twitter.com/elonmusk/status/1527344969471520768>

Comparison to Hitler



Elon Musk 
@elonmusk

Replying to @CoinDesk @Aoyon_A and @realDannyNelson



11:46 PM · 16 Feb 22 · Twitter for iPhone

Status: deleted

Context: In response to [a tweet](#) linking the coinbase article about Trudeau blocking crypto donations to Canadian Trucker protesters.

Article:

<https://www.theguardian.com/technology/2022/feb/17/elon-musk-criticised-for-comparing-justin-trudeau-to-adolf-hitler-tweet-auschwitz>

TITS

The screenshot shows the Twitter profile of Elon Musk (@elonmusk). The profile header includes his name, handle, a bio, and follower/following counts. Below the header is a list of tweets:

- Tweet 1:** "Used to be that u only had 140 characters to dig ur own grave" (37m ago, 4.9K replies, 2.9K retweets, 31.8K likes)
- Tweet 2:** "Equal support for left & right!" (2h ago, 2.2K replies, 955 retweets, 19.7K likes)
- Tweet 3:** "D's get degrees" (2h ago, 1.3K replies, 1.5K retweets, 23.4K likes)
- Tweet 4:** "If Massachusetts & California can have an Institute of Technology, surely Texas can have one too? Adding Science makes it even more scientific." (2h ago, 1.3K replies, 1K retweets, 21.2K likes)
- Tweet 5:** "I do have a fondness for Rorschach acronyms..." (2h ago, 4.9K replies, 2.6K retweets, 23.6K likes)
- Tweet 6:** "morning's launch. Weather forecast is 80% favorable for liftoff, while teams are keeping an eye on weather along the ascent corridor" (15h ago, 3K replies, 2.4K retweets, 87.6K likes)
- Tweet 7:** "Universally admired" (12h ago, 4.5K replies, 5K retweets, 142.1K likes)
- Tweet 8:** "Am thinking of starting new university: Texas Institute of Technology & Science" (15h ago, 37.2K replies, 91.3K retweets, 392.8K likes)

Status: partially deleted

Link: <https://twitter.com/elonmusk/status/1453954994546229253>

Article: <https://mashable.com/article/elon-musk-sexist-joke-tweets>

Pronouns are oppression



when you **put he/him in ur bio**



10:11 PM · Dec 13, 2020 · Twitter for iPhone

20K Retweets 14.6K Quote Tweets 248.5K Likes

Status: online

<https://twitter.com/elonmusk/status/1338365886542049282>

Article:

<https://cleantechnica.com/2020/12/16/real-friends-interrupt-you-when-you-are-making-a-mistake/>

In response to the above article:



Replying to @cleantechnica

I absolutely support trans, but all these pronouns are an esthetic nightmare

8:59 AM · Dec 16, 2020 · Twitter for iPhone

1,985 Retweets 22.7K Quote Tweets 29.7K Likes



Status: online

Link: <https://twitter.com/elonmusk/status/1339253909546823682>

Catgirl robots

 **Elon Musk** 
@elonmusk 

Tesla should make  catgirl robots?

Absolutely	81.9%
Of Course	18.1%

928,281 votes · Final results

5:11 PM · Oct 28, 2020 · Twitter for iPhone

14.4K Retweets **8,849** Quote Tweets **111.7K** Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1321605428963233794>

Pronouns suck



Elon Musk ✓
@elonmusk



Pronouns suck

8:42 PM · Jul 24, 2020 · Twitter for iPhone

19.7K Retweets 15.3K Quote Tweets 255.8K Likes

Status: online

<https://twitter.com/elonmusk/status/1286869404874088448>

Article:

<https://www.forbes.com/sites/sethcohen/2020/07/25/tesla-founder-elon-musk-uses-twitter-to-mock-transgender-inclusion/?sh=11f2b1e1647f>

Sperm Donor Clinic



Elon Musk  @elonmusk

Jack in the Box should do double duty as a sperm donor clinic — name is 🍷

7:18 PM · Oct 27, 2020 · Twitter for iPhone

13K Retweets 5,067 Quote Tweets 166K Likes

🗨️ ↻️ ❤️ ↗️

Elon Musk  @elonmusk · Oct 27, 2020

Replying to @elonmusk

Wow, this mayo sure is salty!

🗨️ 1,677 ↻️ 3,350 ❤️ 65.3K ↗️

Status: online

Link: <https://twitter.com/elonmusk/status/1321275062998257665>

Later in the thread, he replied:



 **Ms. Muff**   @GoodtimesBig · Oct 28, 2020

Tell us about your space company...

🗨️ 1 ↻️ ❤️ 2 ↗️

Elon Musk  @elonmusk · Oct 27, 2020

Replying to @elonmusk

Come here ... no, come, here 🍷

🗨️ 1,874 ↻️ 1,495 ❤️ 53.7K ↗️

Elongate



Elon Musk ✓
@elonmusk



Finally, we get to use Elongate as scandal name. It's kinda perfect. 🤔



Elon Musk ✓ @elonmusk · Mar 25, 2021

If there's ever a scandal about me, *please* call it Elongate

10:43 PM · May 19, 2022 · Twitter for iPhone

28.1K Retweets 3,922 Quote Tweets 293K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1527525498460508160>

Context: the [Sexual Harassment allegation at SpaceX](#) reported by Insider on May 19th, 2022

Other Tweets promoting an unwelcome and potentially hostile environment

Macrohard



Elon Musk ✓ @elonmusk · Oct 24, 2021

Macrohard >> Microsoft

9,367

11.9K

135.7K



Elon Musk ✓

@elonmusk

Naughtius Maximus



youtube.com

Biggus Dickus - Monty Python, Life of Brian.

Just one of many brilliant scenes from the epic comedy "Life of Brian" by Monty Python.PS: Subtitles is the originals from the blu-ray.PS 2: Yes, we know abo...

1:02 AM · Oct 25, 2021 · Twitter for iPhone

952 Retweets 145 Quote Tweets 19.6K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1452546064591040513>

Erotic Democracy



Elon Musk ✓
@elonmusk



erotic democracy >> sclerotic democracy

6:08 PM · Oct 24, 2021 · Twitter for iPhone

4,158 Retweets **499** Quote Tweets **63.4K** Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1452442007784263682>

Deep thots



Elon Musk
@elonmusk

...

Deep thots



ginivera_ she/he/they has no hair

52m 25 likes Reply



— Hide replies



hani_srou @ginivera_ are you afraid to misgender a dinosaur



11:47 AM · May 26, 2021 · Twitter for iPhone

26K Retweets 3,697 Quote Tweets 289.8K Likes

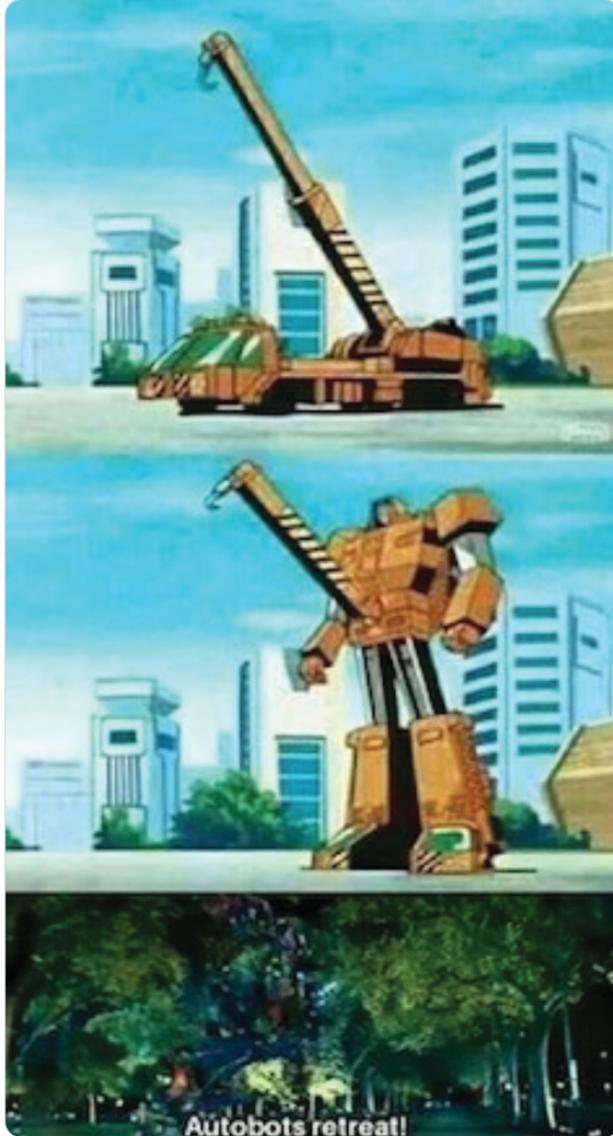
Status: online

Link: <https://twitter.com/elonmusk/status/1397625459437826049>

Our crane



Check out our new crane



8:34 PM · Mar 26, 2021 · Twitter for iPhone

45.4K Retweets 6,454 Quote Tweets 559K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1375652425814704128>

Weekend meme juice



...

Lil meme juice for the weekend

Personally I don't think they thought this through at all



6:12 AM · Feb 13, 2021 · Twitter for iPhone

19.1K Retweets 2,368 Quote Tweets 273.8K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1360592735409946625>

Huge cock



Jacob Two Two @Zwiebelbach · Dec 14, 2020

What dick size?

39

68

6,250

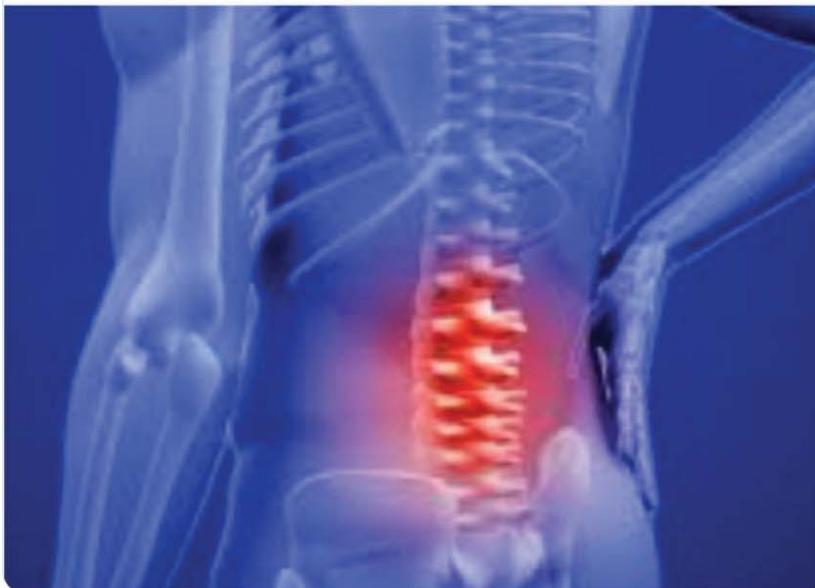


Elon Musk ✓

@elonmusk

Replying to @Zwiebelbach @its_menieb and @CyberpunkGame

My back after carrying
my huge cock all day



7:25 AM · Dec 14, 2020 · Twitter for iPhone

12.8K Retweets 4,685 Quote Tweets 72.4K Likes

Status: online

Link: <https://twitter.com/elonmusk/status/1338505515719143425>

Emails

Tesla do the right thing

Elon Musk Inbox - Exchange May 31, 2017 at 2:37 AM
Doing the right thing
To: Everybody

About four years ago, I sent out an email describing some of the core principles of Tesla. Since then, we have grown from 4,500 people to 33,000, so the vast majority of the company has never received this note. We are redoing the first day orientation and Tesla handbook to more clearly capture and emphasize these points, but I thought I should send this out in advance.

In my email below, please pay particular attention to the first point on the list. Tesla has to be hardcore and demanding, not for the hell of it, but because we are fighting for a good cause against giant, entrenched competitors who just want the status quo to continue. The list of companies that want to kill Tesla is so long, I've lost track – a week doesn't go by without some "Tesla Killer" article. The only way for a little company to prevail against those much larger companies is to work faster, smarter and harder. The passing grade at Tesla is excellence, because it has to be.

However, this does not give license to anyone to be a jerk. It is incredibly important that people look forward to coming to work in the morning. One of the best feelings in the world is to be part of a team that is fired up to achieve what most industry experts say is impossible! For many companies out there, work is like jail – employees look forward to Friday and dread Monday. That's horrible. We never want to be like that.

Part of not being a huge jerk is considering how someone might feel who is part of an historically less represented group. They have endured difficulties that someone born or raised in a more privileged situation did not. This doesn't mean that there is a different standard of performance or that you can't give critical feedback. You should – doing anything else would be an insult to the hard work it took to get there – but don't ever intentionally allow someone to feel excluded, uncomfortable or unfairly treated. Sometimes these things happen unintentionally, in which case you should apologize.

In fairness, if someone is a jerk to you, but sincerely apologizes, it is important to be thick-skinned and accept that apology. If you are part of a less represented group, you don't get a free pass on being a jerk yourself. We have had a few cases at Tesla where someone in a less represented group was actually given a job or promoted over more qualified highly represented candidates and then decided to sue Tesla for millions of dollars because they felt they weren't promoted enough. That is obviously not cool.

What it comes down to is this: do what would make your parents proud. If you can't look someone you respect in the eye and explain what you did, don't do it.

Thanks,
Elon

Link: <https://www.tesla.com/blog/hotbed-misinformation>

Article:

<https://money.cnn.com/2017/11/15/technology/elon-musk-tesla-racial-discrimination/index.html>

Excerpt from email:

In fairness, if someone is a jerk to you, but sincerely apologizes, it is important to be thick-skinned and accept that apology. If you are part of a less represented group, you don't get a free pass on being a jerk yourself. We have had a few cases at Tesla where someone in a less represented group was actually given a job or promoted over more qualified highly represented candidates and then decided to sue Tesla for millions of dollars because they felt they weren't promoted enough. That is obviously not cool.

Commentary:

It seems like the *real* problem at Tesla (and SpaceX) is not the lack of diversity, but rather a plethora of maliciously acting diverse employees who are suing Tesla and not forgiving jerks when they apologize. These diverse employees are also getting a free pass to be jerks to the white male population.