



Iustitia est promissio Deo

Law Office of Franklin L. Ferguson, Jr.
3580 Wilshire Boulevard, Suite #1732
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(323) 679-1064 (Facsimile)
flfergusonjr@igc.org

Employment Intake Questionnaire

Please take your time to answer each of the following questions. Be sure to answer as accurately and completely as possible. Answer the following questions, on separate sheets of paper. Use as many sheets of paper as are necessary to fully answer each of the questions. Number each answer, coordinating your responses with the questions answered. Please respond via computer-generated document and forward your responses via e-mail.

Remember, "the truth shall set you free." This document is protected by the attorney-client and work product privileges: you should answer these questions as honestly as possible, since only the *Law Office of Franklin L. Ferguson, Jr.* shall have access to the information you provide. Concealing, or hiding facts at this point will only prevent us from properly analyzing your case. The purpose of this questionnaire is to assist the *Law Office of Franklin L. Ferguson, Jr.* in determining whether or not the facts of your case warrant our involvement.

Where you are asked to attach a copy of any document, please label the document with the number of the question to which you are responding. When you are finished, immediately mail or hand-deliver your completed questionnaire and responses to the *Law Office of Franklin L. Ferguson, Jr.*, address listed above. We will contact you upon receipt of this information.

Finally, the *Law Office of Franklin L. Ferguson, Jr.* **will take your case only as seriously as you do.** Take the time to be thorough, answering each question to the best of your ability. Thank you!

Part I.

Name _____	Date _____
Address _____	Home phone (____) _____
_____	Work Phone (____) _____
_____	E-Mail _____
_____ Zip _____	Birthdate ____/____/____



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Part II.

In order to expedite our evaluation of your case, please submit the following, along with this completed questionnaire:

- (a) A brief chronological, type-written narrative of the events leading up to the adverse action, saved in Microsoft Word and e-mailed to flfergusonjr@igc.org;
- (b) An organizational chart identifying the relevant characters of your employment situation. Please demonstrate the manner in which each person fits into the corporate, or governmental structure. Please identify each individual by name, age, sex and race;
- (c) Your personnel file, if available;
- (d) Your job description;
- (e) Your employee benefits manual, policy brochure or related text;
- (f) A personnel policy handbook, or supervisory manual if one exists;
- (g) All relevant memoranda and correspondence, including hiring letters, performance reviews, disciplinary memos and letters relating to discharge.

Part III.

1. Are you currently employed? Yes/No
2. If so, state the name, address and phone number of your current employer:

Name _____



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Address _____

_____ Phone (____) _____

_____ Zip _____

3. Please organize the evidentiary documents gathered in your response to Part II (g). Each document should be (a) scanned to a pdf file¹, (b) copied, (c) three-hole punched and (d) placed into a binder, in chronological order. The oldest document should be on the bottom of the stack and the most recent document should appear on the top.
4. Create a “Table of Contents” for the Evidentiary Documents. You may use the accompanying “Intake Questionnaire. TOC Form.doc” as a template for your Table of Contents. No more than 50 Evidentiary Documents should be grouped into a single binder.
5. Place each volume of the Evidentiary Documents into a three-ring binder.
6. Purchase four (4) additional binders, the same color and style as the binder(s) used for your Evidentiary Documents. These binders shall be used to maintain the Attorney Notes, Correspondence, Discovery and Pleadings binders.

The following questions relate solely to the place of employment where you believe you received wrongful treatment or from which you feel you were illegally discharged. Circle the appropriate term where applicable.

7. I believe I have an employment claim against:

Name _____

¹ Please make certain that the quality of the scan is at least 300 dpi, so that the copies are legible.



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Address _____

_____ Phone (____) _____

_____ Zip _____

Total number of employees _____

8. Does the employer perform any work under a government contract? If so, describe the type of work performed and the name of any applicable government contracts.
9. State the title or name of the last position you held.
10. With respect to this position, is there a written job description? If so, attach this description to this questionnaire. If not, please describe this position in your own words.
11. What was/is your last/current salary? If you were an hourly employee, state your hourly wage:
12. Were you terminated? [Yes/No] If so, please state the date of this termination, as well as the last date of your employment.
13. Have you received all the salary, bonuses, vacation pay and commissions due to you? [Yes/No] If not, what amount is due to you?
14. To your knowledge, is your employer currently experiencing financial problems, as indicated by a reduction in force, layoffs, or other cutbacks? [Yes/No] If so, describe these indicators.
15. Have you contacted any other attorneys or agencies for advice or assistance? [Yes/No] If so, please name these attorneys and/or agencies and state the results of each contact,



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- indicating the names of contact persons and phone numbers for each attorney or agency.
16. Are you a member of a union or an employment association? [Yes/No] If so, please state the name of this union/employment association, including the names of any national, regional and/or local offices.
 17. Was/is your employment covered under a collective bargaining agreement ("Agreement") that was in effect at the time of the negative action about which you are complaining? [Yes/No] If so, attach a copy of this Agreement.
 18. Was/is your employment covered by a written contract? [Yes/No] If so, please attach a copy of this contract. If you believe that your employment was/is covered by a verbal contract, please describe the terms of this verbal contract.
 19. Please state the name(s) of the person(s) who made the decision to hire you. Include in your answer any person(s) who told you about this decision.
 20. Where were you hired (location address, city, state, zip code)?
 21. On what date were you hired?
 22. Were you recruited for this position? [Yes/No] If so, identify the position you formerly held, the name of your prior employer, the salary you received and the name and address of any search/recruitment agency/firm.
 23. Were any promises or representations made to you at the time of hiring or during the course of employment? [Yes/No] If so, state what promises or representations were made, when they were made, and by whom they were made.
 24. At the time you were hired, or at any time during the course of your employment, were you given assurances or promises of job security? [Yes/No] If so, state which promises or representations were given, when they were given and the name(s) of the person(s) who



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gave them.

25. If any of the promises or assurances referred to in your answer to Question 20 were in writing, please attach copies of any documents containing this information.
26. What actions, if any, did you take in reliance upon these promises, representations and/or assurances (i.e., changing locations or moving, resigning a former position, etc.)?
27. What harm have you suffered as a result of relying on these promises, representations and/or assurances?
28. Did you reject other job offers to take this position? [Yes/No] If so, explain.
29. Was there a letter given to you at the time of your hire which explained the terms of your employment? [Yes/No] If so, attach a copy of the document.
30. Were you ever told anything or given anything in writing about the terms of your employment or grounds for discharge? [Yes/No] If so, explain.
31. Why did you accept a job with this employer?
32. What date did you begin your employment with this employer?
33. What was your first position?
34. What transfers did you receive during the course of your employment? (Give dates and positions)
35. What promotions did you receive during the course of your employment? (Give dates and positions)
36. Did you receive salary increases? If so, indicate the date and amount of each increase.



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With respect to each increase, indicate which were based on your individual merit.

37. Did you receive any bonuses during the course of your employment? [Yes/No] If so, state the amount and whether they were performance related.
38. Describe any awards or commendations that you have received.
39. State the name and title of your last/current supervisor, giving the length of time (indicating precise dates) you worked under this person. Include a job description for this supervisor.
40. Describe any problems which you have experienced under this supervisor.
41. State the names and job titles of prior supervisors, including job descriptions for each, in reverse chronological order. Describe any problems which you experienced with respect to each supervisor.
42. Attach a job description for your current/last position. If none exists, please describe this position in your own words. Indicate the number of other employees holding this same position.
43. How many employees are/were in your department?
44. If your former position has been filled, state the name, age, sex and race of the person that replaced you.
45. State whether you received an employee handbook or personnel manual at the time of hiring or during your employment. Indicate the date you received it and whether or not it has been changed, including any such changes. Attach a copy of this manual.
46. Does the manual contain a procedure relating to your claim? [Yes/No] If so, explain the applicable procedure.



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47. Describe the manual's grounds for discharge/termination, indicating whether or not the manual includes progressive disciplinary (verbal warning, written warning prior to discharge), grievance, or appeal procedures.
48. If your manual contains grievance or appeal procedures, did you grieve or appeal disciplinary actions up to and/or including your termination? [Yes/No] If so, explain what happened. If not, explain why you did not.
49. Does your employer have written work rules? [Yes/No] If so, where are they contained? Attach a copy of these rules, if they are in your possession.
50. Does your employer give written performance evaluations? [Yes/No] If so, please attach any available copies.
51. If you received verbal performance evaluations, provide relevant dates and descriptions for each of them.
52. Describe any of your performance or attendance problems which occurred prior to your termination, or other negative action taken against you, stating the time and circumstances of each event.
53. Describe any sudden changes in either your written or verbal performance evaluations. [For example, five years of consistently "above average" evaluations interrupted by a "string" of "below average" evaluations. Such shifts in performance appraisals may have immediately followed the occurrence of problems you might have experienced with a co-worker and/or a supervisor.]
54. When did you first become aware that your employer was dissatisfied with you? Give dates and circumstances.
55. Did you receive verbal or written warnings or were you placed on probation? Attach



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- copies of all related documents.
56. Describe your reaction(s) (i.e. filing of grievance, complaints to management, etc.) to each event described in Question 51.
 57. Describe how and when you were first informed that you were being discharged or disciplined, explaining who was present, where you were and what was said.
 58. Who took the action(s) which give rise to your claim(s)?
 59. Did you meet with anyone in the Personnel Department prior to the action? [Yes/No] If so, describe what happened during this meeting.
 60. Were other employees, including your co-workers, aware of the employer's behavior towards you? [Yes/No] If so, describe the manner in which they learned of your situation (through eye witness, being informed by you or another employee, etc.) and indicate their names and employment titles.
 61. How much notice did you receive prior to the action(s) taken against you? Was this amount of notice consistent with the employer's normal procedures?
 62. Was your freedom of action restrained by your employer in any way prior to or during the discharge or disciplinary action?
 63. Were there any particularly outrageous circumstances surrounding the discharge or disciplinary action? [Yes/No] If so, what were you told was the reason for the negative action? Please attach copies of any related writings.
 64. If you were discharged, have you signed a resignation letter, waiver or release? [Yes/No] If so, describe the circumstances under which you signed and attach any copies.
 65. If you were told that your discharge was a layoff or due to a reduction in work force, how



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- many other employees were discharged at the same time?
66. If you were told that you were fired, demoted, or otherwise disciplined for breaking a work rule, what was the rule and how were you made aware of this rule, prior to you allegedly breaking this rule?
 67. Do you believe the reason given to you for the action taken against you was false? [Yes/No] If so, explain.
 68. If you were told that you were discharged or disciplined based on your conduct, do you maintain the view that you did not engage in the conduct at all or that the conduct in which you did engage was not proper grounds for the action taken against you?
 69. Did the employer take the same negative action against other employees for similar conduct? [Yes/No] If so, explain.
 70. Was there an appeal or review of the negative action taken against you? [Yes/No] If so, give the dates, names of the persons involved and explain.
 71. Were you represented by an attorney at the appeal or review procedures? [Yes/No] If so, please state this attorney's name, address and phone number.
 72. What do you believe was the real reason, or motivation, for the negative action taken against you?
 73. What evidence or proof do you have to support your belief?
 74. Do you believe the employer violated its own procedures or policies in the action(s) it took against you? [Yes/No] If so, explain.
 75. If the employer's policies or procedures had been followed, how would the results have been different?



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76. If you were forced to resign, explain the circumstances.
77. If you were terminated, did you receive severance pay? [Yes/No] If so, for how many weeks did you receive severance payments?
78. If you were terminated, were you offered continued medical insurance at a group rate? [Yes/No] If so, state the number of weeks that this coverage continued.
79. Do you feel that your rights in any pension and/or profit sharing plan have been protected? [Yes/No] If not, explain.
80. Do you believe you were discriminated against due to your sex, age, race, national origin, marital status, religion or disability?
81. What evidence do you have to support your belief, as stated in your response to Question 76 (documents, witnesses, etc.)?
82. Had you been subjected to discrimination prior to your experience with your employer? [Yes/No] If so, explain, including the manners in which you have protested.
83. Have you filed a charge with the Equal Employment Opportunity Commission (E.E.O.C.) or the California State Department of Fair Employment and Housing (D.F.E.H.)? If so, when? Please provide copies of the charge and the right to sue letter, if available?
84. How were employees, who were not in the same situation as you were in, treated by your employer?
85. Who do you believe is responsible for the discriminatory treatment? Explain.
86. Did you file a complaint with any other agency about your employment? Explain.



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87. If your employment was covered by a collective bargaining agreement, was a grievance filed by you or your union on your behalf? If not, explain the reason your union refused to pursue your grievance, or neglected to take it to arbitration?
88. Do you believe that you were retaliated against for refusing to perform an illegal or unethical act, or for reporting unethical, illegal conduct? [Yes/No] If so, describe what you were ordered to do, and by whom.
89. If you believe that you were discriminated against for exercising rights protected by law, please explain.
90. Were you ever placed in fear for your health or safety at work? [Yes/No] If so, what did you do about it?
91. How was your physical and emotional health affected by the negative action of your employers? Describe any medical attention you received as a result.
92. Have you undergone psychiatric or psychological treatment as a result of your employment claim?
93. Do you believe a co-worker, supervisor, or other individual was responsible for the action taken against you? If so, explain, including that person's motives.
94. Do you believe that your employer said or wrote anything about you to others that is untrue and that has hurt your reputation and/or your ability to find another job? [Yes/No] If so, explain, including the names of those people to whom you believe your employer gave this information, as well as your employer's motive.
95. Have you sought reemployment (in the event of termination or a refusal to hire)? If so, explain what you have done to seek employment and attach any records of your job search.



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96. Have you been reemployed since the negative action? If so, compare your new position with your former one (job responsibility, salary, benefits).
97. If you are no longer reemployed, explain.
98. Do you have medical insurance coverage, or do you have medical bills which are unpaid due to a lack of coverage?
99. Have you been disabled for any time period during the last five years?
100. How long have you been out of work?
101. What is your wage loss at the present time? [Calculate the number of weeks since your termination and multiply this figure by your weekly salary or wage amount.]
102. If you were terminated or the employer refused to hire you, what do you claim are your other monetary losses since the negative action was taken against you?
103. What non-financial losses and/or injuries have you and your family suffered because of the employer's actions (inconvenience, emotional stress, humiliation in your local community and/or neighborhood, etc.)?
104. If you were discharged, did you seek unemployment insurance compensation?
105. Did the employer contest your right to unemployment insurance benefits? If so, explain.
106. What was the outcome of your unemployment insurance benefits claim?
107. To your knowledge, has any other employee filed a similar claim against your employer? [Yes/No] If so, explain the basis of your knowledge.
108. Were you ever discharged or forced to resign from prior employment? If so, please



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explain.

109. If you have taken legal action against a prior employer (discrimination charge or complaint), provide details and dates.
110. Have you ever been involved in litigation before? If so, give dates and the subject matter of the lawsuits or charges.
111. Identify the names, addresses and phone numbers of all persons you believe may be witnesses to the circumstances you have described and indicate whether you expect them to be helpful or damaging to your case. Please indicate whether they have or have had supervisory responsibilities, what they witnessed, and, if co-employees, whether they are still employed by your former employer.

Dated: _____
_____ **Your Name**



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TABLE OF CONTENTS

VOLUME I

TAB	DATE	DESCRIPTION	INITIATING PARTY
1	5/20/2002	Initial Appt Letter/HR Assistant	Betty Flinstone
2	7/24/2002	Personal Notes – phone incident with Wilma Rubble & Patsy Cline	Polly Plaintiff
3	8/8/2002	Personal Notes – Meeting	Betty Flinstone
4	8/14/2002	Personal Notes – Dept of Labor	Polly Plaintiff
5	8/15/2002	Email Notes – Phone Incident	Betty Flinstone
6	9/27/2002	Personal Notes – Performance Meeting w/ Betty Flinstone	Polly Plaintiff
7	10/11/02	Reclassification Letter – Jane Doe	HRS
8	10/28/2002	Personal Notes on Jane Kennedy	Polly Plaintiff
9	11/27/2002	Email regarding performance Eval	Betty Flinstone
10	11/27/2002	6 month (Draft) Performance Eval	Betty Flinstone
11	12/3/2002	Personal Notes – Meeting w/ Valerie Burtonelli	Polly Plaintiff
12	12/5/2002	Personal Notes – Meeting Betty Flinstone	Polly Plaintiff
13	12/6/2002	Counseling Memo	Wilma Rubble
14	12/10/2002	Personal Notes on Joan Jett	Polly Plaintiff
15	1/6/2003	Personal Notes – Meeting with Wilma Rubble	Polly Plaintiff
16	1/22/2003	Personal Notes on Vanessa Williams attire	Polly Plaintiff
17	2/4/2003	Personal Notes on Vanessa Williams attire	Polly Plaintiff
18	2/10/2003	Reclassification of Pat Benetar	HRS
19	3/23/2003	Personal Notes - Performance discussion with Joan Jett	NA
20	4/8/2003	Reassignment Letter – Patsy Cline	HRS
21	4/9/2003	Personal Notes Vanessa Williams attire	Polly Plaintiff
22	4/10/2003	Personal Notes - Performance Review	Polly Plaintiff
23	4/11/2003	Personal Notes - Fanny Mae attire	Polly Plaintiff
24	4/17/2003	Recruitment Meeting/Personal Notes	Flash Gordon/Polly Plaintiff



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25	4/17/2003	Personal Notes about Recruitment Meeting	Polly Plaintiff
26	4/21/2003	Personal Notes - Meeting	Polly Plaintiff
27	5/8/2003	Email about me leaving early	Wilma Rubble
28	5/9/2003	Notes – Meeting w/ Flash Gordon	Polly Plaintiff
29	5/9/2003	Notes – Meeting w/ Flash Gordon	Polly Plaintiff
30	5/12/2003	Personal Notes – Wilma Rubble. & Vanessa Williams	Polly Plaintiff
31	5/12/2003	Additional Notes – Meeting w/ Wilma Rubble	NA
32	5/21/2003	Reassignment Letter for Joan Jett	HRS
33	5/21/2003	Letter to T.S. – Elimination of Position	Flash Gordon
34	5/21/2003	Position Description for Tia-Sonya	Flash Gordon
35	5/22/2003	Personal Notes (Meeting) on Flash Godon, Pat Benetar and Sarah Parker	Polly Plaintiff
36	6/4/2003	Personal Notes – Visit w/ Barbara Boxer – Union Rep.	Polly Plaintiff
37	6/13/2003	Salary Increase – Wilma Rubble	HRS
38	6/19/2003	Personal Notes, Meeting w/ Pat & Rickie	Polly Plaintiff
39	6/23/2003	Personal Notes – George Jetson	Polly Plaintiff
40	7/29/2003	Personal Notes – 2003 Performance Eval meeting w/ Joan Jett	Polly Plaintiff
41	8/8/2003	2003 Annual Performance Evaluation	Joan Jett
42	8/22/2003	Personal Notes on Flash Gordon	Polly Plaintiff
43	10/17/2003	Personal Notes on Gloria Estevan	Polly Plaintiff
44	12/2/2003	Personal Notes on Sarah Parker	Polly Plaintiff
45	12/8/2003	Memorandum – Partial Hiring Freeze	Jackie Brown
46	12/10/2003	Reassignment Letter – Jane Doe	HRS
47	12/10/2003	Reassignment Letter – Patsy Cline	HRS
48	12/30/2003	EEOC Charge of Discrimination	Polly Plaintiff
49	12/30/2003	DFEH Right-to-Sue Notice	DFEH
50	1/23/2004	Email to EEOC Investigator, Vanessa Williams.	Polly Plaintiff