

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LIAOSHENG ZHANG,

Plaintiff,

v.

BOEING COMPANY, AMAZON
GLOBAL RESOURCES, INC.,
MICROSOFT CORPORATION,

Defendants.

No. 07-1794 RAJ

BOEING'S ANSWER TO PLAINTIFF'S
AMENDED COMPLAINT WITH JURY
DEMAND

Plaintiff filed her initial Complaint in this matter on November 5, 2007 and Defendant The Boeing Company (hereinafter "Boeing") filed a responsive pleading on January 4, 2008. As such, plaintiff is required to seek leave of court or written consent of the adverse party before filing an amended pleading. Fed. R. Civ. P. 15(a) ("A party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served... Otherwise a party may amend the party's pleading only by leave of court or by written consent of the adverse party...")

Plaintiff filed an Amended Complaint With Jury Demand (the "Amended Complaint") on January 14, 2008 without leave of this Court and without attempting to obtain written consent from Boeing. Nonetheless, Boeing hereby answers plaintiff's Amended Complaint as follows.

CERTIFICATE OF SERVICE(NO. 07-1794 RAJ)

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ANSWER

I. NATURE OF ACTION

1.1 Answering paragraph 1.1 of the Amended Complaint, Boeing admits that the Amended Complaint asserts civil claims under 42 U.S.C. § 2000e et seq. ("Title VII") and the Age Discrimination in Employment Act ("ADEA") seeking a remedy for discrimination on the basis of race, national origin, gender, disability and age. Except as expressly admitted herein, Boeing denies each and every allegation in the paragraph.

II. JURISDICTION AND VENUE

2.1 Answering paragraph 2.1 of the Amended Complaint, the paragraph constitutes a legal conclusion to which an answer is not required and Boeing therefore denies the same.

2.2 Answering paragraph 2.2 of the Amended Complaint, the paragraph constitutes a legal conclusion to which an answer is not required and Boeing therefore denies the same.

2.3 Answering paragraph 2.3 of the Amended Complaint, the paragraph constitutes a legal conclusion to which an answer is not required and Boeing therefore denies the same.

2.4 Answering paragraph 2.4 of the Amended Complaint, Boeing admits that the plaintiff was issued a Dismissal and Notice of Rights from the Equal Employment Opportunity Commission dated August 6, 2007 indicating that "based upon its investigation the EEOC is unable to conclude that the information obtained establishes violations of the statutes" and informing the plaintiff that she must file a lawsuit, if any, within 90 days of the receipt of the notice. Except as otherwise expressly admitted herein, Boeing is without sufficient information to form a belief as to the truth of the allegation in the paragraph and therefore denies the same.

III. PARTIES

3.1 Answering paragraph 3.1 of the Amended Complaint, Boeing admits that plaintiff applied for jobs at Boeing. Except as expressly admitted, Boeing is without sufficient information to form a belief as to the truth of the allegations in the paragraph and therefore denies each and every allegation in the paragraph.

1 3.2 Answering the introductory phrase of paragraph 3.2 of the Amended Complaint.
2 Boeing admits that it operates multiple divisions and affiliates under various names and that
3 Boeing has addresses in multiple states.
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6 3.3 Answering subparagraph 3.2(a) of the Amended Complaint, Boeing admits that
7 its World Headquarters are located at:
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11 100 North Riverside
12 Chicago, Illinois 60606
13 312-544-2000
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15 3.4 Answering paragraph 3.2(b) of the Amended Complaint, Boeing admits that its
16 Washington Registered Agent is Corporation Service Company located at:
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18
19 6500 Harbour Heights Pkwy, Suite 400
20 Mukilteo, WA 98275
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22 3.5 Answering paragraph 3.2(c) of the Amended Complaint, Boeing admits that one
23 of its addresses in Washington is:
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26 P.O. Box 3707
27 Seattle, WA 98124
28 206-655-2121
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30 3.6 Answering paragraph 3.2(d) of the Amended Complaint, the allegation is too
31 vague to answer.
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34 3.7 No paragraphs are numbered 3.3 or 3.4.
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36 3.8 Answering paragraph 3.5 of the Amended Complaint, Boeing is without sufficient
37 information to form a belief as to the truth of the allegation in this paragraph, and therefore
38 denies the same.
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40 3.9 Answering paragraph 3.6 of the Amended Complaint, Boeing is without sufficient
41 information to form a belief as to the truth of the allegation in this paragraph, and therefore
42 denies the same.
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IV. STATEMENT OF FACTS

4.1 Boeing Company

4.1.1 Answering the first sentence of paragraph 4.1.1 of the Amended Complaint, Boeing states that the sentence contains legal conclusions to which an answer is not required. Answering the second sentence of paragraph 4.1.1 of the Amended Complaint, Boeing admits that its records reflect that plaintiff applied for over 300 Boeing jobs. Answering the third sentence of paragraph 4.1.1 of the Amended Complaint, Boeing admits that plaintiff's resume has been posted to Boeing's online job search tool (Boeing Enterprise Staffing System or "BESS") and plaintiff has not been hired at Boeing. Except as expressly admitted herein, Boeing denies each and every allegation contained in paragraph 4.1.1 of the Amended Complaint.

4.1.2 Answering the first sentence of paragraph 4.1.2 of the Amended Complaint, Boeing admits that its records reflect that the plaintiff had a few interviews at Boeing. Answering the second sentence of paragraph 4.1.2 of the Amended Complaint, the sentence is too vague to answer. Answering the third sentence of paragraph 4.1.2 of the Amended Complaint, Boeing is without information to form a belief as to the truth of the allegation in this sentence, and therefore denies the same. Answering the fourth sentence of paragraph 4.1.2 of the Amended Complaint, Boeing is without information to form a belief as to the truth of the allegation in this sentence, and therefore denies the same. Answering the fifth sentence of paragraph 4.1.2 of the Amended Complaint, Boeing is without information to form a belief as to the truth of the allegation in this sentence, and therefore denies the same.

4.1.3 Answering the first sentence of paragraph 4.1.3 of the Amended Complaint, Boeing is without information to form a belief as to the truth of the allegation in this sentence, and therefore denies the same. Answering the second sentence of paragraph 4.1.3 of the Amended Complaint, Boeing is without information to form a belief as to the truth of the allegation in this sentence, and therefore denies the same. Answering the third sentence of paragraph 4.1.3 of the Amended Complaint, the sentence is too vague to answer. Answering the

1 fourth sentence of paragraph 4.1.3 of the Amended Complaint, Boeing admits that plaintiff
2 applied for jobs after August 16, 2006 and Boeing states that the BESS online tool indicates the
3 status of the application (i.e., "job requisition cancelled," "under consideration," or "no longer
4 under consideration"). Answering the fifth sentence of paragraph 4.1.3 of the Amended
5 Complaint, Boeing admits that plaintiff's resume indicates that she has a Master's Degree in
6 computer engineering from Arizona State University and that she worked as a software engineer
7 at Honeywell, Inc. from 6/31/98 to 4/1/05. Answering the sixth sentence of paragraph 4.1.3 of
8 the Amended Complaint, Boeing admits that to date it has not hired the plaintiff.
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17 4.1.4 Answering the first sentence of paragraph 4.1.4 of the Amended Complaint,
18 Boeing denies each and every allegation in the first sentence of paragraph 4.1.4 of the Amended
19 Complaint. Answering the second sentence of paragraph 4.1.4 of the Amended Complaint,
20 Boeing admits that its records reflect that Boeing hired some workers with optional practical
21 training cards in 2005. Answering the third sentence of paragraph 4.1.4 of the Amended
22 Complaint, the sentence is too vague to answer. Answering the fourth sentence of paragraph
23 4.1.4 of the Amended Complaint, Boeing denies each and every allegation in the fourth sentence
24 of paragraph 4.1.4 of the Amended Complaint.
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33 4.1.5 Answering the graphic that appears on page 4 of the Amended Complaint, Boeing
34 denies that the purported data reflected in the graphic is accurate.
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37 4.1.6 Answering the first sentence of paragraph 4.1.5 of the Amended Complaint,
38 Boeing denies each and every allegation in the first sentence of paragraph 4.1.5 of the Amended
39 Complaint. Answering the second sentence of paragraph 4.1.5 of the Amended Complaint,
40 Boeing denies each and every allegation in the second sentence of paragraph 4.1.5 of the
41 Amended Complaint. Answering the third sentence of paragraph 4.1.5 of the Amended
42 Complaint, Boeing admits that its records reflect that Boeing hired some workers with optional
43 practical training cards in 2005. Answering the fourth sentence of paragraph 4.1.5 of the
44 Amended Complaint, the sentence is too vague to answer. Answering the fifth sentence of
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1 paragraph 4.1.4 of the Amended Complaint, Boeing denies each and every allegation in the fifth
2 sentence of paragraph 4.1.4 of the Amended Complaint.
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5 4.1.7 Answering paragraph 4.1.6 of the Amended Complaint, Boeing denies each and
6 every allegation in paragraph 4.1.6 of the Amended Complaint.
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9 4.1.8 Answering paragraph 4.1.7 of the Amended Complaint, Boeing states that it has
10 thousands of employees throughout the world, some of whom are foreign nationals. Except as
11 expressly admitted herein, the allegations in paragraph 4.1.7 of the Amended Complaint are too
12 vague to answer.
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16 4.1.9 Answering paragraph 4.1.8 of the Amended Complaint, Boeing denies each and
17 every allegation in paragraph 4.1.8 of the Amended Complaint.
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20 4.1.10 Answering paragraph 4.1.9 of the Amended Complaint, Boeing denies each and
21 every allegation in paragraph 4.1.9 of the Amended Complaint.
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24 4.1.11 Answering paragraph 4.1.10 of the Amended Complaint, Boeing denies each and
25 every allegation in paragraph 4.1.10 of the Amended Complaint.
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28 4.1.12 Answering paragraph 4.1.11 of the Amended Complaint, Boeing admits that its
29 records reflect that plaintiff is a female and that she is Asian. Except as expressly admitted
30 herein, Boeing is without sufficient information to form a belief as to the truth of the allegations
31 in the paragraph and therefore denies each and every allegation in the paragraph.
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35 4.1.13 Answering paragraph 4.1.12 of the Amended Complaint, Boeing admits that the
36 plaintiff was issued a Dismissal and Notice of Rights as described in Paragraph 2.4 of this
37 Answer and that the Complaint served on Boeing bears a stamp purporting to indicate that it was
38 filed with the Court on November 5, 2007. Except as otherwise expressly admitted herein,
39 Boeing is without sufficient information to form a belief as to the truth of the allegations in the
40 paragraph and therefore denies each and every allegation in the paragraph.
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1 **4.2 Amazon Global Resources Inc.**

2 4.2.1 Answering paragraph 4.2.1 of the Amended Complaint, Boeing is without
3 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
4 therefore denies the same.
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7 4.2.2 Answering paragraph 4.2.2 of the Amended Complaint, Boeing is without
8 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
9 therefore denies the same.
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12 4.2.3 Answering paragraph 4.2.3 of the Amended Complaint, Boeing is without
13 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
14 therefore denies the same.
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17 4.2.4 Answering paragraph 4.2.4 of the Amended Complaint, Boeing is without
18 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
19 therefore denies the same.
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22 4.2.5 Answering paragraph 4.2.5 of the Amended Complaint, Boeing is without
23 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
24 therefore denies the same.
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27 4.2.6 Answering paragraph 4.2.6 of the Amended Complaint, Boeing is without
28 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
29 therefore denies the same.
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32 4.2.7 Answering paragraph 4.2.7 of the Amended Complaint, Boeing is without
33 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
34 therefore denies the same.
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37 4.2.8 Answering paragraph 4.2.8 of the Amended Complaint, Boeing is without
38 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
39 therefore denies the same.
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1 **4.3 Microsoft Corporation**

2 4.3.1 Answering paragraph 4.3.1 of the Amended Complaint, Boeing is without
3 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
4 therefore denies the same.
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7 4.3.2 Answering paragraph 4.3.2 of the Amended Complaint, Boeing is without
8 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
9 therefore denies the same.
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12 4.3.3 Answering paragraph 4.3.3 of the Amended Complaint, Boeing is without
13 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
14 therefore denies the same.
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17 4.3.4 Answering paragraph 4.3.4 of the Amended Complaint, Boeing is without
18 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
19 therefore denies the same.
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22 4.3.5 Answering paragraph 4.3.5 of the Amended Complaint, Boeing is without
23 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
24 therefore denies the same.
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27 4.3.6 Answering paragraph 4.3.6 of the Amended Complaint, Boeing is without
28 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
29 therefore denies the same.
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32 4.3.7 Answering paragraph 4.3.7 of the Amended Complaint, Boeing is without
33 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
34 therefore denies the same.
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37 4.3.8 Answering paragraph 4.3.8 of the Amended Complaint, Boeing is without
38 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
39 therefore denies the same.
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1 4.3.9 Answering paragraph 4.3.9 of the Amended Complaint, Boeing is without
2 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
3 therefore denies the same.
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6 4.3.10 Answering paragraph 4.3.10 of the Amended Complaint, Boeing is without
7 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
8 therefore denies the same.
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12 4.3.11 Answering paragraph 4.3.11 of the Amended Complaint, Boeing is without
13 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
14 therefore denies the same.
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18 4.3.12 Answering paragraph 4.3.12 of the Amended Complaint, Boeing is without
19 sufficient information to form a belief as to the truth of the allegation in this paragraph, and
20 therefore denies the same.
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25 **V. FIRST CLAIM FOR RELIEF DISCRIMINATION [SIC]**
26 **UNDER TITLE VII AND ADEA**
27

28 5.1 Answering paragraph 5.1 of the Amended Complaint, Boeing reasserts each and
29 every answer in paragraphs 1 through 4.3.12, above, and incorporates those answers as though
30 fully set forth herein. To the extent paragraph 5.1 of the Amended Complaint "restates"
31 paragraphs 4.4 and 4.5, which do not exist in the Amended Complaint, Boeing denies the same.
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34 5.2 Answering paragraph 5.2 of the Amended Complaint, the paragraph constitutes a
35 legal conclusion to which an answer is not required and Boeing therefore denies the same.
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38 5.3 Answering the introductory phrase of paragraph 5.3 of the Amended Complaint,
39 the phrase constitutes a legal conclusion to which an answer is not required and Boeing therefore
40 denies the same.
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44 5.4 Answering paragraph 5.3(a) of the Amended Complaint, Boeing admits that it
45 received a Notice of Charge of Discrimination from the Equal Employment Opportunity
46 Commission dated June 18, 2007. Except as expressly admitted herein, Boeing is without
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