

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
**CONFORMED COPY  
OF ORIGINAL FILED**  
Los Angeles Superior Court

MAR 07 2013

John A. Clarke, Executive Officer/Clerk  
By *[Signature]* Deputy  
SHAUNYA WESLEY

**NOTICE TO DEFENDANT:**

**(AVISO AL DEMANDADO):**

BIKRAM CHOUDHURY, an individual, RAJASHREE CHOUDHURY,  
an individual, BIKRAM'S YOGA COLLEGE OF INDIA, L.P.,  
a California Limited Partnership, and DOES 1-25

**YOU ARE BEING SUED BY PLAINTIFF:**

**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Sarah Baughn, an individual

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Los Angeles Superior Court -- Central  
111 North Hill Street  
Los Angeles, California 90012

CASE NUMBER:  
(Número del Caso):

BC502424

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Mary Shea Hagebols(113222)SHEA LAW OFFICES 1814Franklin St. # 800OaklandCA94612 910-208-4422

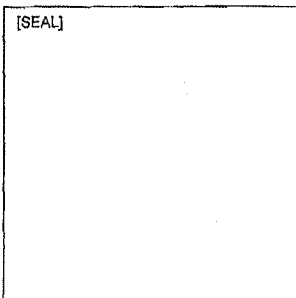
DATE:  
(Fecha)

MAR 07 2013

Clerk, by  
(Secretario)

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):
 

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4.  by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Mary Shea Hagebols (113222)  
SHEA LAW OFFICES  
1814 Franklin Street, Suite 800  
Oakland, CA 94621  
TELEPHONE NO.: (510) 208-4422 FAX NO.: (415) 520-9407  
ATTORNEY FOR (Name): Plaintiff

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Los Angeles Superior Court  
  
MAR 07 2013  
  
John A. Clarke, Executive Officer/Clerk  
By SHAUNYA WEBLEY, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  
STREET ADDRESS: 111 North Hill Street  
MAILING ADDRESS: 111 North Hill Street  
CITY AND ZIP CODE: Los Angeles, CA 90012  
BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:  
Baughn v. Bikram Choudhury, et al.

**CIVIL CASE COVER SHEET**  
 **Unlimited** (Amount demanded exceeds \$25,000)  
 **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 **Counter**  **Joinder**  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **BC502424**  
JUDGE:  
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:
- |  |   |   |
|--|---|---|
| <p><b>Auto Tort</b></p> <input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46) <p><b>Other PI/PPD/W (Personal Injury/Property Damage/Wrongful Death) Tort</b></p> <input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PPD/W (23) <p><b>Non-PI/PPD/W (Other) Tort</b></p> <input checked="" type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PPD/W tort (35) <p><b>Employment</b></p> <input type="checkbox"/> Wrongful termination (36)<br><input type="checkbox"/> Other employment (15) | <p><b>Contract</b></p> <input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37) <p><b>Real Property</b></p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26) <p><b>Unlawful Detainer</b></p> <input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38) <p><b>Judicial Review</b></p> <input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39) | <p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b></p> <input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p><b>Enforcement of Judgment</b></p> <input type="checkbox"/> Enforcement of judgment (20) <p><b>Miscellaneous Civil Complaint</b></p> <input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42) <p><b>Miscellaneous Civil Petition</b></p> <input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> Other petition (not specified above) (43) |
|--|---|---|

BY FAX

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive
4. Number of causes of action (specify): **18**
5. This case  is  is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 17, 2013  
Mary Shea Hagebols  
(TYPE OR PRINT NAME)

Mary Shea Hagebols  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

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OF ORIGINAL FILED  
Los Angeles Superior Court

MAR 07 2013

John A. Clarke, Executive Officer/Clerk  
By SHAIKVA WESLEY, Deputy

1 Mary Shea Hagebols (SBN 113222)  
2 Shea Law Offices  
3 1814 Franklin Street, Suite 800  
4 Oakland, CA 94612  
5 Tel: 510-208-4422  
6 Fax: 415-520-9407  
7 Mary@shealaw.com

8 Attorneys for Plaintiff SARAH BAUGHN

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 LOS ANGELES COUNTY  
11 CIVIL -- UNLIMITED

<p>12 SARAH BAUGHN, an individual;</p> <p>13 Plaintiff,</p> <p>14 v.</p> <p>15 BIKRAM CHOUDHURY, an individual, 16 RAJASHREE CHOUDHURY, an individual, 17 BIKRAM'S YOGA COLLEGE OF INDIA, 18 L.P., a California Limited Partnership, and 19 DOES 1-25;</p> <p>20 Defendants.</p>	<p>21 CASE No.: <b>BC502424</b></p> <p>22 <b>COMPLAINT FOR DAMAGES</b></p> <p>23 1. SEX-BASED DISCRIMINATION IN 24 VIOLATION OF THE UNRUH CIVIL RIGHTS 25 ACT [CALIFORNIA CIVIL CODE § 51]</p> <p>26 2. SEXUAL HARASSMENT IN VIOLATION OF 27 THE UNRUH CIVIL RIGHTS ACT 28 [CALIFORNIA CIVIL CODE § 51.9]</p> <p>3. VIOLATION OF THE RALPH ACT [CALIFORNIA CIVIL CODE § 51.7]</p> <p>4. INTERFERENCE WITH THE EXERCISE OF CIVIL RIGHTS IN VIOLATION OF THE BANE ACT [CALIFORNIA CIVIL CODE § 52.1]</p> <p>5. EMPLOYMENT DISCRIMINATION [CALIFORNIA GOVERNMENT CODE § 12940(A)]</p> <p>6. SEXUAL HARASSMENT [CALIFORNIA GOVERNMENT CODE § 12940(I)]</p> <p>7. FAILURE TO PREVENT DISCRIMINATION AND HARASSMENT [CALIFORNIA GOVERNMENT CODE § 12940(K)]</p> <p>8. RETALIATION [CALIFORNIA GOVERNMENT CODE § 12940(H)]</p> <p>9. UNFAIR COMPETITION [CALIFORNIA BUSINESS AND PROFESSIONS CODE § 17200 ET SEQ.]</p> <p>10. TORTIOUS INTERFERENCE WITH BUSINESS</p>
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BY FAX

	RELATIONSHIPS 11. CIVIL CONSPIRACY 12. DEFAMATION [CALIFORNIA CIVIL CODE § 44] 13. INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS 14. NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS 15. NEGLIGENCE 16. NEGLIGENT SUPERVISION AND HIRING 17. UNLAWFUL NON-COMPETE AGREEMENT [BUSINESS AND PROFESSIONS CODE § 16600 ET SEQ.] 18. CLAIM FOR DECLARATORY AND INJUNCTIVE RELIEF  REQUEST FOR JURY TRIAL  AMOUNT IN CONTROVERSY EXCEEDS \$25,000
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Plaintiff SARAH BAUGHN complains against Defendants BIKRAM CHOUDHURY, BIKRAM'S YOGA COLLEGE OF INDIA, L.P., and DOES 1-25as follows.

**NATURE OF THE ACTION**

1. This is a sex-based discrimination and sexual harassment case where Plaintiff is being discriminated against as a woman, because she did not and will not submit to Defendant Bikram Choudhury's repeated demands for sex, and because she successfully fought him off when he sexually assaulted her. As a result, Plaintiff was punished and threatened, including with implicit economic reprisals if she were to discuss or report the sexual assault, and was not permitted to reach the highest levels of her profession.

2. To this very day, Defendant Bikram Choudhury and others have engaged in a campaign of civil conspiracy, unfair competition, and tortious interference that began when Plaintiff was denied her rightful, judge-determined title as International Champion in 2008 because she refused Mr. Choudhury's demand to have sex with him. This conspiracy continues to the present when she has been prevented from teaching seminars or advanced classes because of her past and continuing refusal to have sex with her guru. Other people who have either submitted to Mr.

1 Choudhury's sexual advances or provided him with women for sex have been permitted to teach  
2 such classes.

3 3. As a direct consequence of these unlawful acts, Plaintiff has suffered  
4 economic, consequential, and other damages, all to her detriment. Defendants' actions forced  
5 Plaintiff to hire attorneys and file suit and she, therefore, has incurred substantial attorneys' fees and  
6 costs.

7 **PARTIES**

8 4. Plaintiff SARAH BAUGHN (hereinafter, "Sarah," "Sarah Baughn" or  
9 "Plaintiff") was a resident of San Francisco, California in the County of San Francisco or Vista,  
10 California in the County of San Diego at all times material to this complaint. Sarah Baughn is a  
11 young woman who is fully qualified and certified by Defendants Bikram Choudhury (hereinafter,  
12 "Choudhury" or "Defendant Choudhury") and Bikram's Yoga College of India, L.P. (hereinafter,  
13 "Yoga College.") to teach "Bikram Yoga" which is a type of Hatha Yoga practiced in rooms heated  
14 to 105 degrees Fahrenheit.

15 5. Defendant Choudhury is an individual and a resident of Beverly Hills,  
16 California in the County of Los Angeles at all times material to this complaint.

17 6. Defendant Rajashree Choudhury is an individual and a resident of Beverly  
18 Hills, California in the County of Los Angeles at all times material to this complaint.

19 7. Defendant Yoga College was a California Limited Partnership (California  
20 Secretary of State No. 200223100010) and operated in the City and County of Los Angeles at all  
21 times material to this complaint. Plaintiff is informed and believed that Defendant Choudhury treats  
22 the corporation as his "alter ego" rather than as a separate entity, and that upholding the corporate  
23 entity and allowing Choudhury to escape personal liability for its actions would sanction a fraud or  
24 promote an injustice.

25 8. The true names and capacities, whether individual, corporate, associate or  
26 otherwise, of Defendants Does 1 through 50, are unknown to Plaintiff, who therefore sues said  
27 Defendants by such fictitious names. Plaintiff will amend this Complaint by inserting the true names  
28 and capacities of each such Defendant, with appropriate charging allegations, when they are

1 ascertained. Plaintiff is informed and believes and thereon alleges that each of the Defendants  
2 designated herein as a “Doe” is responsible in some manner for the injuries suffered by Plaintiff and  
3 for damages proximately caused by the conduct of each such Defendant as herein alleged.

4 9. Plaintiff is informed and believes and thereon alleges that at all times material  
5 to this Complaint, Defendant and each of the defendants fictitiously named in this Complaint, in  
6 addition to acting for himself, herself or itself, and on his, her or its own behalf individually, is and  
7 was acting as the agent, servant, employee and representative of, and with the knowledge, consent  
8 and permission of, and in conspiracy with each and all of the defendants and within the course,  
9 scope and authority of that agency, service, employment, representation and conspiracy. Plaintiff  
10 further alleges on information and belief that the acts of each of the defendants were fully ratified by  
11 each and all of the defendants. Specifically, and without limitation, Plaintiff alleges on information  
12 and belief that the actions, failures to act, breaches, conspiracy and misrepresentations alleged herein  
13 and attributed to one or more of the specific defendants were approved, ratified and done with the  
14 cooperation and knowledge of each and all of the defendants.

15 10. The allegations of this Complaint stated on information and belief are likely  
16 to have evidentiary support after a reasonable opportunity for further investigation and discovery.

#### 17 **VENUE**

18 11. Venue is proper because Defendant Yoga College is a limited partnership  
19 that is doing business, or has done business during the times related herein, in the City and County  
20 of Los Angeles.

21 12. Defendant Bikram Choudhury, individually and as a managing agent of  
22 Defendant Yoga College, committed acts causing harm to Plaintiff primarily in the State of  
23 California.

#### 24 **CONTINUING VIOLATIONS**

25 13. The wrongful acts and omissions giving rise to the Defendants’ liability in  
26 this action commenced in our about Spring 2005 and have been and are “continuing” in nature as of  
27 the date of filing this Complaint. Plaintiff reserves the right to amend this Complaint as new and  
28 additional facts and claims arise or become known to Plaintiff.

1 **TOLLING DUE TO DURESS**

2 14. The wrongful acts of Defendants placed Plaintiff under economic duress.  
3 Out of fear for her livelihood and reprisals, Plaintiff delayed in filing suit, due in part to being deeply  
4 in debt as of 2008 as a result of Defendant’s actions. Defendants cannot equitably benefit from this  
5 economic duress, and thus are equitably estopped from asserting the statute of limitations against  
6 Plaintiff. Furthermore, Defendants placed Plaintiff under emotional duress in an attempt to prevent  
7 her from filing suit or otherwise complaining of their unlawful acts. Under California law, threats  
8 and undue influence are both grounds for tolling based on estoppel. “It is well settled that where  
9 delay in commencing an action is induced by the conduct of the defendant, he cannot avail himself  
10 of the defense of the statute [of limitations]. [Citations.]” (*Gaglione v. Coolidge* (1955) 134 Cal.App.2d  
11 518, 527, 286 P.2d 568; see also *Rupley v. Huntsman* (1958) 159 Cal.App.2d 307, 313, 324 P.2d 19;  
12 *Langdon v. Langdon* (1941) 47 Cal.App.2d 28, 32, 117 P.2d 371; *Industrial Indem. Co. v. Ind. Acc. Com.*  
13 (1953) 115 Cal.App.2d 684, 689, 252 P.2d 649; *Carruth v. Fritch* (1950) 36 Cal.2d 426, 434, 224 P.2d  
14 702.)

15 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

16 15. Plaintiff filed charges of discrimination with the California Department of  
17 Fair Employment and Housing which issued the requisite “Right-to-Sue” letters.

18 **FACTUAL DISCUSSION**

19 **A. SARAH BAUGHN BEGINS PRACTICING BIKRAM YOGA**

20 16. In October of 2004, Sarah Baughn was a sophomore in college studying  
21 creative writing. She was athletic and ran on a daily basis, even entering three and five kilometer  
22 races. Because of her athleticism, a friend of her boyfriend invited her to a Bikram Yoga class,  
23 warning her that the class would be very challenging as the yoga would be performed in a room that  
24 was very hot and that the class would be very long.

25 17. On October 19, 2004, Sarah took her first yoga class. The class was indeed  
26 challenging and exhausting, but she also found it exhilarating. She continued to attend Bikram  
27 classes regularly, sometimes once or twice a day.

1           18.     Even early on, Sarah’s instructors began commenting on how promising she  
2 was and how quickly her practice improved. An early instructor told her that if she kept it up, she  
3 would be “on the cover of Yoga Journal Magazine.” Sarah found that the practice of yoga was  
4 challenging, inspiring, and it greatly added to her happiness. She believed that she had found her  
5 calling—to introduce other people to the peace, well being, and health benefits of Bikram Yoga by  
6 becoming a certified Bikram teacher.

7           19.     Sarah continued to excel at an astonishing rate. Five months after her very  
8 first Bikram class, Sarah took the plunge. At the young age of 20, she dropped out of college and  
9 took out loans to attend Bikram’s Yoga Teacher Training, an apprenticeship program by which  
10 students learned to become certified Bikram Yoga instructors. Sarah Baughn was below the stated  
11 minimum age of 21 required to take the course, but she wrote an extensive essay discussing how  
12 yoga had changed her life, and was admitted despite her youth.

13           20.     Sarah Baughn paid Bikram Choudhury in excess of \$7,500 to attend the  
14 grueling nine-week teacher training course, and traveled to Los Angeles to begin her instruction and  
15 apprenticeship.

16           **B.     SARAH BAUGHN ATTENDS TEACHER TRAINING**

17           21.     In the spring of 2005, Sarah Baughn began the teacher training course. She  
18 was welcomed to the training, along with 300 other students, by Bikram Choudhury himself, his  
19 wife, Rajashree Choudhury, his daughter, Laju Choudhury, C.V. who was the director of teacher  
20 training, and E.C., a senior teacher, among others.

21           22.     The very first night of class, which Bikram Choudhury himself taught, Sarah  
22 Baughn was elated to begin her training with a man who she believed had changed her life and who  
23 she thought of as a hero. She did her best to perfect her practice so that her guru, who she believed  
24 at the time to be a genius, would notice her dedication to the yoga that he taught.

25           23.     Very early in training, Sarah Baughn noticed that Bikram Choudhury’s  
26 relationship with young women yoga students was different. Some of the young women were  
27 chosen to brush his hair and massage his body. At that time, Sarah assumed that these acts were  
28 innocent, a result of cultural differences, or simply the actions of overenthusiastic young women.



1 One of the women who brushed his hair and massaged his body was M., who subsequently became  
2 an international champion.

3           24.     On the third night of training, Sarah noticed her guru (Defendant Bikram  
4 Choudhury) staring at her when he was supposed to be commenting on the postures of his students.  
5 Then, she saw him remove his diamond-studded Rolex from his wrist, hand it to the young woman  
6 brushing his hair, M., and whisper something in her ear. Choudhury then watched as M. walked  
7 straight up to Sarah Baughn and gave her the watch. Although she felt uncomfortable with the  
8 dramatic gesture, Sarah Baughn greatly admired her guru, and in return, gave M. her wristwatch to  
9 give to Choudhury.

10           25.     After Choudhury and Sarah Baughn had switched their watches back, Sarah  
11 waited in line to speak with him about her local yoga studio. When he reached her in line,  
12 Choudhury skipped over her, and when the person standing behind her in line remarked that Sarah  
13 had been there first, Choudhury stated, “she can wait.”

14           26.     Bikram Choudhury took pictures with various students and spoke with each  
15 and every other student before addressing Sarah. He turned to her, looked at her and put his hand  
16 on her arm. In an attempt to maintain professionalism and to break the odd intrusion of her  
17 personal space, Sarah joked about the wristwatches and brought up her question about her home  
18 studio. Choudhury ignored the question, and then the conversation took a bizarre turn.

19           27.     Choudhury insisted that he and Sarah knew each other before—in a past life.  
20 He insisted that their past-life connection was so strong and meaningful that he still remembered it.  
21 While she wished to show respect for his religious beliefs, this conversation made Sarah  
22 uncomfortable, and she made excuses to leave. When she said goodbye, Choudhury kissed her  
23 cheek and told her that they would talk again soon.

24           28.     The next day, Sarah took her turn in demonstrating the Half Moon dialogue  
25 for Bikram Choudhury and all of the rest of the trainees. After she finished, Bikram Choudhury  
26 proclaimed to the class that her performance was “perfect,” that he had trained her personally and  
27 taught her everything she knew, and that she was his “assistant.” He took to calling her, “Sada, my  
28 assistant.” He constantly praised the excellence of her practice, including in public, in front of the

1 other students. Sarah was both pleased and disconcerted by the fact he picked her as a favorite, and  
2 unsure about what to say regarding his fabrication that he had previously taught her, so she said  
3 nothing.

4           29.     On Friday, the fifth day of training, Defendant Bikram Choudhury asked  
5 Plaintiff Sarah Baughn to come into his office. Sarah knew that the instructor of her class, J.W., was  
6 a stickler for tardiness, but also knew that Choudhury's authority surpassed everyone else's at  
7 teacher training. Sarah had no idea what Choudhury would say or do, and his next words were  
8 shocking to her.

9           30.     Choudhury said: "What should we do about this?" Before she could ask  
10 what he meant, he spoke again. "Should we make this a relationship? I know you from a past life,  
11 and I have this feeling about you. In your culture, you call it love; I can't love, you know that," (he  
12 had lectured on his beliefs on love and marriage the night before) "but that is how I feel about you.  
13 Hard to describe. I have never, NEVER felt like this about ANYONE. Only you. Who are you? I  
14 know you. I know you from a past life. We have a connection. It is amazing. So what should we do  
15 about this?"

16           31.     Sarah Baughn found herself completely frozen and mortified by Defendant  
17 Bikram Choudhury's words. She understood the remarks to be a proposition, based on their tone,  
18 and based on Choudhury's earlier speech about love and marriage. To her, Yoga was her life's  
19 major accomplishment and her calling. She now felt that this man who she had believed was  
20 brilliant and holy and trustworthy might take her accomplishment away from her. She had never  
21 thought that he would proposition a 20-year-old student, barely older than his own daughter. Sarah  
22 knew at that moment that her certification was at risk—because Bikram Choudhury alone had the  
23 power to determine whether she would be certified after eight more intensive weeks of training.

24           32.     Sarah finally found her voice, and began objecting, explaining that she had a  
25 boyfriend. Choudhury's response was to say, "I have a wife," by way of dismissing her concern.  
26 She continued her protest for five minutes, and then excused herself to class, stating that she was  
27 already tardy. Choudhury dismissed her, saying: "Yes, yes... you go. We will talk about this later. I  
28 will call you this weekend, and you can come to the movies with me and my son in Santa Monica."

1           33. Sarah burst into tears as soon as she left the office. She was distraught and  
2 did not know what to do. Choudhury's proposition caused her extreme emotional distress. She also  
3 did not wish to give up Yoga, which had given her life so much meaning, nor did she think she  
4 could leave, based on the money she had paid and the loans she had taken out to attend teacher  
5 training.

6           34. Finally, after speaking with her boyfriend, Sarah summoned up the courage  
7 to report the harassment the very next day to C.V., the head of teacher training, who had previously  
8 chewed her out when she was late to class. She was distraught by Choudhury's propositions. When  
9 Sarah tried to speak, because could barely do so because she was so upset. C.V. berated her for her  
10 stammering. Sarah Baugh she finally spoke up and revealed Defendant Bikram Choudhury's  
11 proposing that they enter into an affair. C.V. became very upset, and demonstrated his knowledge  
12 Defendant Bikram Choudhury's mistreatment of woman. C.V. told Plaintiff Sarah Baugh that he  
13 hoped she would stay with the program, because although Defendant Bikram Choudhury was "not  
14 a good man" he was a "good teacher." Sarah received for the first time the advice she would hear  
15 over and over, that she should "separate the man from the teacher" a mantra that various Yoga  
16 College employees and volunteers repeated to her over the years by way of excusing Bikram  
17 Choudhury's terrible behavior. C.V. simply instructed Sarah to tell Defendant Bikram Choudhury to  
18 stop; that if she did so, Choudhury would be respectful and would stop pursuing her. C.V. also told  
19 Sarah not to tell Choudhury's wife.

20           35. Thereafter, Sarah could barely look Defendant Bikram Choudhury in the eye,  
21 but he continued to distinguish her with his attention. Still, Defendant Bikram Choudhury called  
22 her "Sada" his "assistant" and asked to demonstrate flexibility postures, which she particularly  
23 excelled at. Defendant Bikram Choudhury would then instruct Sarah to kiss him in front of the  
24 class, which she always declined to do. Many times, Defendant Bikram Choudhury would ask for  
25 Sarah when he entered a crowded room, and she would hide behind other students.

26           36. One night, Defendant Bikram Choudhury delivered another one of his  
27 rambling and outrageous lectures on relationships and religion, which the students were forced to  
28 attend. He would make stereotyped statements about men and women. He described men as a

1 mixture of “a dog, a pig, and a goat,” and used this comparison to excuse aggressive and sexist  
2 behavior.

3 37. In the middle of this lecture, Choudhury told the crowd that he was  
4 communicating with his guru, Bishnu Charan Ghosh, who was floating above his head. He stated  
5 that the guru told him that he (Defendant Bikram Choudhury) could do no wrong. He opened his  
6 eyes and looked straight at Sarah, in a room of 300 people.

7 38. Days later, Defendant Bikram Choudhury accosted Sarah in class. While  
8 pretending to assist her, he pushed her down towards the floor after pulling her arm and leg apart  
9 and opening her body. Defendant Bikram Choudhury then pressed his body into hers, and began  
10 whispering sexual things to her until she collapsed into sobs, which other students interpreted as  
11 weakness, not knowing that Sarah was being harassed. Her tears did not prevent Choudhury from  
12 continuing to demand sex and affection from her in whispers.

13 39. After class, the instructor, C.V. praised her for her “strength” and told her  
14 she had done a good job in resisting Choudhury’s advances.

15 40. Sarah did not know what to do. She turned to her boyfriend and the owners  
16 of the studio where she began training for help. Her boyfriend began making a show of devotion,  
17 by sending her cards and visiting. The head of her studio said that she would confront Bikram  
18 Choudhury, describing his behavior to Sarah’s mother as “bad” but opining that he was ultimately  
19 “harmless.”

20 41. After the studio owner confronted Defendant Bikram Choudhury, he  
21 became vindictive. Although the unwanted attention was withdrawn, Defendant Bikram Choudhury  
22 treated her like a pariah. Defendant Bikram Choudhury went from speaking to Sarah almost every  
23 class to ignoring her completely. She felt demoralized and humiliated. He would also look down at  
24 her from the podium where he was teaching, and shoot her nasty and disapproving looks while  
25 loudly instructing other students. Defendant Bikram Choudhury made it obvious to everyone that  
26 that he was not speaking to Sarah.

1           42. Defendant Bikram Choudhury also made a strange phone call to Sarah's  
2 boyfriend who was also a certified Bikram instructor, and made a vague non-apology, stating that  
3 "things happen" and he hoped her boyfriend would not be unhappy.

4           43. Defendant Bikram Choudhury continued to freeze out Sarah Baughn until  
5 the night of his wife Rajashree's fortieth birthday party. That night, after Sarah said hello to him,  
6 Choudhury took her away from the other partygoers, and made it clear that he was ignoring Sarah to  
7 punish her for refusing to carry on a relationship with him and telling others about his behavior.

8           44. After this confrontation, Choudhury started calling on Sarah to demonstrate  
9 again. One day, he demanded that she brush his hair. She declined, in front of a room full of  
10 people, and handed the brush to one of the young women who did brush his hair. Choudhury  
11 instructed the other young woman to give the brush back to Sarah, and he did not back down until  
12 she agreed to brush his hair.

13           45. When assisting Sarah with a yoga posture that had caused her some difficulty,  
14 Choudhury pulled on her top leg so hard that Sarah re-tore her hamstring. This is despite the fact  
15 that Bikram Choudhury himself had made a rule that teachers should never touch or pull on  
16 students' bodies. Sarah also complained of a pain in her ribs, and was viciously mocked by  
17 Choudhury in front of the class. She subsequently tore her intercostal muscle in her ribcage by  
18 doing a single sit-up, an injury that immobilized her and caused her tremendous pain.

19           46. Choudhury also endangered his students in other ways, for example, by  
20 preaching that there was no such thing as hyperextension. As a result, Sarah suffered such severe  
21 knee pain that she was misdiagnosed with a torn meniscus, for which she eventually received  
22 surgery.

23           47. Choudhury continued to pursue Sarah and make declarations of love during  
24 teacher training, including by saying that he would never love anyone like he loved her, and that she  
25 was the only person he would dream of pursuing other than his wife.

26           48. Despite these injuries and the non-stop harassment, Sarah successfully  
27 completed teacher training, and even performed front and center in a yoga demonstration, an honor  
28

1 that was bestowed on her by Rajashree Choudhury. Because of her two injuries, she took large  
2 quantities of medication in order to be able to tolerate the pain and perform.

3 **C. SARAH BEGINS ENTERING YOGA COMPETITIONS**

4 49. Although Sarah Baughn initially thought that competitive yoga was a  
5 contradiction in terms, during teacher training, a visiting teacher M.H. encouraged students to  
6 compete. Sarah thought competition could be used to introduce more people her age to yoga.

7 50. Within a few short months after teacher training, Sarah entered and placed  
8 first in the Washington State Regional Yoga Competition. This was the first of many competitive  
9 Yoga titles she won.

10 51. A scant year and three months after beginning her practice, Sarah Baughn  
11 rose to international prominence. At the behest of a yoga studio owner who hired her, L.W., Sarah  
12 began training for Nationals. She admired many of the other competitors, and in her modesty, did  
13 not believe that she had the skills to challenge these women who she looked up to.

14 52. To Sarah's surprise, she tied for second place in Nationals in 2006. She was  
15 thrilled. The very next night, she competed in Internationals, and again placed second. She took the  
16 Bikram yoga world by storm, by taking second place after being almost completely unknown. Her  
17 rise was meteoric and a testament to her exceptional abilities, discipline, and focus, despite her  
18 young age.

19 53. Shortly after these victories, Sarah Baughn's knee pain worsened and became  
20 unbearable, and she received surgery for what her doctor misdiagnosed as a torn meniscus, and what  
21 Sarah eventually learned from the orthopedic surgeon and on-site physical therapist that the knee  
22 injury was in fact caused by hyperextension.

23 54. L.W. eventually learned of Sarah Baughn's sexual harassment at the hands of  
24 Choudhury. Like every other member of the yoga community, L.W.'s reaction was shock followed  
25 by a string of excuses for Bikram Choudhury's behavior.

26 55. When Sarah's allegations of mistreatment came to light, the response from  
27 people who worked for the Yoga College or who owned Bikram Yoga Studios was predictably and  
28 depressingly the same. The only thing Sarah ever heard from anyone she confided in was "Oh that's

1 terrible, BUT.... You know how he is?” or “...BUT his whole life he’s been taught that he only  
2 deserves the best, so of course he is going to try to be with the pretty, flexible girls,” or “...BUT you  
3 have to separate the man from the teacher,” or “...BUT he’s innocent, you know, like a child,” etc.,  
4 etc.

5           56.     In 2007, Sarah again competed in regionals and nationals, this time, without a  
6 coach. She tied for first place in regionals, and did not place at nationals because she put her foot  
7 down during a posture.

8           57.     After Nationals, Sarah’s next contact with Bikram Choudhury was when he  
9 visited the studio she taught at in San Francisco in 2007 to teach a seminar with Rajashree. It was  
10 the last class they ever taught together, to Sarah’s knowledge. At the end of the class, Sarah was  
11 once again called to the front of the class to demonstrate yoga postures.

12           58.     At the time of the seminar, rumors were spreading that Choudhury was  
13 having an affair with a woman named K., and that his brother had told his wife. Sarah thought that  
14 this new alleged love interest meant that Choudhury would no longer pursue her.

15           59.     Choudhury nevertheless managed to find Sarah alone, and asked about her  
16 boyfriend. He displayed disbelief followed by great interest when he learned that the relationship  
17 with her boyfriend was over. Sarah remembers that he smiled when she confirmed the relationship  
18 was over.

19           60.     In addition to the beginning class of 26 postures that Sarah was certified to  
20 teach, she and other Bikram teachers were initially permitted to perform, but not teach, the  
21 advanced class, which was made up of 84 postures. Sarah often led the advanced class, as she knew  
22 the postures by heart.

23           61.     During one advanced class, when Sarah learned that a young and beautiful  
24 student, J., was about to attend teacher training, Sarah warned her of what Defendant Bikram  
25 Choudhury might try to do (e.g., sexual propositioning and touching) and then Plaintiff Sarah  
26 Baughn told her own story (about what Defendant Bikram Choudhury had done to her) to everyone  
27 in the class.

1           62.     When visiting the next teacher training, it became clear that Sarah's warning  
2 had reached the ears of people working at the Yoga College. C.V., the very person Sarah had  
3 confided in about the harassment during teacher training, approached her and warned her, stating  
4 that he knew what she said during the advanced class, and he communicated to her that continuing  
5 to speak about Bikram Choudhury's abuse would be a huge mistake.

6           63.     Despite these setbacks and threats, Sarah remained resilient and eager to  
7 compete. She approached Jim Kallett, who was Bikram Choudhury's best friend, and asked that he  
8 coach her. Sarah Baughn moved to Vista, California in order to train with him in San Diego, where  
9 she flourished under his tutelage, and greatly admired him as a coach.

10          64.     During this time, at Jim Kallett's suggestion, Sarah also would drive up to  
11 Los Angeles to receive instruction in physical postures from E.C. and Bikram Choudhury himself.

12          65.     Although Bikram Choudhury started taking a special interest in Sarah again,  
13 she believed that this time it was innocent. His behavior was appropriate and encouraging and she  
14 naively thought he seemed genuinely interested in Sarah's progress.

15          66.     Unfortunately, this relief did not last long. She met a former champion, L.,  
16 who alleged that Bikram Choudhury had also pressured her for sex, enraging her husband so much  
17 that he went from being a yoga instructor himself to eventually giving up yoga altogether. Despite  
18 the fact that L. was an excellent instructor who was invited to teach at all of the trainings, worked  
19 with Choudhury and C.W. in Japan, and teaches for Jim Kallett in San Diego, she was never put on  
20 the list of instructors permitted to teach seminars. On information and belief, other women who  
21 were alleged to have slept with Choudhury were included on that list, as were people who allegedly  
22 procured him women to sleep with, or people who helped him arrange meetings with his alleged  
23 mistress, K. Choudhury's wife, Rajashree, instructed at least one person, C.W., to keep K away from  
24 Choudhury, make sure she received no special treatment, and to spy on K for Rajashree.

25          67.     Sarah Baughn attended a teacher training in Hawaii to assist in teaching the  
26 new trainees. Bikram Choudhury paid for her accommodations. In the evenings, he constantly  
27 sought her company, but for her part, Sarah kept him at arm's length, and was never alone with him.



1           68.     Because Sarah was far from home when she lived in Vista, California,  
2 Defendant Rajashree Choudhury invited her to the Choudhurys' home for Thanksgiving. Sarah  
3 repaid the thoughtfulness of her hostess by arriving early and assisting in the kitchen for hours.  
4 That evening, Bikram Choudhury treated her like any other guest.

5           69.     Sarah was beginning to feel like any other member of Choudhury's inner  
6 circle. She believed Defendant Bikram Choudhury now respected her for her abilities, and saw her  
7 as a promising protégé and would stop his inappropriate conduct.

8           70.     Sadly, she was mistaken. When the other guests had left, and Defendant  
9 Rajashree Choudhury had gone to bed, Defendant Bikram Choudhury once again began to harass  
10 Sarah Baughn.

11          71.     Sarah asked for an honest evaluation of her ability to win Internationals, and  
12 Bikram Choudhury responded by placing a hand on her leg, lying down and whispering sexual  
13 demands in her ear. He then embraced her from behind, and pressed his penis into her leg. Sarah  
14 was shocked, and froze.

15          72.     Defendant Bikram Choudhury said, "I am so lonely. I need someone to  
16 spend time with me. To give me massages. To talk to me. To love me. To.... To.... have sex with  
17 me," to which Sarah eventually had the presence of mind to reply with "What about your WIFE?"  
18 Defendant Bikram Choudhury replied, "She is terrible to me. She is so mean, you have no idea."

19          73.     Still at a loss, Sarah responded "What about your GIRLFRIEND then?"  
20 Defendant Bikram Choudhury seemed surprised that Sarah knew about his girlfriend. "[K]? She is  
21 different... I don't love her... she is just to have sex with me...I need someone to love me and  
22 spend time with me. I am so lonely. I am dying. I can feel myself dying. I will not be alive if  
23 someone doesn't save me. My body is breaking down. I am always hurting. I need someone to take  
24 care of me so I don't die." Sarah replied, "Why don't you just do your yoga? That will fix you—at  
25 least that's what you tell us." Choudhury responded, "It won't work anymore. I need you."

26          74.     "What about [K], can't she fix it? Can't she be with you and keep you alive?"  
27 Sarah asked, trying to reason her hero out of pursuing her. "No. She isn't like you. She is different."  
28

1 “What does your wife think about her?” Sarah asked. Defendant Bikram Choudhury replied, “My  
2 wife is such a bitch, you have no idea. She is the reason I am dying. You have to save me.”

3 75. Sarah tried another tack to disengage. Sarah told Defendant Bikram  
4 Choudhury “I have too much respect for you as my teacher. I have too much respect your wife...  
5 and I have too much respect for myself.” In an effort to fully control and seduce Sarah, Defendant  
6 Bikram Choudhury said, “I can make you a champion. It is the only way.”

7 76. Sarah became incensed and pushed him off of her and responded, “I can do  
8 it on my own!” Defendant Bikram Choudhury threatened, “No you can’t!” Sarah asked, “You are  
9 saying: the only way I will be a champion is if I sleep with you?” “Yes. That is the only way.”

10 77. Sarah then decided to leave. “No. I am going to do it on my own. You will  
11 see.” “No. You won’t!” As Sarah tried to escape, Defendant Bikram Choudhury yelled, “You will  
12 never be champion without me!”

13 78. Sarah came to understand that once again she was being threatened—the  
14 only way for her to obtain the professional success he worked so hard for was for her to submit  
15 sexually to her guru -- which she utterly refused to do.

16 79. Sarah confided in her coach, Jim Kallett, who initially agreed that Defendant  
17 Bikram Choudhury should not have behaved as he did, but tried to cover for Defendant Bikram  
18 Choudhury saying that Choudhury had acted as he did to “motivate” Sarah.

19 80. Sarah competed at the 2008 Nationals, and tied for first place, her best  
20 showing to date.

21 81. After her first place victory, she approached Defendant Bikram Choudhury  
22 to see if he was pleased with her success. When she mentioned a hip injury, he leered at her and  
23 offered to “open her hips.” Choudhury then began to critique her performance in crudely sexual  
24 terms, and repeatedly hinted that she should join him in his room, and that if she did so, victory at  
25 Internationals was assured. Sarah repeatedly steered the conversation back to appropriate topics.  
26 During the conversation, Choudhury also claimed that she and all of the women competitors, save  
27 one, had done a certain posture incorrectly. He told her that M., the young woman who had  
28 frequently massaged Choudhury and brushed his hair during Sarah’s teacher training, had performed

1 the posture properly. Sarah pointed out that M. had not, and noticed that Choudhury had drawn a  
2 star next to M.'s picture in the program.

3 82. The next day, Sarah competed in Internationals, and performed her routine  
4 to near perfection. The applause was thunderous, and Sarah, her coach, and the audience all knew  
5 that she had delivered a stunning performance. Sarah should have been the hands-down winner!  
6 Sarah and her coach had assumed that Sarah had won because her performance was exemplary and  
7 because M., who was Sarah's biggest competition, had stumbled during her standing head to knee  
8 pose, which should have disqualified her from the competition.

9 83. Shockingly, the first place title did not go to Sarah, but to M., despite her  
10 stumble. Even the judges looked stunned.

11 84. M. began receiving preferential treatment after she was named the champion  
12 at Internationals. She taught at teacher training in Acapulco three times, despite the fact that most  
13 visiting teachers are fortunate if they get to teach the course in Acapulco once. When she was  
14 visiting Acapulco, M. also stayed in Defendant Bikram Choudhury's room with him.

15 85. Sarah Baughn suffered severe emotional distress as a result of this  
16 devastating and undeserved loss.

17 86. That very day, one of the judges, L.W., approached Sarah and implied that  
18 Defendant Bikram Choudhury had rigged the outcome of the contest; that the judges had all  
19 awarded Sarah first place. The judge's words were: "You were f---ing robbed. That's not what we  
20 wrote down. We had you as first." Sarah was shattered.

21 87. Others expressed their sympathy at Sarah's "loss" including Defendant  
22 Rajashree Choudhury and an instructor named M.W. who offered her his guesthouse and said that  
23 Sarah "carried herself like a champion."

24 88. Sarah confided in a former international champion, E.G., about the  
25 circumstances surrounding her "loss" of the title. Once again, like everyone else in the Yoga College  
26 organization that she confided in, he blamed Sarah instead of the guru for the loss, stating that she  
27 must have lost because on some level she wanted to.

1           89.     Had Sarah not been cheated out of the title by a conspiracy between Bikram  
2 Choudhury, the judges, and other members of Yoga College, she would have been able to travel for  
3 free for a year and would have been fully booked to demonstrate and teach at Bikram studios all  
4 over the world. This lost opportunity cost her thousands of dollars in that year alone, including a  
5 \$40,000 donation to a charity of her choice that was deeply important to her, as well as the future  
6 opportunities she would have obtained as International Champion.

7           90.     This corruption and retaliation completely destroyed her trust and respect for  
8 her guru, her hero, the man she had once thought was a genius.

9           91.     Sarah later learned, to her dismay, that two female champions had allegedly  
10 slept with Defendant Bikram Choudhury before being awarded their titles. Another former  
11 champion was first granted and then, two days later, capriciously denied, the right to lead seminars  
12 after she allegedly refused to massage Defendant Bikram Choudhury's left testicle.

13           92.     Sarah Baughn was warned by her coach, Defendant Bikram Choudhury's  
14 best friend, not to speak about the circumstances surrounding her "loss" any more after he learned  
15 she had been confiding in others.

16           93.     On a personal level, the wrongful denial of the title bothered Sarah because if  
17 she had won, she would have been able to donate \$40,000 to a charity of her choice. In the months  
18 after the competition, Sarah decided to take matters into her own hands. She self-funded a multi-  
19 city tour, and donated the proceeds of her classes to charity, ultimately raising \$7,000. She did not  
20 use any of the money to pay for her travel and accommodations, and donated the entire sum.

21           94.     Sarah Baughn continued to practice at an exemplary level. During her tour,  
22 she met Benjamin Lorr, who subsequently wrote a book about his experience with yoga, called *Hell*  
23 *Bent*. Lorr praised Sarah's abilities, writing:

24                   Sarah might do something as simple as sit on her mat, lean forward  
25 and touch her toes - a hammy stretch from soccer practice - but  
26 somehow make it totally consuming. She had a concentration that  
27 expanded into her entire body. In many ways, it felt like I was  
28 watching a waterfall: the same roaring power, the same glassy beauty,  
with my brain achieving the same hum in its presence. It wasn't  
difficulty or aesthetics. Most of her postures were the stuff b-list ice  
skaters would scorn on those terms. It was as if I was watching Sarah  
perfect herself. Or I was watching a more perfect Sarah. As she

1 poured herself from posture to posture, this woman, standing on a  
2 towel on a mat in a slightly stinky room, took on a dimension I had  
3 previously only associated with natural phenomena, the stuff of Sierra  
4 Club calendars: rockwalls and ice chasms, somehow distilled into the  
5 body of a twenty-one-year-old.

(Lorr, Hell Bent, (2012) pp. 20-21.)

6 **D. SARAH JOINS THE STAFF OF THE ACAPULCO TRAINING**

7 95. By spring of 2008, following her self-funded charity tour, Sarah accepted an  
8 unpaid staff position at the Acapulco teacher training. Despite her irreparable rift with Choudhury,  
9 she wished to teach and inspire the next crop of yoga instructors.

10 96. After meeting with the senior staff members, Sarah Baughn insisted that she  
11 never be left alone with Bikram Choudhury. The staff members agreed.

12 97. C.V. was present, and frequently called on Sarah to demonstrate during class,  
13 in recognition of her excellence and the fact that the title of champion was rightly hers.

14 98. Choudhury required his hard-working staff to stay up late with him, watching  
15 movies in his room, which they all hated, and would do in shifts. Those who did not show up were  
16 publicly ridiculed the following day with profanity.

17 99. One night, during the movies, Sarah and other staff members fell asleep. At  
18 3 a.m., she was rudely awakened by a member of staff, who hurried out of the room before Sarah  
19 could find her shoes, despite his promise to never leave her alone with Choudhury.

20 100. The moment the door closed behind this staff member, Sarah rushed toward  
21 the door with her shoes in her hand, at which point Choudhury attacked her, pinned her against the  
22 door, and sexually assaulted her by kissing her neck, chest, and face, and grinding his penis against  
23 her leg. Sarah immediately said, "What are you doing? Stop this. I don't want to do this."  
24 Choudhury continued his assault, putting his hands all over her body, while she unsuccessfully tried  
25 to push him off of her. Finally, she managed to open the door and escape.

26 101. Sarah was in shock. Although some of her fellow staff members were deeply  
27 sympathetic, the man who left her alone with Choudhury actually provided her with "feedback" and  
28 claimed that Sarah was "asking for it."

1            102. Sarah was trapped in a foreign country, and had to rely upon her abuser for  
2 the money to return home after the attack. As a result, she stayed for the remainder of the training,  
3 while suffering severe emotional distress.

4            103. After she became ill with the flu, and missed two days of movie nights,  
5 Bikram Choudhury berated her once again, saying:

6            “Where the fuck have you been?”

7            “I was really sick.”

8            “Fuck you. You are just lazy. I am all alone in the movies and you don’t even come  
9 down?”

10           “I was throwing up...” She protested.

11           Defendant Bikram Choudhury cut off her explanation and walked away swearing.

12           **E. SARAH CONTINUES TEACHING AFTER THE ASSAULT**

13           104. Sarah returned home, and still suffering from emotional distress, moved up  
14 to the San Francisco bay area to replenish her bank account and to heal from the trauma she had  
15 suffered.

16           105. Sarah began to become interested in leading seminars, which was  
17 commensurate with her prodigious abilities. But she was never added to the seminar leader list.  
18 Initially, Choudhury and E.C. approved her to lead the advanced yoga class, but she was not  
19 permitted to teach the class. Eventually, Choudhury decreed that no one could lead the advanced  
20 class without paying him a significant sum of money to attend his advanced Seminar.

21           106. Over time, Sarah learned that people on the seminar leader list included  
22 women who had allegedly slept with Choudhury, men who had allegedly provided Choudhury with  
23 young women to sleep with, and the man who had abandoned her in Choudhury’s room to be  
24 attacked, among others.

25           107. Defendant Bikram Choudhury relentlessly continued to invite Sarah to his  
26 room. By this time, she had a small daughter who she brought with her, and she took pains never to  
27 be alone with him.

1           108. Sarah Baughn began to be in high demand as a teacher, a coach, a judge, and  
2 was often asked to teach intensive classes or speak with students around the country.

3           109. Frequently, students drive from San Jose to San Francisco to take Sarah's  
4 classes. Other students and fellow teachers have traveled from far away locations, including Texas,  
5 Illinois, Minnesota, and Calgary, to take Sarah's class. Some have travelled internationally to take  
6 classes from her. Experienced yoga instructors defer to corrections she has given students,  
7 particularly regarding posture, including C.V. One student even relocated from the Midwest to  
8 California to study under Sarah, and other students have moved to be taught or coached by Sarah.  
9 She is a deeply inspirational and highly gifted teacher, and is beloved by her students, and admired  
10 tremendously by fellow teachers, despite her young age.

11           110. As a coach, she trained Brandy Lyn Winfield, who eventually won  
12 Internationals, and praised Sarah as her coach every time she was asked to speak. She also trained  
13 Cristine Roberts, Quinn Morrissey (second place international female youth champion, 2011), Afton  
14 Caraway (first place national female champion, 2011), Mari Dickey (third place international female  
15 champion), and Kim Tang (second place southern California regional champion.)

16           111. Sarah was requested to judge by the USA Yoga Federation in the 2011 USA  
17 National Youth Competition, the 2012 Utah Regional Competition, and the 2012 Western Canadian  
18 National Competition. Her fellow judges praised her for her deep understanding of postures.

19           112. During this time Sarah also learned that another young woman alleged that  
20 she had been forced by Choudhury to massage his legs and inner thigh, while he was naked. She  
21 also said that she had to massage another part of him, but broke down crying and could not finish  
22 saying where she had been made to touch him.

23           113. Despite her prodigious achievements, Sarah was not permitted to teach  
24 seminars or any classes that deviated from the standard 26 postures. This is contrary to the  
25 contracts she signed, which only limited where she could teach (Bikram studios) and what she could  
26 not do (modify the beginning series in any way.) The contract does not state that teachers are  
27 forbidden from teaching additional material that is relevant to performing Hatha yoga, such as  
28 postures.

1           114.     Furthermore, to the extent the contract and recertification agreement purport  
2 to limit signatories' abilities to teach yoga in the future, that is an unlawful restraint on competition  
3 and therefore the contract is void.

4           115.     Sarah's next contact with Choudhury occurred in the fall of 2011, when she  
5 attended recertification.

6           116.     Initially, Choudhury pretended not to know who she was in class, once again  
7 punishing her for refusing his advances and daring to fight back.

8           117.     Choudhury, as was his custom, frequently invited Sarah to his room. He also  
9 continued to deliver the sexist and offensive patter that he delivered during all of his trainings.  
10 Examples of this included that "all women need is a cork, men need a rubber band." This was a  
11 reference to women needing to place a cork between their legs to somehow stop menstruation, and  
12 men needing a rubber band to in some fashion restrain their genitals. When a woman was being  
13 "bitchy" he would say "she is being a bitch—she must have—what is it called—ABC—no, FYD—  
14 no," until the crowd would eventually yell "PMS." Sarah heard him play through this same routine  
15 multiple times, where he would act falsely innocent. Choudhury would also make reference to the  
16 fact that men were an alleged combination of a pig, a goat, and a dog, to excuse sexual or  
17 inappropriate behavior for men, and frequently engaged in homophobic rants.

18           118.     Following the 2011 recertification training, although Sarah was not breaking  
19 any rules, Choudhury, through his personal assistant Judes Yang, began interfering with Sarah's  
20 success, as part of his ongoing conspiracy to punish her for refusing to submit to his sexual  
21 advances and daring to criticize him for attacking her and propositioning her repeatedly.

22           119.     Sarah was invited to teach an anniversary class for a new yoga studio on July  
23 28, 2012, in Huntington Beach. Judes Yang, on information and belief, contacted the studio and  
24 questioned them about the class, in an attempt to frighten them into cancelling the class or changing  
25 the content. Because Bikram studios are controlled by Choudhury, who removes offending studios  
26 from his website and subjects them to legal action, through Judes Yang Choudhury was implicitly  
27 threatening the owners of the studio.



1           220. In November of 2012, Sarah was invited to teach a class in Canada by studio  
2 owners from Calgary that she had met socially. Because the flier described Plaintiff Sarah Baughn's  
3 "in depth question and answer workshop" as a "seminar," Judes Yang contacted the studio owners  
4 and "strongly recommended" that they cancel the class.

5           221. As continuing retaliation by the Defendants, Sarah is not being permitted to  
6 perform at the highest levels in her chosen profession – all because she rejected the sexual advances  
7 of the one man who has "sole discretion" to permit her to teach seminars. Furthermore, when she  
8 seeks to teach classes aside from the standard 26 postures, she is barred by Defendants from doing  
9 so.

10           222. On information and belief, Defendants also defamed Plaintiff, by making  
11 false, defamatory, and injurious statements about her qualifications, her professional ability, and the  
12 results of the 2008 International competition, thus deliberately and maliciously injuring her in her  
13 business and profession.

14                               **FIRST CAUSE OF ACTION**

15                               **SEX-BASED DISCRIMINATION IN VIOLATION OF THE**  
16                               **UNRUH CIVIL RIGHTS ACT [CALIFORNIA CIVIL CODE § 51]**

17                               **(Against All Defendants)**

18           223. Plaintiff, individually, incorporates by reference as though fully set forth  
19 herein, each and every allegation set forth above in this Complaint. As a first, separate and distinct  
20 cause of action, Plaintiff complains against Defendants as follows:

21           224. Civil Code section 51, et seq., also known as the Unruh Act, provides that all  
22 persons in the state are entitled to the "full and equal accommodations, advantages, facilities,  
23 privileges, or services in all business establishments of every kind whatsoever," regardless of sex.

24           225. Plaintiff is informed and believed and thereon alleges that the  
25 aforementioned conduct of defendants, and each of them, denied, aided, or incited in a denial of,  
26 discriminated or made a distinction that denied plaintiff full and equal advantages, privileges, and  
27 services to Plaintiff, based solely upon plaintiff's sex, and therefore constituted a violation of the  
28 Unruh Act.

1            126. As a proximate result of the wrongful actions of defendants, and each of  
2 them, Plaintiff has suffered harm, including but not limited to, lost earnings and other employment  
3 benefits, loss of future employment benefits, including insurance and pension, humiliation,  
4 embarrassment, mental anguish, and physical harm, all in an amount to be proven at trial but  
5 exceeding the minimum jurisdictional limits of this court.

6            127. Plaintiff is further informed and believes, and based thereon alleges, that  
7 defendants, and each of them, acted and continue to act, with full knowledge of the consequences  
8 and damage being caused to plaintiff, by defendants' actions, and defendants' actions were, and are,  
9 willful, oppressive, and malicious. Accordingly, plaintiff is entitled to punitive damages against  
10 defendants, and each of them, in a sum according to proof at trial.

11            WHEREFORE, Plaintiff prays for relief as set forth herein.

12            **SECOND CAUSE OF ACTION**

13            **SEXUAL HARASSMENT IN VIOLATION OF THE**

14            **UNRUH CIVIL RIGHTS ACT [CALIFORNIA CIVIL CODE § 51.9]**

15            **(Against All Defendants)**

16            128. Plaintiff, individually, incorporates by reference as though fully set forth  
17 herein, each and every allegation set forth above in this Complaint. As a second, separate and  
18 distinct cause of action, Plaintiff complains against Defendants as follows:

19            129. Civil Code section 51.9, also part of the Unruh Act, provides that a  
20 defendant is liable for sexual harassment where there is a professional relationship between the  
21 plaintiff and defendant, including the teacher-student relationship and "The defendant has made  
22 sexual advances, solicitations, sexual requests, demands for sexual compliance by the plaintiff, or  
23 engaged in other verbal, visual, or physical conduct of a sexual nature or of a hostile nature based on  
24 gender, that were unwelcome and pervasive or severe."

25            130. At all times herein mentioned, there was a professional relationship between  
26 plaintiff and the Defendants, namely, that she was Defendants' student and that they taught her  
27 Bikram Yoga and certified her as an instructor.

1           131. In or about Spring of 2004, defendant Choudhury began making sexual  
2 advances on Plaintiff. He eventually demanded sexual compliance, and when it was denied to him,  
3 stripped Plaintiff of her rightful International title, ultimately sexually assaulted her, and continued to  
4 retaliate against her for refusing his sexual advances, and continued to invite her to his room.

5           132. Plaintiff cannot easily terminate her relationship with defendant without  
6 tangible hardship because she is an experienced and accomplished practitioner of Bikram Yoga, and  
7 her considerable expertise would be difficult to otherwise employ, particularly because of Defendant  
8 Choudhury's control over other practitioners of that form of Hatha Yoga. Terminating the  
9 relationship would cause her great financial hardship, as she would no longer be able to teach at  
10 approved Bikram studios.

11           133. Plaintiff is informed and believed and thereon alleges that the  
12 aforementioned conduct of defendants, and each of them, denied, aided, or incited in a denial of,  
13 discriminated or made a distinction that denied plaintiff full and equal advantages, privileges, and  
14 services to Plaintiff, based solely upon plaintiff's refusal to submit to sexual advances, and therefore  
15 constituted a violation of the Unruh Act.

16           134. As a proximate result of the wrongful actions of defendants, and each of  
17 them, Plaintiff has suffered harm, including but not limited to, lost earnings and other employment  
18 benefits, loss of future employment benefits, including insurance and pension, humiliation,  
19 embarrassment, mental anguish, and physical harm, all in an amount to be proven at trial but  
20 exceeding the minimum jurisdictional limits of this court.

21           135. Plaintiff is further informed and believes, and based thereon alleges, that  
22 defendants, and each of them, acted and continue to act, with full knowledge of the consequences  
23 and damage being caused to plaintiff, by defendants' actions, and defendants' actions were, and are,  
24 willful, oppressive, and malicious. Accordingly, plaintiff is entitled to punitive damages against  
25 defendants, and each of them, in a sum according to proof at trial.

26           WHEREFORE, Plaintiff prays for relief as set forth herein.

27                           **THIRD CAUSE OF ACTION**

28                           **VIOLATION OF THE RALPH ACT [CALIFORNIA CIVIL CODE § 51.7]**

1 **(Against All Defendants)**

2 136. Plaintiff, individually, incorporates by reference as though fully set forth  
3 herein, each and every allegation set forth above in this Complaint. As a third, separate and distinct  
4 cause of action, Plaintiff complains against Defendants as follows:

5 137. Civil Code section 51.5, the Ralph Act, provides that persons have the right  
6 to be free from violence or threat of violence, committed against their persons or property due to,  
7 among other things, their gender.

8 138. On or about Spring of 2004, defendant Choudhury began making sexual  
9 advances on Plaintiff. These advances were physical and violent in nature, at times involving  
10 touching the person of plaintiff, pushing her down or grabbing her while making sexual comments,  
11 and eventually culminating in a violent sexual assault.

12 139. Plaintiff's sex was the reason for Defendant's unwanted physical contact and  
13 ultimate sexual assault.

14 140. Plaintiff is informed and believed and thereon alleges that the  
15 aforementioned conduct of defendants, and each of them, denied, aided, or incited in a denial of,  
16 discriminated or made a distinction that denied plaintiff full and equal advantages, privileges, and  
17 services to Plaintiff, based solely upon plaintiff's refusal to submit to sexual advances and her  
18 objections to the physical assault that was inflicted upon her, and therefore constituted a violation of  
19 the Ralph Act.

20 141. As a proximate result of the wrongful actions of defendants, and each of  
21 them, Plaintiff has suffered harm, including but not limited to, lost earnings and other employment  
22 benefits, loss of future employment benefits, including insurance and pension, humiliation,  
23 embarrassment, mental anguish, and physical harm, all in an amount to be proven at trial but  
24 exceeding the minimum jurisdictional limits of this court.

25 142. Plaintiff is further informed and believes, and based thereon alleges, that  
26 defendants, and each of them, acted and continue to act, with full knowledge of the consequences  
27 and damage being caused to plaintiff, by defendants' actions, and defendants' actions were, and are,  
28

1 willful, oppressive, and malicious. Accordingly, plaintiff is entitled to punitive damages against  
2 defendants, and each of them, in a sum according to proof at trial.

3 WHEREFORE, Plaintiff prays for relief as set forth herein.

4 **FOURTH CAUSE OF ACTION**

5 **INTERFERENCE WITH THE EXERCISE OF CIVIL RIGHTS**  
6 **IN VIOLATION OF THE BANE ACT [CALIFORNIA CIVIL CODE § 52.1]**

7 **(Against All Defendants)**

8 143. Plaintiff, individually, incorporates by reference as though fully set forth  
9 herein, each and every allegation set forth above in this Complaint. As a fourth, separate and  
10 distinct cause of action, Plaintiff complains against Defendants as follows:

11 144. Civil Code section 52.1, the Bane Act, provides that it is unlawful to interfere  
12 with the exercise or enjoyment of any rights under the Constitution and laws of this state and the  
13 United States by use or attempted use of threats, intimidation or coercion.

14 145. At all times herein mentioned, there was a professional relationship between  
15 plaintiff and the Defendants, namely, that plaintiff was a student whom they taught Bikram Yoga  
16 and certified as an instructor.

17 146. On or about Spring of 2004, defendant Choudhury began making sexual  
18 advances on Plaintiff. These advances were at time physical and violent in nature, at times involving  
19 touching the person of plaintiff while making sexual comments and eventually culminating in a  
20 violent sexual assault.

21 147. Under Civil Code section 51, plaintiff has the right to full and equal  
22 accommodation and service in all business establishments within the state, and may not be refused  
23 entry or service because of her gender.

24 148. Plaintiff's sex was the reason for Defendant's unwanted physical contact and  
25 ultimate sexual assault.

26 149. Plaintiff is informed and believed and thereon alleges that the  
27 aforementioned conduct of defendants, and each of them, denied, aided, or incited in a denial of,  
28 discriminated or made a distinction that denied plaintiff full and equal advantages, privileges, and

1 services to Plaintiff, based solely upon plaintiff's refusal to submit to sexual advances and her  
2 objections to the physical assault that was inflicted upon her, and therefore constituted a violation of  
3 the Bane Act.

4 150. As a proximate result of the wrongful actions of defendants, and each of  
5 them, Plaintiff has suffered harm, including but not limited to, lost earnings and other employment  
6 benefits, loss of future employment benefits, including insurance and pension, humiliation,  
7 embarrassment, mental anguish, and physical harm, all in an amount to be proven at trial but  
8 exceeding the minimum jurisdictional limits of this court.

9 151. Plaintiff is further informed and believes, and based thereon alleges, that  
10 defendants, and each of them, acted and continue to act, with full knowledge of the consequences  
11 and damage being caused to plaintiff, by defendants' actions, and defendants' actions were, and are,  
12 willful, oppressive, and malicious. Accordingly, plaintiff is entitled to punitive damages against  
13 defendants, and each of them, in a sum according to proof at trial.

14 WHEREFORE, Plaintiff prays for relief as set forth herein.

15 **FIFTH CAUSE OF ACTION**

16 **EMPLOYMENT DISCRIMINATION [CALIFORNIA GOVERNMENT CODE § 12940(A)]**

17 **(Against All Defendants)**

18 152. Plaintiff, individually, incorporates by reference as though fully set forth  
19 herein, each and every allegation set forth above in this Complaint. As a fifth, separate and distinct  
20 cause of action, Plaintiff complains against Defendants as follows:

21 153. California Government Code § 12940 (a) prohibits an employer and any  
22 person from discriminating against any employee on the on the basis of age, gender, race, national  
23 origin, disability and/or medical condition discrimination or perceived disability.

24 154. Defendants violated California Government Code § 12940 (a) with regard to  
25 Plaintiff when they discriminated against Plaintiff on the on the basis of gender and took other  
26 adverse employment actions against Plaintiff on the basis of gender.

27 155. An "employee" is defined by California Code of Regulations, promulgated by  
28 the Department of Fair Employment and Housing, title II, § 7286.5(b) as "Any individual under the

1 direction and control of an employer under any appointment or contract of hire or apprenticeship,  
2 express or implied, oral or written.” California courts defer to administrative agency’s interpretation  
3 of a statute or regulation involving its area of expertise. (*Mendoza v. Town of Ross* (2005) 128 Cal.  
4 App. 4<sup>th</sup> 625, 632.) Plaintiff is an employee by virtue of her apprenticeship.

5 156. As a direct, foreseeable and proximate result of Defendants' acts, Plaintiff  
6 has suffered and continues to suffer substantial past and future economic losses and other  
7 employment and economic benefits and opportunities and other consequential and foreseeable  
8 damages and has suffered and continues to suffer humiliation, embarrassment, mental and  
9 emotional distress, and discomfort.

10 157. By reason of the conduct of the Defendants, Plaintiff has necessarily retained  
11 attorneys to prosecute this action. Plaintiff is therefore entitled to reasonable attorney's fees and  
12 litigation expenses incurred in bringing the within action.

13 158. Defendants committed the despicable acts, as herein alleged, maliciously,  
14 fraudulently, and oppressively, with the wrongful intent of injuring Plaintiff, and have acted with an  
15 improper and evil motive amounting to malice, and in conscious disregard of Plaintiff's rights.

16 159. Because the despicable acts taken toward Plaintiff were carried out by  
17 managerial employees and/or "managing agents," acting in a deliberate, cold, callous and intentional  
18 manner in order to injure and damage, Plaintiff is entitled to recover punitive damages from  
19 Defendants in an amount according to proof.

20 WHEREFORE, Plaintiff prays for relief as set forth herein.

21 **SIXTH CAUSE OF ACTION**

22 **SEXUAL HARASSMENT [CALIFORNIA GOVERNMENT CODE § 12940(J)]**

23 **(Against All Defendants)**

24 160. Plaintiff, individually, incorporates by reference as though fully set forth  
25 herein, each and every allegation set forth above in this Complaint. As a sixth, separate and distinct  
26 cause of action, Plaintiff complains against Defendants as follows:  
27  
28

1           161. California Government Code § 12940(j) prohibits an employer and any  
2 person from harassing any employee on the on the basis of age, gender, race, national origin,  
3 disability and/or medical condition discrimination or perceived disability.

4           162. Defendants violated California Government Code § 12940(j) with regard to  
5 Plaintiff when they harassed Plaintiff on the on the basis of gender and took other adverse  
6 employment actions against Plaintiff on the basis of gender.

7           163. An “employee” is defined by California Code of Regulations, promulgated by  
8 the Department of Fair Employment and Housing, title II, § 7286.5(b) as “Any individual under the  
9 direction and control of an employer under any appointment or contract of hire or apprenticeship,  
10 express or implied, oral or written.” California courts defer to administrative agency’s interpretation  
11 of a statute or regulation involving its area of expertise. (*Mendoza v. Town of Ross* (2005) 128 Cal.  
12 App. 4<sup>th</sup> 625, 632.) Plaintiff is an employee by virtue of her apprenticeship.

13           164. As a direct, foreseeable and proximate result of Defendants' acts, Plaintiff  
14 has suffered and continues to suffer substantial past and future economic losses and other  
15 employment and economic benefits and opportunities and other consequential and foreseeable  
16 damages and has suffered and continues to suffer humiliation, embarrassment, mental and  
17 emotional distress, and discomfort.

18           165. Defendants’ actions have caused and continue to cause Plaintiff substantial  
19 losses in earnings, significant reputation and professional injury, loss of promotional opportunities  
20 and other employment benefits, lost wages, attorneys' fees, medical expenses, future earnings and  
21 benefits, costs of suit, embarrassment and anguish, all to her damage in an amount according to  
22 proof.

23           166. Defendants committed the despicable acts, as herein alleged, maliciously,  
24 fraudulently, and oppressively, with the wrongful intent of injuring Plaintiff, and have acted with an  
25 improper and evil motive amounting to malice, and in conscious disregard of Plaintiff's rights.

26           167. Because the despicable acts taken toward Plaintiff were carried out by  
27 managerial employees and/or "managing agents," acting in a deliberate, cold, callous and intentional  
28



1 manner in order to injure and damage, Plaintiff is entitled to recover punitive damages from  
2 Defendants in an amount according to proof.

3 WHEREFORE, Plaintiff prays for relief as set forth herein.

4 **SEVENTH CAUSE OF ACTION**

5 **FAILURE TO PREVENT DISCRIMINATION AND HARASSMENT**

6 **[CALIFORNIA GOVERNMENT CODE § 12940(K)]**

7 **(Against Yoga College)**

8 168. Plaintiff, individually, incorporates by reference as though fully set forth  
9 herein, each and every allegation set forth above in this Complaint. As a seventh, separate and  
10 distinct cause of action, Plaintiff complains against Defendant Yoga College as follows:

11 169. California Government Code § 12940(k) provides that it is an unlawful  
12 employment practice for an employer to fail to take all reasonable steps necessary to prevent  
13 discrimination, retaliation, and harassment from occurring in the workplace.

14 170. Defendant Yoga College violated California Government Code § 12940(k)  
15 with regard to Plaintiff when Defendant knowingly and recklessly created a hostile work  
16 environment for Plaintiff on the basis of her gender and refusal to submit to Defendant  
17 Choudhury's advances, failed to conduct reasonable and impartial investigations when Plaintiff  
18 complained about discriminatory conduct on the part of Defendant Choudhury, and failed to take  
19 reasonable steps necessary to investigate the misconduct and prevent it from occurring and  
20 continuing.

21 171. Defendant Yoga College's conduct toward Plaintiff as alleged above,  
22 constitutes an unlawful employment practice in violation of California Government Code § 12940.

23 172. An "employee" is defined by California Code of Regulations, promulgated by  
24 the Department of Fair Employment and Housing, title II, § 7286.5(b) as "Any individual under the  
25 direction and control of an employer under any appointment or contract of hire or apprenticeship,  
26 express or implied, oral or written." California courts defer to administrative agency's interpretation  
27 of a statute or regulation involving its area of expertise. (*Mendoza v. Town of Ross* (2005) 128 Cal.  
28 App. 4<sup>th</sup> 625, 632.) Plaintiff is an employee by virtue of her apprenticeship.



1           178. California Government Code §§ 12940(h), 12926(m), and 12945.2(1) provide  
2 that it is an unlawful employment practice for an employer or any other person to retaliate against an  
3 employee for opposing an unlawful employment practice, filing a complaint of discrimination or  
4 harassment, or participating in any investigation or proceeding involving a claim of discriminatory  
5 treatment.

6           179. Defendant Yoga College violated California Government Code §§ 12940(h),  
7 12926(m), and 12945.2(1) with regard to Plaintiff when they retaliated against Plaintiff in the terms  
8 and conditions of employment, took adverse employment actions against Plaintiff for reporting and  
9 lodging complaints of discriminatory treatment in the workplace, and requesting that Defendants  
10 take immediate remedial measures and conduct fair and impartial investigations into discriminatory  
11 conduct on the part of supervisors and managers.

12           180. Defendant Yoga College's conduct toward Plaintiff as alleged above,  
13 constitutes an unlawful employment practice in violation of California Government Code § 12940.

14           181. An "employee" is defined by California Code of Regulations, promulgated by  
15 the Department of Fair Employment and Housing, title II, § 7286.5(b) as "Any individual under the  
16 direction and control of an employer under any appointment or contract of hire or apprenticeship,  
17 express or implied, oral or written." California courts defer to administrative agency's interpretation  
18 of a statute or regulation involving its area of expertise. (*Mendoza v. Town of Ross* (2005) 128 Cal.  
19 App. 4<sup>th</sup> 625, 632.) Plaintiff is an employee by virtue of her apprenticeship.

20           182. As a direct, foreseeable and proximate result of Defendant Yoga College's  
21 acts, Plaintiff has suffered and continues to suffer substantial past and future economic losses and  
22 other employment and economic benefits and opportunities and other consequential and  
23 foreseeable damages and has suffered and continues to suffer humiliation, embarrassment, mental  
24 and emotional distress, and discomfort.

25           183. Defendant Yoga College's actions have caused and continue to cause  
26 Plaintiff substantial losses in earnings, significant reputation and professional injury, loss of  
27 promotional opportunities and other employment benefits, lost wages, attorneys' fees, medical  
28

1 expenses, future earnings and benefits, costs of suit, embarrassment and anguish, all to her damage  
2 in an amount according to proof.

3 184. Defendant Yoga College committed the despicable acts, as herein alleged,  
4 maliciously, fraudulently, and oppressively, with the wrongful intent of injuring Plaintiff, and has  
5 acted with an improper and evil motive amounting to malice, and in conscious disregard of  
6 Plaintiff's rights.

7 185. The acts of Defendant Yoga College as alleged herein, were intentional,  
8 outrageous, despicable, oppressive, fraudulent, and done with ill will and intent to injure Plaintiff  
9 and to cause Plaintiff mental anguish, anxiety, and distress. Defendant Yoga College's acts were  
10 done in conscious disregard of the risk of severe emotional harm to Plaintiff and with the intent to  
11 injure Plaintiff, constituting oppression, fraud, malice under California Civil Code §3294, entitling  
12 Plaintiff to punitive damages against these Defendants only.

13 WHEREFORE, Plaintiff prays for relief as set forth herein.

14 **NINTH CAUSE OF ACTION**

15 **UNFAIR COMPETITION**

16 **[CALIFORNIA BUSINESS AND PROFESSIONS CODE § 17200 ET SEQ.]**

17 **(Against All Defendants)**

18 186. Plaintiff, individually, incorporates by reference as though fully set forth  
19 herein, each and every allegation set forth above in this Complaint. As a ninth, separate and distinct  
20 cause of action, Plaintiff complains against Defendants as follows:

21 187. The court has jurisdiction over this action pursuant to Business and  
22 Professions Code section 17200 et seq., specifically Business and Professions Code section 17203,  
23 which provides that any person who engages, has engaged, or proposes to engage in unfair  
24 competition may be enjoined in any court of competent jurisdiction; and the court may make such  
25 orders or judgments, including the appointment of a receiver, as may be necessary to prevent the use  
26 or employment by any person of any practice which constitutes unfair competition, or as may be  
27 necessary to restore to any person in interest any money or property, real or personal, which may  
28 have been acquired by means of such unfair competition; and Business and Professions Code

1 Section 17204, which provides for actions for any relief pursuant to the Unfair Competition Law to  
2 be prosecuted exclusively in a court of competent jurisdiction by any board, officer, person,  
3 corporation or association or by any person acting for the interests of itself, or its members and that  
4 has suffered an injury in fact and lost money or property as a result of Defendants' conduct.

5 188. Defendants have engaged in, and continue to engage in the following  
6 unlawful, unfair and/or fraudulent business practices in violation of Section 17200 of the California  
7 Business and Professions Code: sex based discrimination in violation of Civil Code section 51, et.  
8 Seq.; sexual harassment in violation of Civil Code section 51.9; violation of the Ralph Act; violation  
9 of the Bane Act; defamation; civil conspiracy to deprive Plaintiff her civil rights based on sex;  
10 intentional infliction of emotional distress; negligent infliction of emotional distress; negligence; and  
11 negligent supervision and hiring.

12 189. As a direct, proximate, and foreseeable result of Defendants' wrongful  
13 conduct as alleged above, Defendants' business acts or practices have caused injury to the Plaintiff  
14 and the public. Plaintiff is entitled to relief, including full restitution and/or disgorgement of all  
15 revenues, earnings, profits, compensation and benefits that may have been obtained by Defendants  
16 as a result of such business acts or practices.

17 190. Plaintiff is informed and believes and based thereon alleges that Defendants'  
18 illegal acts as described above are a serious and continuing threat to Plaintiff and the public. If  
19 Defendants are allowed to continue their unfair and unlawful acts, Plaintiff and the public will suffer  
20 further immediate and irreparable injury, loss and damage. Plaintiff is further informed and believes,  
21 and based thereon alleges, that, in the absence of a temporary restraining order and preliminary and  
22 permanent injunctions as prayed for below, Defendants will continue to unfairly and unlawfully  
23 compete.

24 WHEREFORE, Plaintiff prays for relief as set forth herein.

25 **TENTH CAUSE OF ACTION**

26 **TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS**

27 **(Against All Defendants)**

1           191. Plaintiff, individually, incorporates by reference as though fully set forth  
2 herein, each and every allegation set forth above in this Complaint. As a tenth, separate and distinct  
3 cause of action, Plaintiff complains against Defendants as follows:

4           192. Between 2008 and the present, Plaintiff was a yoga instructor and was in high  
5 demand due to her excellent teaching ability and formidable competitive skills.

6           193. Defendants knew of the above-described contracts and financial  
7 relationships existing between Plaintiff and the individuals because Defendants licensed Plaintiff and  
8 also exercised control over the only companies that Plaintiff was permitted to work for.

9           194. Between 2008 and the present, Defendants engaged in a number of acts  
10 designed to intentionally disrupt the economic relationship between Plaintiff and her customers. In  
11 particular, Defendants defamed Plaintiff by wrongly withholding her title as 2008 International  
12 Champion, and began preventing Plaintiff from teaching classes with a discussion component by  
13 contacting studios that intended to present those classes and telling them that Plaintiff was “not  
14 approved” to teach seminars.

15           195. This conduct was wrongful for reasons other than that it constituted  
16 interference with a prospective economic advantage. The conduct also violated the Unruh Civil  
17 Rights Act, Civil Code section 51 et seq. and particularly section 51.9; the Ralph Act; the Bane Act;  
18 Business and Professions Code section 17200 (Unfair/Unlawful Competition); constituted an  
19 unlawful civil conspiracy; was defamatory; constituted intentional and/or negligent infliction of  
20 emotional distress; and was negligent.

21           196. These disruptions to Plaintiff’s teaching career prevented her from teaching  
22 courses and earning money that she otherwise would have earned.

23           197. As a result of Defendants’ conduct and the prevention and/or disruption of  
24 contract negotiations between Plaintiff and potential customers, Plaintiff has suffered damages in an  
25 amount to be proved at trial.

26           198. The aforementioned acts of Defendants were willful and oppressive or  
27 fraudulent or malicious. Plaintiff is therefore entitled to punitive damages.  
28



1 **TWELFTH CAUSE OF ACTION**

2 **DEFAMATION**

3 **(Against All Defendants)**

4 203. Plaintiff, individually, incorporates by reference as though fully set forth  
5 herein, each and every allegation set forth above in this Complaint. As a twelfth, separate and  
6 distinct cause of action, Plaintiff complains against Defendants as follows:

7 204. Plaintiff is informed and believes, and therefore alleges, that Defendants,  
8 recklessly and intentionally caused excessive and unsolicited internal and external publications of  
9 defamation, of and concerning Plaintiff, to third persons. These false and defamatory statements  
10 included express and implied accusations that Plaintiff was incompetent in her work, profession or  
11 trade.

12 205. These statements were defamatory *per se* insofar as they related to Plaintiff's  
13 qualifications in her professions and trades.

14 206. While the precise date of all these publications are not known to Plaintiff,  
15 Plaintiff is informed and believe that these various publications started in or about Winter of 2008  
16 and continued to the present, and that it was foreseeable that they would be re-published by the  
17 Defendants and the non-privileged third parties to whom Defendants spread the defamatory  
18 statements.

19 207. During the above-described time frame, Defendants did negligently,  
20 recklessly and intentionally cause excessive and unsolicited publication of defamation, of and  
21 concerning Plaintiff, to third persons who had no need or desire to know. Those third persons to  
22 whom Defendants published this defamation are believed to include, but are not limited to the other  
23 Defendants named in this Action, and each of them, as well as the Doe Defendants.

24 208. The defamatory publications consisted or oral, knowingly false and  
25 unprivileged communications, tending directly to injure Plaintiff and her personal, business and  
26 professional reputation.

27 209. In addition, Plaintiff has been compelled to self-disclose this false  
28 information and untrue statements. Plaintiff is informed and believes that the negligent, reckless,



1 and intentional publications made by Defendants, and each of them, that it was foreseeable that  
2 these statements would be published and re-published.

3 210. Plaintiff is informed, believes and fears that these unprivileged defamatory  
4 statements will continue to be published by Defendants and will be re-published by their recipients,  
5 all to the ongoing harm and injury to Plaintiff's business, professional and personal reputation.

6 211. The defamatory meaning of all the above-described, false and defamatory  
7 statements and their reference to Plaintiff was understood by Defendants. These statements were  
8 false and were understood as assertions of fact, and not as opinion.

9 212. Each of these false defamatory *per se* publications (as set forth above) were  
10 negligently, recklessly, and intentionally published in a manner equaling malice and abuse of any  
11 alleged conditional privilege. These publications, and each of them, were made with hatred, ill will,  
12 and an intent to vex, harass, annoy, and injure Plaintiff in order to justify the illegal and cruel actions  
13 of Defendants and to cause further damage to Plaintiff's professional and personal reputation, for  
14 the purpose of causing Plaintiff to be terminated and in retaliation for her reporting and opposing  
15 discrimination and harassment.

16 213. Each of these publications by Defendants was made with the knowledge that  
17 no investigation supported the unsubstantiated and obviously false statements. Defendants  
18 published these statements knowing them to be false and unsubstantiated by any reasonable  
19 investigation and the product of hostile witnesses.

20 214. Not only did Defendants have no reasonable basis to believe these  
21 statements, she also had no belief in the truth of these statements and, in fact, knew the statements  
22 to be false.

23 215. Defendants committed the despicable acts as herein alleged maliciously,  
24 fraudulently, and oppressively, with the wrongful intent of injuring Plaintiff, and have acted with an  
25 improper and evil motive amounting to malice, and fraud and in conscious disregard of Plaintiff's  
26 rights. Because the despicable acts taken toward Plaintiff were carried out in a deliberate, cold,  
27 callous and intentional manner in order to injure and damage Plaintiff, she is entitled to recover  
28 punitive damages from Defendants in an amount according to proof.

1 WHEREFORE, Plaintiff prays for relief as set forth herein.

2 **THIRTEENTH CAUSE OF ACTION**

3 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

4 **(Against All Defendants)**

5 216. Plaintiff incorporates by reference as though fully set forth herein, each and  
6 every allegation set forth above in this Complaint. As a thirteenth, separate and distinct claim for  
7 relief, Plaintiff complains against Defendants:

8 217. This is an action for damages pursuant to the common law of the State of  
9 California as mandated by the California Supreme Court in the decision of *Rojo v. Kliger* (1990) 52  
10 Cal. 3d 65.

11 218. Defendants engaged in the extreme and outrageous conduct herein above  
12 alleged with wanton and reckless disregard of the probability of causing Plaintiff to suffer severe  
13 emotional distress.

14 219. As a proximate result of the extreme and outrageous conduct engaged in by  
15 Defendants, Plaintiff suffered humiliation, mental anguish and extreme emotional and physical  
16 distress all to her general damage in an amount according to proof at trial.

17 220. Defendants' conduct as herein alleged was malicious and oppressive in that it  
18 was conduct carried on by Defendants in a willful and conscious disregard of Plaintiff's rights and  
19 subjected her to cruel and unjust hardship. Plaintiff is therefore entitled to an award of punitive  
20 damages against Defendants.

21 221. As a direct, foreseeable and legal result of Defendants' unlawful acts, Plaintiff  
22 has suffered and continues to suffer substantial losses in earnings, bonuses and other employment  
23 benefits, in addition to expenses incurred in obtaining alternative employment, and has suffered and  
24 continue to suffer humiliation, embarrassment, severe mental and emotional distress, and  
25 discomfort, all to Plaintiff Baughn's damage in an amount to be proven at trial.

26 WHEREFORE, Plaintiff prays for relief as set forth herein.

27 ///







1 **PRAYER FOR RELIEF**

2 Wherefore Plaintiff Baughn prays for judgment against Defendants, and each of them, as  
3 follows:

- 4 1. For a money judgment representing compensatory damages including lost wages,  
5 earnings, and all other sums of money, together with interest on these amounts,  
6 according to proof;
- 7 2. For an award of money judgment for mental pain and anguish and severe emotional  
8 distress, according to proof;
- 9 3. For an award of money judgment for defamation *per se*;
- 10 4. Punitive damages, according to proof;
- 11 5. For attorney's fees;
- 12 6. For a statutory civil penalty in the sum of \$25,000, pursuant to Civ. Code section  
13 52(b);
- 14 7. For prejudgment and post-judgment interest;
- 15 8. For declarative and injunctive relief; and
- 16 9. For any other relief that is just and proper.

17 Dated: March 7, 2013

SHEA LAW OFFICES

18  
19 By Mary Shea Hagebols

20 Mary Shea Hagebols  
21 Attorney for Plaintiff SARAH BAUGHN

22 **JURY TRIAL DEMANDED**

23  
24 Plaintiff SARAH BAUGHN demands trial of all issues by jury.

25 Dated: March 7, 2013

SHEA LAW OFFICES

26 By: Mary Shea Hagebols

27 Mary Shea Hagebols  
28 Attorney for Plaintiff SARAH BAUGHN