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FILED
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K. TORRE CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA, WALNUT CREEK
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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF
CONTRA COSTA

C05-02537

SHAHIMA SHAHEEM, an individual, Plaintiff, v. COUNTRYWIDE FINANCIAL CORP, a Delaware corporation, and Does 1 through 10, inclusive, Defendants.	Case No.: *COMPLAINT FOR DAMAGES*

BY FAX

PER LOCAL RULE 5 THIS CASE IS ASSIGNED TO DEPT 02

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Plaintiff, Shahima Shaheem, alleges:

1. Plaintiff was at all times mentioned in this complaint a resident of Contra Costa County, California.

2. Defendant, Countrywide Financial Corp, ("Countrywide") is, and at all times mentioned in this complaint was, a corporation organized and existing under the laws of the State of Delaware, and doing business in Contra Costa County, California.

3. Plaintiff does not know the true names of defendants DOES 1 through 10, inclusive, and therefore sues them by those fictitious names.

4. Unless otherwise alleged in this complaint, plaintiff is informed and believes, and on the basis of that information and belief alleges, that at all times mentioned in this

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complaint, individual defendants were the agents and employees of their corporate codefendant, and in doing the things alleged in this complaint, were acting within the course and scope of that agency and employment.

5. This action is filed in this court because the wrongful conduct complained of herein occurred within the County of Contra Costa, State of California. This is the proper judicial district because the acts herein alleged occurred within this jurisdictional district.

FIRST CAUSE OF ACTION

Wrongful Termination in Violation of Public Policy

(Against Countrywide)

6. Plaintiff hereby realleges and incorporates by reference, as though set forth in full, the allegations contained in paragraphs 1 through 5. This cause of action is pled against defendant and Does 1-10, inclusive.

7. There is a strong public policy favoring compliance with state and federal lending laws. See *California Financial Code* § 4970 et seq., 24 CFR §§ 203.37 and 203.255b, 12 USC I 2601 et seq, and 24 CFR §§ 3500.1 et seq. Retaliation and constructive termination of an employee for voicing concerns about violations of these public policies is a violation of public policy.

8. Plaintiff was subjected to severe harassing treatment, infliction of emotional distress, and constructive termination as a result of her complaints about unethical and fraudulent underwriting practices in violation of state and federal lending laws and regulations. Plaintiff's reports of fraud and retaliation included an e-mail directly to the Chief Executive Officer of defendant Countrywide, to which plaintiff received no response.

9. Plaintiff was treated in a hostile manner by Countrywide's executives and Human Resource personnel because of her complaints about unethical and fraudulent underwriting practices in violation of state and federal lending laws and regulations. The hostile treatment was severe and constituted intolerable working conditions that Countrywide either intentionally created or knowingly permitted. Under the circumstances of her employment at the time that plaintiff left, a reasonable employee in her position would have felt compelled to

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resign. Such treatment and constructive termination constitutes harassment and wrongful discharge in violation of public policy.

10. In addition, the adverse actions towards Plaintiff violate Countrywide's policy against retaliation for reporting fraud and illegal activity. Plaintiff has been penalized for actively reporting non-compliance with Federal and state laws and regulations to Countrywide.

11. As a direct, foreseeable, and proximate result of defendant employer's wrongful termination of plaintiff in violation of the public policy of the State of California, plaintiff has lost and will continue to lose income and benefits, and has suffered and continues to suffer humiliation, embarrassment, mental and emotional distress, and discomfort, all to plaintiff's damage in an amount in excess of $500,000, the precise amount of which will be proven at trial.

12. Because the acts taken toward plaintiff were carried out by managerial employees acting in a deliberate, cold, callous, malicious, oppressive, and intentional manner in order to injure and damage plaintiff, plaintiff requests the assessment of punitive damages against defendant employer in an amount appropriate to punish and make an example of defendant employer.

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SECOND CAUSE OF ACTION

UNFAIR BUSINESS PRACTICES

(Against Countrywide)

13. Plaintiff realleges and incorporates by reference Paragraphs 1 through 12 inclusive, as though set forth in full herein.

14. Section 17200 of the California Business and Professions Code prohibits any unlawful, unfair or fraudulent business act or practice.

15. Defendants have engaged in, and continue to engage in the following unlawful, unfair and fraudulent business practices in violation of Section 17200 of the California Business and Professions Code:

Engaged in unethical and fraudulent underwriting practices in violation of state and federal lending laws and regulations.

Retaliated against, demoted, and constructively terminated plaintiff and others for complaining about unethical and fraudulent underwriting practices in violation of state and federal lending laws and regulations.

16. These challenged policies and practices have harmed the named plaintiff, and the general public.

17. Plaintiff is thus entitled to an order requiring Defendants to disgorge the ill-gotten gains obtained by engaging in these unlawful business practices and to provide restitution to all persons who have suffered damages or injury as a result of these unlawful business practices, during the applicable limitations period.

18. Plaintiff is entitled to an award of reasonable attorneys' fees pursuant to California Code of Civil Procedure Section 1021.5.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against defendants, and each of them, as follows:

1. For compensatory damages according to proof at time of trial;
2. For general damages according to proof at time of trial;
3. For exemplary and punitive damages;
4. For prejudgment interest on all amounts claimed;
5. Reasonable attorneys' fees and costs of this action;
6. Plaintiff also is entitled to an order requiring Defendant to disgorge the ill-gotten gains obtained by engaging in these unlawful business practices and to provide restitution to all persons who have suffered damages or injury as a result of these unlawful business practices, during the applicable limitations period; and
7. For any other and further relief that the court considers proper.

JURY TRIAL DEMANDED

Plaintiff demands trial of all issues by jury.

DATED: November 30, 2005

Stephen Henry

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