

# Erskine Law partner and firm sued for discriminatory and abusive treatment of pregnant employee

*Lawsuit: A paralegal was targeted, bullied and harassed throughout her pregnancy; sexual harassment came after the partner's former NFL player fiance was hired*

ANAHEIM, CALIF., USA, December 2, 2019 /EINPresswire.com/ -- A paralegal at Erskine Law's Anaheim office suffered an onslaught of discriminatory and demeaning actions after informing a senior partner about her pregnancy, according to a lawsuit filed in Orange County Superior Court.

“

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*Employment Attorney Kamran Shahabi, of Valiant Law*

“This is a grotesque case of an employer targeting one employee, piling on abuse after abuse and never relenting — even as the employee was in labor,” said [Kamran Shahabi](#), managing partner of [Valiant Law](#), who represents the plaintiff. “There is no excuse for these flagrant violations of employment laws, and of common decency.”

Claire Menjivar says in her lawsuit that she became a target of Erskine Law partner Mary Arens in January 2018, after telling Arens that she was pregnant. Menjivar asked for an ergonomic chair to replace an old, ill-fitting one that, coupled with her pregnancy, was causing back problems. The complaint says Arens refused the accommodation, telling Menjivar, “If I get you one, I will have to get every other paralegal one, too.”

Arens began to overwhelm Menjivar with cases, assignments and workload, causing 50-hour-plus workweeks, the complaint states. Menjivar was repeatedly denied pregnancy leave, even after a doctor ordered it; was forced to work until 2 a.m. the day labor was scheduled to be induced, causing a medical delay; and, on the day her water broke while driving into the office, Arens told Menjivar that her contractions weren't close enough to stop working from her hospital bed, according to the lawsuit.

After the baby was born, Arens told Menjivar that she would lose her job if she did not cut her maternity leave to just two weeks, the complaint states. Menjivar, a British citizen with no local family and no day care willing to take a few weeks old infant, was forced to bring her newborn into the office and position the infant under her desk all day while Menjivar worked.

A few weeks later, Menjivar arrived at work and Erskine's new office manager — Arens' fiance Oscar McBride — told her she no longer had an office and was to work from a remote desk placed in a hallway, next to the men's restroom. To further mock and humiliate her, she was given an assortment of air fresheners intended to alleviate her concerns, the complaint states.

Erskine had hired McBride, a former Arizona Cardinals tight end, after Servite High School fired him from his job as a football coach and counselor in a dispute over whether he'd properly informed administrators of a past domestic violence charge.

McBride continued Erskine's bullying and attempts to make Menjivar quit, but then escalated

into sexual harassment, the complaint states. His alleged illegal activity included running his hand over Menjivar's body and buttocks, making sexually suggestive comments, and, when she complained, sending threatening texts.

When a close friend of Arens' was hired as a paralegal, McBride took pains to let the office know she was "the new" Menjivar. The woman sat in a chair right next to Menjivar, at the hallway desk, for an entire week. Menjivar was not instructed to train the woman, and the woman was not given her own computer. She just sat there and watched while Menjivar worked, "in an effort to undoubtedly obtain some form of reaction," the complaint states.

After figuring out that she would not voluntarily quit, the firm fired Menjivar while she was on doctor-ordered stress disability leave — a final move in total disregard for the law.

Menjivar's lawsuit against Detroit-based Erskine Law, Arens and McBride seeks compensation for sex and disability discrimination, creating a hostile work environment, intentional infliction of emotional distress and retaliation, among other claims.

The Orange County Superior Court case number is 30-2019-01098849-CU-OE-CJC.

Valiant Law of Ontario, Calif., represents various individuals and entities in all aspects of employment claims, including harassment and discrimination, and wage and hour class actions in state and federal courts, with more than a decade of legal practice in Southern California, including the Inland Empire, Los Angeles, Orange County, Riverside, San Diego County, as well as Las Vegas.

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