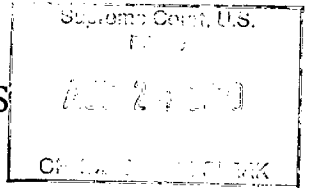
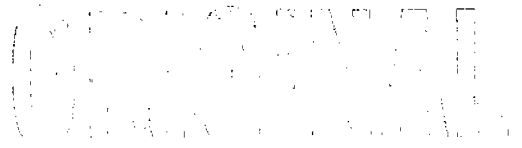


Case Number: 20.259



IN THE
SUPREME COURT OF THE UNITED STATES

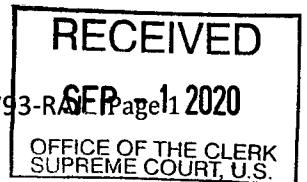
MINHNGA NGUYEN,
Petitioner, Appellant (Plaintiff),
vs.
THE BOEING COMPANY,
Respondent, Appellee (Defendant),

CASE: 18-36059 Ninth Circuit Court of Appeals
Original Case: 2:15-cv-00793-RAJ,
Western Washington District Court
Filing Date: August 24th, 2020

On Petition for a Writ of Certiorari to
The United States Court of Appeals for the Ninth Circuit and WW District Court

PETITION FOR A WRIT OF CERTIORARI

Minhnga Nguyen, Petitioner, Plaintiff Appellant
2917 95th Street SE
Everett, WA 98208
425-316-8621
Minhnga_Thisi@yahoo.com



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32 **I. Brief facts and Questions Presented:**

33 On May 20, 2015, Plaintiff Minhnga Nguyen, a 21 year engineer service for Boeing, filed a
34 lawsuit against Boeing to Western WA District Court (WWDC), case 2:15-cv-00793, alleging harassments
35 and wrongful 5 days suspension that occurred on August 07, 2014, with Discriminatory Intent based on
36 her race Asian, and sex female, age over 40; and Boeing's Retaliation to Plaintiff's Discrimination
37 Complaint filed to HR manager Heather Frasier on 10/17/14 against Frasier's staff HR Kim Conner, that
38 resulted in a wrongful brutal termination on 11/20/14 served by Kim Conner. Defendant yelled at
39 Plaintiff and it caused Plaintiff to fall down on the floor unconsciously, and it led to her injury.
40 Defendant threatened to throw Plaintiff in jail if she did not leave Boeing immediately. On Dec. 20,
41 2016, WWDC dismissed all Plaintiff's valid claims of harrassments, Disparate treatments and
42 Discrimination Claims; but it ruled Retaliation to Discrimination Complaint is valid for trial. **Doc #46.** On
43 May 02, 2018, Boeing committed Fraudulent Misrepresentation to produce a faked witness Jeff Hunter
44 who Plaintiff did not ever meet before, to testify in Court against Plaintiff. On November 28, 2018,
45 WWD Court held judgment against Plaintiff, **Doc137- Doc138**, regardless evidence had proved that
46 Boeing violated Title VII and it caused Plaintiff suffered physical pain, emotional distress & economic
47 hardship over five years of unemployment with minor children, and reputational damages. On June 11,
48 2020, the 9th Circuit Court of Appeals ruled in favor of Boeing. CA9-18-36059, Doc 31.

49 Boeing denied its Disparate ill-treatments and low paid for Plaintiff \$93,450/year vs. male
50 employees \$140,000/year working similar task, was based on her sex female and race Asian. Boeing
51 denied Retaliation to Plaintiff for she reported Employer's Misconduct on 03/14/14, but the fact showed
52 Boeing wrongfully suspended Plaintiff 5 days on 8/7/14 for she took a day of sick leave with permission.
53 Boeing denied the brutal termination it served Plaintiff on November 20, 2014 was based on her sex
54 female & race Asian, nor its Retaliation to her Discrimination filed against Boeing on October 17, 2014.

55 **Fact 1:** Plaintiff did not release airplane drawings not passing safety test on 3/14/14 in order to
56 save hundreds of human lives from potential airplane crashes. Boeing fired Plaintiff for “not follow
57 management direction”. The clause in the **Fifth Amendment** reads: “No person shall ... be deprived of
58 life, liberty, or property, without due process of law.”

59 **Question 1:** Did Boeing violate the Fifth Amendment and public safety when it punished
60 Plaintiff for Plaintiff's saving hundreds of human lives from potential airplane crashes?

61 **Fact 2:** Plaintiff reported Boeing's misconduct on March 14, 2014. Boeing wrongful suspended
62 Plaintiff 5 days from work on August 7, 2014, knowing she had sent a proper written absence request to
63 her Acting Manager on 7/18/14 . On November 20, 2014, Boeing used its wrong punishments towards
64 Plaintiff on March 14, 2014 plus the wrongful suspension on August 7, 2014 as causes to brutally
65 terminate Plaintiff's employment. **The Equal Protection Clause** is from the text of the **Fourteenth**
66 **Amendment**, Prohibits Private Discrimination. It mandates that individuals in similar situations be
67 treated equally by the law.

68 **Question 2:** Did Boeing violate the Fourteen Amendment?

69 **Fact 3:** Boeing paid Plaintiff female Asian, Systems Engineer \$93,450/year while it paid male
70 employees in her same skill code, similar situated in same group, working similar assignments, Matt
71 Koehler, Mike McWilliams, Herb Harvey, and Ted Yan \$140,000/year. On 10/14/14, Boeing severely
72 tripled disciplined Plaintiff for her first time parking mistake with a written violation after it had towed
73 her car and it gave Plaintiff a Boeing's parking ticket, while those Boeing four male employees who did
74 the same mistake only get a simple oral warning. On 10/17/14, Plaintiff filed a Discrimination Complaint
75 against Boeing HR Kim Conner and Gary Weber for Disparate ill-treatments to Kim Conner's supervisor,
76 HR manager Heather Frasier. Kim Conner fired Plaintiff brutally on 11/20/14. Defendant yelled at
77 Plaintiff and they had caused Plaintiff fallen down on the floor unconsciously, with bleeding and serious

78 neck injury. They even threatened to throw Plaintiff to jail if Plaintiff did not leave Boeing immediately.
79 **Title VII prohibits Employment Discrimination based on sex, age, race, and it prohibits Employer's**
80 **Retaliation.**

81 **Question 3: Did Boeing violate Federal Law's Title VII, and the Equal Pay Act 1963?**

82 **Fact 4: On December 12, 2016, WW District Court ruled all dismissals of Plaintiff's valid**
83 **Discrimination claims. All dismissals are functional equivalents of mistrials. Both the 5th and the 14th**
84 **Amendments to the U.S. Constitution contain a **Due Process Clause**. Procedural Due Process**
85 **guarantees individuals a fair and legal process in criminal and civil matters.**

86 **Questionx 4: Was the WW District Court's decision in violation of the Fifth Amendment and**
87 **Fourteenth Constitutional Rights, as this Court has recognized, Discrimination may be so unjustifiable**
88 **as to be violative of due process?**

89 **Fact 5: Real Boeing security man Jeff Hunter was not called to testify for Plaintiff that on**
90 **November 20, 2014, he eyewitnessed the brutality Boeing HR Kim Conner and Keith Sellers had done**
91 **caused Plaintiff's injury. Boeing produced a faked witness Jeff Hunter who Plaintiff did not ever meet**
92 **before, to testify in Court against Plaintiff on May 3rd, 2018. Darryl Parker - Plaintiff's attorney -denied**
93 **Plaintiff's request to bring up Boeing's fraudulence to the trial Court's attention. Fraudulent**
94 **misrepresentation happens when six factors have been met: 1. a representation was made, 2. the**
95 **representation was false, 3. that when made, the defendant knew that the representation was false, 4.**
96 **that the fraudulent misrepresentation was made with the intention that the plaintiff rely on it, 5. that**
97 **the plaintiff did rely on the fraudulent misrepresentation, 6. that the plaintiff suffered harm as a result**
98 **of the fraudulent misrepresentation.**

99 **Question 5: Dib Boeing commit Fraudulent Misrepresentation?**

100

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114 **III. LIST OF ALL PARTIES:**

- 115 a. Minhnga Nguyen, petitioner, Plaintiff, Appellant.
- 116 b. The Boeing Company, respondent, represented by Davis Wright Tremaine: Paula
- 117 Lehman, Boris Gaviria, Mary Sanden; Morgan Lewis: Christopher Banks, Claire
- 118 Lesikar, Laurence Shapero in W. WA Distric Court; by C Banks, C Lesikar, L.
- 119 Shapero, and Perkins Coie: Erik Wolff, Sarah Schirack In Appellate Court.

120 **IV. LIST OF ALL PROCEEDINGS IN STATE, WWD COURT AND APPELLATE COURTS**

121 **1. Employment Security Hearing, Doc 012015-01294, Minhnga Nguyen v. Boeing**

122 The State of Washington Employment Security Hearing Judge Britanni Stewart found

123 that Plaintiff Minhnga Nguyen did not commit “not follow management’s direction”, in

124 opposition to Boeing supervisor Gary Weber claimed she did. Weber admitted that his lead
125 Herb Harvey locked the common spreadsheet. Judge Stewart found Plaintiff is not at fault not
126 updated the spreadsheet. Audio recording of this hearing was submitted to 9th Circuit Court.

127 **2. Case 2:15-cv-0793-RAJ, Western WA Distrcit Court**

128 05/20/15: Doc 1: Complaint Against Boeing filed by Minhnga Nguyen, filing fee \$400.
129 01/21/16: Doc 29: Amended Complaint.
130 05/26/16: Doc 42: Amended Comaplain RevA, filed by Plaintiff per Order doc 41.
131 12/20/16: Doc 46: Order Granting Defendant's Doc 43 Motion to Dismiss Discrimination claims.
132 01/11/17: Doc 50: Motion for Reconsideration Doc 42, filed by Plaintiff.
133 06/30/17: Doc 65: OrderDenying Motion for Reconsideration & Plaintiff's Discrimination Claims.
134 10/19/17: Doc 89, 89.1: Motion For Sanctions Boeing, filed by Plaintiff.
135 10/23/17: Doc 91:Notice Request Judicial Notice, evidence Boeing's Retaliation to Discrimination
136 4/27/18: Plaintiff's Attorney Darryl Parker filed Objections to Deposition of Keith Sellers's on Doc
137 122-1, without Plaintiff's approval. Request Supreme Cout review Doc 122-1. Boeing
138 manager Keith Sellers amitted he only wanted verbal discussion with Plaintiff regards
139 her absence with proper notice, but Boeing wrongful suspended Plaintiff for 1st time
140 absence on 8/7/14, and it used this wrongful suspension to fire Plaintiff on 11/20/14.
141
142 05/03/18: On this last day of the 3 day trial, Boeing produced a faked Boeing Security man Jeff
143 Hunter who Plaintiff never met before, to testify against Plaintiff in trial. Plaintiff
144 Minhnga Nguyen asked her attorney Darryl Parker, but he refused to report this
145 fraudulence to the Court. Plaintiff respectfully ask this U.S. Supreme Court to make
146 Boeing pays the maximum penalty for all Boeing Violations to The Fifth & Fourteen
147 Amendments, Violation to Title VII, and Fraudulent Misrepresentation.
148
149 05/04/18: Doc 129, 130, 131: Official Transcript, court dates day 1,2,3 held on 4/30/18, 5/2/18,
150 and 5/3/18, respectively, before WWDC Judge Richard Jones.
151 05/18/18: Doc 132: Proposed Findings of Fact by Darryl Parker for Plaintiff Minhnga Nguyen.
152 05/18/18: Doc 133: Deposition Transcripts of Defendant Boeing manager Keith Sellers.

153 11/28/18: Doc 137-138: Judgment by Court against Plaintiff Minhnga Nguyen.

154 12/18/18 Doc 139: Notice of Appeal To Ninth Circuit case 18-36059. Filing fee \$505.

155 12/21/18: Doc 143: Motion to Amend WWDCourt’s judgment 137-138.

156

157 **3. Ninth Circuit Court of Appeals, case 18-36059:**

158 2/12/19: Doc 5: Submission of audio record evidence hearing held on 2/19/15 in front of
159 Judge Britani Stewart who found that Plaintiff Minhnga Nguyen did not commit
160 “not follow management’s direction” by US mail to the 9th Circuit Court:

161 3/24/19: Doc 7, Opening Brief for Review, filed by Plaintiff Appellant Minhnga Nguyen

162 6/11/20: Doc 31, 9th Circuit Court ruled against Plaintiff.

163

164 **V. TABLE OF AUTHORITIES: Related Cases:**

165 WA Employment Security Hearing, Docket 012015-01294, Minhnga Nguyen v. Boeing p5-6

166 Washington Western District Court, case 2:15-cv-00793-RAJ, Minhnga Nguyen v. Boeing p6-7

167 Ninth Circuit Court of Appeals, case 18-36059, Minhnga Nguyen v. Boeing p7

168

169 **VI. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED:**

170

171 The Fifth and Fourteenth Amendmentsp3-4

172 Title VII prohibits employment discrimination based on race, sex, and national origin p2-8, p24

173 Title VII prohibits Discrimination/Retaliation against whistle blowerp2-8, p24

174 Fraudulent Misrepresentationp4

175 Equal Pay Act of 1963 -EPA-29 U.S. Code Chap. 8 § 206(d) prohibits wage discrimination base on sex, p4

176 28 U.S.C. §1291, §1331, §1332, §1345p8

177 29 U.S.Code 626(b). Enforcement/prohibition of age discrimination under fair labor standards.....p12

178 42 U.S. Code §1981, Equal Rights under the Law p12

179 The Age Discrimination in Employment Act of 1967 (ADEA) prohibits Age Discrimination in Emplp2,8

180

181 **VII. JURISDICTION:**

182 a. The WWD Court had subject matter jurisdiction pursuant to 28 U.S.C. §1331, §1332, §1345.

183 b. Pursuant to 28 U.S.C. §1291, the Ninth Circuit Court has jurisdiction over this appeal from the
184 District Court's orders of June 30, 2017 (Doc 65) dismissed plaintiff's hostile work environment claim,
185 Disparate Treatments, Retaliation and Discrimination Claim based on sex, age, race; and orders of
186 November 28, 2018, (Doc 137-138) dismissed plaintiff's valid Retaliation claim. These orders are
187 appealable within 30 days after the district court's judgment on November 28, 2018 , which explicitly
188 preserved Plaintiff's right to appeal the earlier orders.

189 c. This United States Supreme Court has the authority to review and reverse the lower court's
190 findings and rulings. This case is presenting issues of importance beyond the particular facts: it's
191 **Boeing's violation of the Fifth Amendment, Fourteen Amendment, public safety, and Title VII.** Plaintiff
192 timely filed its Petition for A WRIT OF CERTIORARI on August 28, 2020 within 90 days after entry of
193 judgment of the Ninth Circuit Court of Appeals orders on June 11, 2020.

194

195 **VIII. FACTs and STATEMENT OF THE CASE:**

196 1. Plaintiff Minhnga Nguyen started to work for Defendant The Boeing Company in June 1991 as an
197 Electrical Wire Design Engineer.

198 2. Plaintiff is a female Vietnamese over 40 of age, had 21 year of service with Boeing. Plaintiff was
199 always rated efficient employee, between retention R2 to R1 (highest).

- 200 3. In 2014, Boeing paid Plaintiff female Asian, Systems Engineer 21 year experience, \$93,450/year
201 while it paid male employees in her same skill code, similar situated in same group, working
202 similar assignments, Matt Koehler, Mike McWilliams, and Herb Harvey \$140,000/year.
- 203 4. February 2012, Boeing supervisor Gary Weber offered Diego Hiebner, a 30 year old white male
204 the lead position. Diego stated that he didn't know as much technical stuff as Plaintiff, thus he
205 turned down the offer. Mr. Weber then promoted 39 year old male employee, Herb Harvey, to
206 be Plaintiff's lead, even though Plaintiff was subject matter expert(SME), and Plaintiff trained
207 Harvey how to work. Dorothy Todd's email, in Boeing's trial exh 10.28.2017 p11 of 39. Doc 143.
- 208 5. March 2012, Boeing assigned Dorothy Todd supervisor of Plaintiff. Dorothy rated Plaintiff
209 efficient, solid engineer, but she ranked Plaintiff R3. See Dorothy Todd's email dated 02/19/14,
210 Boeing's trial exhibit 10.28.2017 p11 of 39. See Doc 143, attachment 1, Minhnga Nguye SME.
- 211 6. February 2014, Plaintiff Ms. Nguyen emailed to five Boeing Systems Engineer managers, in
212 which Plaintiff asked for upgrading her retention. Mary Morcom sent a copy to Dorothy Todd.
213 Dorothy Todd was mad at Plaintiff and she wrote: "Your email was inappropriate".
- 214 7. **On March 14, 2014, Plaintiff did not release Boeing's airplane drawings not passing safety test**
215 **in order to save hundreds of human lives from potential airplane crashes.** Boeing supervisor
216 Dorothy Todd punished Plaintiff with a written warning "not follow direction". On this memo,
217 **Plaintiff reported Employer's Misconduct** with Comments: "I am a victim of James Michael
218 Todd (husband) and Dorothy Todd (wife). I was downgraded by JMT and Dorothy retaliating me
219 for reporting the incidence of the Hamilton Sunstrand trip in 2009, when JMT made Katie
220 Vandermeer Retention R1 to satisfy his personal need. That's IT." Doc 42, p29. This Doc p14.
- 221 8. April 2014, Boeing promoted Keith Sellers to senior manager. Sellers announced work force
222 reduction. Doc 42, p30, testimony of Ted Yan. This Doc p22.

- 223 9. May 2014, when Plaintiff Ms. Nguyen asked for promotion, Boeing supervisor Gary Weber
224 purposefully insulted Plaintiff and he made Plaintiff cried with his comment: "For what you do, I
225 can get a drafter to replace you", knowing well Plaintiff was a 21 year experience engineer
226 working for Boeing. Trial Transcript, Minhnga Nguyen May 02, 2018.
- 227 10. Friday July 18th, 2014, Gary Weber delegated Jeff Vick to be acting manager. Plaintiff Ms.
228 Nguyen emailed Jeff Vick at 3pm: "I just stepped out of the lady's restroom North end on 1st
229 floor of our bldg., and there was a thief stole my eyeglasses. I can't work around thieves, and
230 will need to take a couple of days off due to this very unhappy experience." Doc 42, p14. This
231 Doc, p16. Friday July 18th, 2014 at 3:15pm, Plaintiff went home sick.
- 232 11. On Monday August 4th, 2014, Gary Weber and Keith Sellers seized Plaintiff Ms. Nguyen's
233 assigned laptop while they continued allowing themselves and all male employees in their group
234 privilege remain laptops and work from home.
- 235 12. On August 07, 2014, Boeing HR Kim Conner wrongfully suspended Plaintiff Ms. Nguyen 5 day
236 without pay for Plaintiff took one sickday on July 21, 2014, knowing Plaintiff had sent a proper
237 absence notice to her acting manager Jeff Vick.
- 238 13. On September 09th, 2014, Boeing towed Plaintiff's car and it made Plaintiff paid Boeing \$253 to
239 get her car back, and Boeing gave her a parking ticket, while 15 other cars parked similarly on
240 unpainted spots near Plaintiff were not equally towed nor ticketed.
- 241 14. On October 10th, 2014, Gary Weber orally approved Plaintiff one flex time request for taking
242 Wednesday October 22th, 2014 off; but he denied Plaintiff's female employee permanent flex
243 time request, while he continued to approve male employees Herb Harvey and W. Engida to
244 work from home, and flex their time to work 10hrs/day for 4 weekdays.

- 245 15. On October 14, 2014, Boeing intentionally triple disciplined Plaintiff with a written warning,
246 followed up with towing her car on September 09, 2014, and a Boeing parking ticket, disregard
247 Boeing's policy is oral warning for 1st time parking mistake. *See p16, Doc 42.*
- 248 16. On October 17, 2014, Plaintiff filed an Discrimination Complaint to Boeing HR manager Heather
249 Frasier against Fraiser's direct staff HR Kim Conner, managers Keith Sellers & Gary Weber.
250 Plaintiff wrote: *"Under Gary's direction, everything had to go through Herb Harvey. HH collected*
251 *my data, use it and created his file, put a lock on it thus I couldn't update, then he reported to*
252 *management that I don't cooperate..... Briefly, I would like to get your help to make sure I can*
253 *avoid Gary & Herb & Kim Conner work together, and their repetition try to discipline me again.*
254 *The incidents: 08/07/14: 1) 1st Discipline for no reason, after Gary took away my laptop on*
255 *08/05/14, and they suspended me 5 day on 8/7/14. 2) 10/14/14: A written warning for parking*
256 *without oral warning, after I sent out a truthful report that Herb Harvey didn't work on any*
257 *Functional Schematics for 60 days. **Additional Information to be considered: I'm a woman,***
258 ***minority, and English is not my mother language.** As manager and HR, Gary and Kim Conner*
259 *didn't provide me helpful resources, but they just want to put black mark on my records in order*
260 *to get rid of me." See Doc 42, p17 & p18. Doc 143, p16 & p17. This Doc p23-24.*
- 261
- 262 17. Plaintiff took Wednesday 10/22/14 off as Mr. Weber orally pre-approved it on October 10th,
263 2014. **On Friday October 24th, 2014**, a week after Plaintiff filed Discrimination against Gary
264 Weber on 10/17/14, he accused Plaintiff of not having his approval.
- 265 18. On November 20th, 2014, Kim Conner and Keith Sellers called a meeting with Plaintiff during her
266 lunch time. Keith Sellers gave Plaintiff a 5 day suspension for a parking mistake that should be
267 oral warning per Boeing's policy. Plaintiff asked to bring Boeing Union SPEEA Rep (Mike
268 McWilliams), but Keith Sellers yelled: *"It's too late!"* Plaintiff asked: *"You suspended me 5 days*

269 *for I took one sick day, knowing I had sent a proper prior notice to my acting manager. Now you*
270 *suspend me 5 days for a parking? Is it because of my sex female, me being Vietnamese?” Keith*
271 *Sellers yelled at Plaintiff: “You don’t want that? Then take this!” when he issued the wrongful*
272 *discharge. Minhnga Nguyen’s trial exhibit, May 2nd, 2018. See the discharge, page 22.*

273

274 19. As Plaintiff was reaching out of the room to get help, Keith Sellers blocked her way. Kim Conner
275 called Boeing Security. Five big men with guns entered the room. They caused Plaintiff panic
276 attack, and they caused Plaintiff falling on the floor unconsciously. Defendants caused plaintiff’s
277 head knocked against the wall: her shoulder was injured, and her neck was almost broken. Her
278 lips were bleeding, and the fillings of her molar tooth had fallen out. One defendant kept on
279 repeatedly yelling at Plaintiff: “Do you want to be thrown in jail? If you don’t leave, you will be
280 thrown in jail!” when Plaintiff Ms. Nguyen was sitting on the floor with bleeding in severe pain.
281 Boeing and Minhnga Nguyen’s trial transcript, May 2nd, 2018.

282 20. On November 20th, 2014, Plaintiff Ms. Nguyen’s Boeing Systems engineer Asian female salary
283 was \$93,450 vs. her male co-worker, in the same group, Herb Harvey’s salary was \$140,000
284 while Plaintiff mentored Harvey and she provided all training to Harvey. Harvey’s trial
285 transcript, May 3rd, 2018.

286 21. Boeing has a policy not to discharge employee unless ***after 3 repetitions on the same category.***

287 22. On December 12, 2014 after 3 week investigation, Boeing Union SPEEA determined “***Minhnga***
288 ***Nguyen’s termination is in violation of the collective bargaining agreement. We request that***
289 ***Minhnga Nguyen be made whole in every way, including, but not limited to, reinstatement***
290 ***with back-pay’***, and Union submitted grievance to Boeing. March 2015, Boeing denied
291 grievance due to Plaintiff’s sex female and race Asian. See Doc 42, p21.

- 292 23. On February 19, 2015, Docket 012015-01294, Employment Security Hearing in front of
293 Washington State Judge Brittani Stewart findings of fact: Employer had failed to establish
294 evidence Plaintiff was discharged for misconduct. Doc 42, p22-26. Gary Weber admitted he
295 received email from Plaintiff captured the times when Herb Harvey locked the spreadsheet.
296 Trial Exhibit, May 3rd, 2018. Case 18-36059, Doc 6, audio hearing.
- 297 24. Plaintiff's doctor recommended a CAT scan of her head on 11/24/14, and an X-ray for her almost
298 broken neck, caused by Boeing defendants. X-ray for Plaintiff's neck was performed on
299 11/24/14. The CAT scan in Swedish hospital was scheduled on 12/01/14. Plaintiff was denied
300 \$8,000.00 CAT scan of her head due to Boeing medical coverage ended on 11/30/2014. Boeing
301 had caused Plaintiff suffered physical pain & many months with subsequent severe head pain
302 and significant amount of sleep-loss, emotional distress & economic hardship over five years of
303 unemployment with minor children, and reputational damages.
- 304 25. Direct Evidence of Boeing committed Retaliation to Plaintiff's Discrimination filed on 10/17/14:
305 the same people that Plaintiff complained against (Kim Conner, Gary Weber, Keith Sellers),
306 brutally discharged Plaintiff on 11/20/14.
- 307 26. Boeing failed to pay Plaintiff \$10,000 Employee Incentive Bonus for the 2000 hours Plaintiff
308 worked for Boeing in 2014, under its own contract term.
- 309 27. The WWD Court and the 9th Circuit Court failed to weigh the most significant important element
310 in this case, **Public Safety: Boeing fired/punished Plaintiff for Plaintiff's effort trying to save**
311 **hundreds of human lives from potential airplane crashes.**
- 312 28. Real Boeing security man Jeff Hunter eyewitnessed on November 20, 2014, the brutality Boeing
313 HR Kim Conner and Keith Sellers had caused Plaintiff's injury. Boeing produced a faked witness
314 Jeff Hunter who Plaintiff did not ever meet before, to testify against Plaintiff on May 3rd, 2018 in
315 Trial Court.

365 **IX. REASONS for GRANTING the PETITION:**

366 A normal jury would find : Boeing’s abusive treatment to Plaintiff was severe, affected the terms
367 and conditions of her employment, was either because of Plaintiff reported Boeing’s misconduct on
368 March 14, 2014, or Retaliation to her Discrimination Complaint, or because of her race Asian and sex
369 female. On August 7, 2014, Boeing suspended Plaintiff for she took one day of sickleave with advanced
370 notice. Boeing underpaid Plaintiff Asian female engineer at \$93,450/year while it paid male employees
371 working similar task at \$140,000/year. *Put simply, if Plaintiff would have been treated differently had*
372 *she been of the other sex, then the discrimination was totally based on sex.* The WWD Court’s decision
373 not to allow trial on Retaliation Claim, Discrimination Claims and Disparate Treatments Claims, is not
374 supported by the evidence submitted. All dismissals are functional equivalents of mistrials.

375 Plaintiff’s Discrimination Complaint filed to Boeing HR manager Heather Frasier on October 17,
376 2014 against Frasier’s staff HR Kim Conner, managers Gary Weber and Keith Sellers, was followed up by
377 a brutal discharge served by these same people that Plaintiff complained Discrimination against, on
378 November 20, 2014. This is solid Proof Boeing violated Title VII.

379 Most important, the WWD Court and the 9th Circuit Court of Appeals failed to realize **public**
380 **safety** is putting at high risk by Boeing, **when Boeing disciplined Plaintiff on March 14, 2014 for**
381 **Plaintiff’s effort saving hundreds of human lives from potential airplane crashes.** There can be no
382 denying the fact that the **right to life** is a human right which cannot be compromised.

383 **X. CONCLUSION:**

384 The petition for a writ of certiorari should be granted.

385 Dated: August 24th, 2020

By 
Minhnga Nguyen, Petitioner
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