Tennessee v. Meta
Case No. 23-1364-IV

DX3546

THE FRIEDMAN FIRM

March 7, 2024

VIA ELECTRONIC MAIL

Dana Ricciardi (danaricciardi@meta.com)
Employment Relations Partner
META

Re: *Jason Sattizahn and META—confidential and inadmissible settlement communication*

Dear Ms. Ricciardi:

I represent Jason Sattizahn in connection with his employment with your organization. If you have legal counsel in this matter, I would appreciate it if you would forward this correspondence on to your counsel at your earliest convenience.

Mr. Sattizahn is very concerned about how he went from being an excellent employee with your organization for almost six years to being given two days either to accept a separation with minimal severance or to undergo a 30-day PIP which involves essentially doubling his workload, which he believes is evidence that he is being set up for failure. Having conducted an initial review of the facts, I must say that I am quite concerned as well.

As I understand the facts, after years of documented excellent performance, things began to fall apart for Jason after he made a complaint about a co-worker, Christine Liu, who made numerous, offensive comments to Jason regarding his bisexuality and also pursued him sexually, beginning in the summer of 2022. After rejecting her advances for several months, she eventually made a death threat against Jason in August 2022. Jason learned from a team member that Liu stated that she hated Jason because he refused her sexual advances, so he reported these incidents to human resources, and after an investigation, HR essentially confirmed the truth of his allegations and Jason was advised that company policies were violated. Incredibly, even though HR was clearly aware that Jason was harassed and threatened by Liu, they refused Jason's request not to work with Liu any further.

As a result of Jason's complaints about Liu, his manager, Ayfer Gokalp, clearly changed her attitude toward him and began her campaign of retaliation against Jason that continues to this day. Gokalp repeatedly pressed Jason to disclose the matter to her, but he refused to do so as he had been directed by HR to keep the matter strictly confidential. Eventually, when Jason was advised that the company confirmed that there was a policy violation, Gokalp again pressed him on the matter, and although he advised her that he had been subjected to a death threat and sexual harassment, he did not name Liu as the perpetrator.

Then, in late fall 2022, because of the harassment and threats by Liu and the company's indifference to his plight, Jason requested medical leave to address the mental health issues he was dealing with. Gokalp inappropriately pressed Jason for the details of his condition,

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which he understood was private and was information not within the scope of her job, and again he respectfully declined to share it wither her, which again upset her.

In March 2023, after returning from medical leave, Jason travelled to Germany to work on the Project Horton UXR. Per his prior agreement with Gokalp (which was witnessed by Dana Phelps and Cayce Savage), Jason was not expected to be the leader of this project (which had been spearheaded by Gokalp) but would have a limited role in executing the developer portion only. During the German trip, Jason disclosed to Gokalp that he was dating his team member, Savage, as he understood this was required by company policy. In response, Gokalp asked if that was the reason why Savage's marriage ended, and then several days later Gokalp inappropriately asked whether they were sleeping together. Also, during the Germany trip, both Savage and Phelps shared their concerns with Gokalp's hostile and inappropriate behavior, and both of them made it very clear that they did not want to work with Gokalp any longer.

In July 2023, Gokalp confronted Jason about Liu, asking him how he felt about her leaving the company. Jason finally disclosed that Liu was the individual he had complained about, and in response, Gokalp did not hesitate to express her shock and anger about this revelation, clearly because (as Jason learned) they are close friends. Gokalp's attitude towards Jason's work performance then changed dramatically—so much so that Jason felt compelled to speak to Gokalp's manager, Tim Loving, to complain about Gokalp's treatment of him. Shortly thereafter, for the first time in his employment, Gokalp rated Jason "below expectations" without any objective basis for doing so, and clearly in retaliation for his complaints about Liu and also perhaps because of his mental health leave and refusal to discuss it with her. Throughout the fall of 2023 Gokalp's hostility towards Jason continued unabated, and Jason sought assistance from HR, giving feedback to HR about Gokalp's mistreatment of him. In December, Jason was advised that an investigation into Gokalp was opened. Jason requested to be moved from Gokalp's team but was asked to defer his request until the investigation was complete. Durin the pendency of the investigation, Jason was advised by several team members about their negative experiences with Gokalp.

In late February, in clear retaliation for Jason's complaint to HR about Gokalp, Jason learned from a team member that Gokalp had asked her to take over Jason's workstream, so it was now clear that she wanted to drive Jason from the company. Then, two days after Jason was advised that the investigation was completed and that no policy violations were found, Jason received his first negative official performance review from Gokalp, which resulted in serious adverse consequences: it eliminated all of his monetary bonuses and stock awards and placed him in a performance improvement program. Then, just a few days ago, Jason was given the ultimatum to either undergo a completely unreasonable PIP within 30 days or to take a minimal severance package, and he was also told that there would be no extension to the PIP and that he could not switch teams.

In short, Jason's career is now in jeopardy as a result of Gokalp's clearly retaliatory pattern of conduct against him, and he is in the process of losing significant bonus and stock compensation. Although my review of the facts is still at the preliminary phase, my initial

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conclusion is that the company allowed Liu to sexually harass Jason and then retaliated against him when he complained about the harassment and the death threat from Liu. As a result, Jason has retained me to investigate this matter and advise him accordingly. In order to conduct my investigation, I request, pursuant to the Illinois Personnel Record Review Act, that you provide me with Mr. Sattizahn's entire personnel file within seven days of your receipt of this letter. Enclosed is an authorization signed by Mr. Sattizahn directing you to release his file to me.

Additionally, as litigation is possible in this matter, your organization is instructed to immediately preserve all records (both electronic and print) related in any way to Mr. Sattizahn's employment, and to suspend any and all record destruction efforts that may result in the destruction of any records related to this matter.

As soon as I receive and review Mr. Sattizahn's personnel file, I will contact you or your counsel to discuss this matter. In the meantime, should you or your counsel wish to discuss this matter, I would welcome the opportunity to do so. Finally, I trust that you will comply with your obligations under state and federal law not to further retaliate against Jason in response to this correspondence. Thank you for your anticipated cooperation.

Sincerely,



Josh M. Friedman

cc: Jason Sattizahn

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