

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
CANDICE LUE, :
 :
Plaintiff, :
 :
 : No. 16 Civ. 03207 (AJN)(GWG)
- against - :
 :
 :
JPMORGAN CHASE & CO., ALEX KHAVIN, :
FIDELIA SHILLINGFORD, JOHN VEGA, :
HELEN DUBOWY, PHILIPPE QUIX, THOMAS :
POZ, CHRIS LIASIS, MICHELLE SULLIVAN, :
and DOES 1 - 10, inclusive, :
 :
 :
Defendants. :
----- X

DECLARATION OF HELEN DUBOWY

HELEN DUBOWY, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury that the foregoing is true and correct:

1. I am employed as a Human Resources Business Partner ("HRBP") at J.P. Morgan Investment Management Inc., a wholly-owned subsidiary of JPMorgan Asset Management Holdings Inc., which is a wholly-owned subsidiary of JPMorgan Chase Holdings LLC, which is a wholly-owned subsidiary of JPMorgan Chase & Co. ("Chase"), a Defendant in the above-captioned action. I respectfully submit this declaration in support of Defendants' motion for summary judgment in this action. This declaration is based on my personal knowledge, as well as my review of Chase business records.

2. In 2015, I was the HRBP responsible for supporting Asset Management Risk (now known as Asset & Wealth Management) at Chase.

3. Attached as Exhibit A hereto is a true and correct copy of notes, interviews, and conclusions from an HR investigation involving Candice Lue in early-2015.

4. Attached as Exhibit B hereto is a true and correct copy of notes, interviews, and conclusions from an HR investigation involving Candice Lue in mid-2015.

5. Attached as Exhibit C hereto is a true and correct copy of the Recommendation for Termination I signed on January 6, 2016.

Dated: New York, New York
May 9, 2017



Helen DuBow

EXHIBIT A

Standard ID: V337433
Empl ID: 17688L
Name: Michelle Sullivan
Corp Title: Vice President
Job Title: Transaction Processing Mgr
Date Last Loaded: 5/26/2016
Work Location: New York,NY
Home Country: United States
EE Indicator: E
Heritage/Bank Flag: G-JPMC (new) > 1-Jan-2005
CS Hier #5: CORPORATE & INVESTMENT BANK
CS Hier #6: GLOBAL MANAGEMENT & OTHER NON
FT/PT: F
Status: Active
Action ID/Desc: RFL-Return-LOA
Action Reason/Desc: RPL-Return from Paid Leave
Action Date: 2/03/2016
Assignment LE:
Original Hire: 5/24/2010
Current Hire: 5/24/2010
JPMC Hire: 5/24/2010
VLSR: 5/24/2010
Last Day Paid: 12/31/9999
Last Day Worked: 12/31/9999
Work Phone: +12128345802

GENERAL

Case 6054772-0 for Employee SULLIVAN,MICHELLE

Type	GHR - Dispute/Appeal	
Sub Type:	Performance Rating/Formal Monitoring	**RESTRICTED CASE** Dispute/appeal involving a performance rating/formal monitoring
Subject:	Emp disputing perf review prepared by M Sullivan	
Priority:	Standard	
Outcome:		

STATUS

Permit Employee to close case via ESS: ☐Permit Manager to view case via ESS: ☐

Opened:
2/16/2015 7:17:33 PM

By:
Nancy R Sebastian

Assigned:
2/16/2015 7:18:51 PM

To:
Nancy R Sebastian

Closed:
2/16/2015 8:25:23 PM

By:
Nancy R Sebastian

SOURCE OF INQUIRY

Relationship: Employee
Name: LUE,CANDICE

Notification Method:
SID:

Email
R089235 Phone: +12126480936

HR REP INFORMATION

HR Rep SID: U902454 HR Rep Name: CABRERA-VARGAS,ANA
HR Rep Email Address: Ana.Cabrera-Vargas@jpmorgan.com

NOTES

ESS	Mgr	Date	Note	Author
✖	✖	2/16/2015 8:22 PM	2/12/2015: Candice sent an email to Julie Johnson ccing NS, informing Julie that she was disappointed with the investigation conclusion.	Nancy R Sebastian



2/16/2015
8:21 PM

2/12/2015: NS called Candice to present the findings Nancy R Sebastian of her investigation. Investigation findings and update conversation with Candice: • HRAD connected with Candice's prior HRBP, prior manager, current HRBP & current manager to get clarity on the employee's allegation that her prior mgr had adamantly insisted on writing the employee's review. • HRAD reviewed Candice's 2013 reivew, 2014 review and feedback from other raters in PMC • HRAD informed Candice that as per her investigation, prior manager had checked with the prior HRBP and was told that she should write the review for the employee. • HRAD also clarified to Candice that as per our process, the group where the employee sat for majority of the year is the one that writes the review and provides the rating for the year • HRAD informed Candice that her manager was able to substantiate the review and provide color on the performance challenges they had faced with the employee especially during the time the business was closing down in 2014. HRAD explained that while the manager acknowledged the Candice's cross-training efforts, she said that Candice pushed back on several other tasks that needed to be done. • Candice told HRAD that it was strange that her prior manager would go out of her way to be late to pick up her child from daycare just in order to be able to say good-bye to Candice on the day Candice was moving out of the group. Candice said that since the prior manager didn't consider her a good employee, why would she go out of her way to be delayed and have to pay extra to the daycare, just to engage in a good gesture with the Candice. HRAD explained that it seemed like a normal courtesy gesture that if someone were leaving the group, both manager and employee would exchange thank yous and good-byes irrespective of the equation they may have shared thus far. Candice did not agree. • Candice asked HRAD why did the prior manager insist on adding a specific rater to review her in spite of Candice stating that this was a malicious rater known to make malicious comments and therefore Candice did not want the rater to review her. HRAD explained that raters should not be selected based on whether they will give us favorable comments or not. Those who have worked closely with us during the year and are in a position to provide substantive feedback should be selected as rater. Candice insisted that the malicious rater was selected deliberately by the prior mgr to malign the employee's review. • Candice asked HRAD why they thought that the review was fair in spite of reading all the information she had provided outlining her accomplishments and refuting the manager's review comments. HRAD said that in reading her 2014 review, it was clear that Candice had

2/16/2015
8:18 PM

many accomplishments and strengths, but at the same time she also had areas of development which could not be ignored. • After discussing a few more points, Candice asked HRAD what were the next steps. HRAD explained that we have investigated Candice's concerns and have circled back with her with an update, so we would now be closing the case.

2/3/2015: NS spoke to Michelle Sullivan:

Nancy R Sebastian

-MS told NS that Candice was not receptive to how she could do something better and always seemed to give excuses

- MS said that candice was great at the cross-training but gave a lot of pushback for other tasks

- MS said that Candice was not a team player and had pointed out errors while in a group chat setting with others copied on emails, instead of doing it in a more professional manner

- MS said that she would often tell Candice " Don't know where to go from here, you are not listening"

-When NS asked why Candice had been reduced to "counting pencils", MS explained that everyone had to take on a client and that it wasn't just Candice

- MS explained that Candice's unwillingness to take on work towards the end of the year played an important role in her receiving an M- rating

2/16/2015
7:55 PM

• HRAD spoke to aligned HRBP, Ana Cabrera-Vargas, Nancy R Sebastian in emp's prior group (CAO), who provided additional background and confirmed that prior mgr had consulted the HRBP about writing the review. The HRBP had advised the prior mgr that she should write a review for the emp since the emp had worked in that group for most part of the year. Ana also explained that emp's new mgr Fidelia was incorrectly under the impression that she should be writing the emp's review and had been pushing back on Michelle Sullivan. Michelle had even given Fidelia the options of either adding Michelle as additional mgr in PMC or copy pasting Michelle's comments into PMC. Fidelia had declined the request sent by Michelle via PMC, to add her as additional mgr. Instead she copy pasted the comments. • HRAD confirmed that the prior mgr has completed performance reviews for each and every one of her direct reports, not just the complainant. • HRAD spoke with employee's current mgr Fidelia Shillingford (AM) to understand the discussions around who was going to write the emp's year end review. Mgr confirmed that there was some confusion and back and forth around this. HRAD asked her to forward the email which shows the back and forth between the 2 managers. • HRAD spoke to the HRBP Brooke Miller for the new group (AM), as she was involved in some of the year end discussions. Brooke confirmed what Ana had stated, that Fidelia had been confused about the process and was incorrectly under the impression that she should have written the review. Brooke added that she had stepped in and clarified to Fidelia that it was Michelle who should be writing the review. • HRAD then intends to speak to emp's prior mgr Michelle Sullivan to get more color on the emp's performance in CAO during the year • HRAD had sent a check-in email to the emp, informing her that we are still working on this and anticipate having an update for her next week

2/16/2015
7:36 PM

1/12/2015: Emp Candice emailed Julie Johnson, Leopold, Robin; Ramos-Cafarelli, Clarissa; Henderson, Susan ; HR solutions team and HRAD to voice her concerns and disagreement over her year end review and rating, which was provided by her prior group manager in CIB, Michelle Sullivan. Emp Candice currently sits in AM 1/14/2015: NS spoke to Candice. Her main concerns were: 1) Michelle Sullivan had adamantly insisted on writing emp's year end reiew, in spite of the fact that emp's job had been eliminated. Emp insisted that her new manager in AM, Fidelia should have written it 2) Michelle Sullivan had rated and reviewed emp unfairly and had treated her unfairly when the emp worked under Michelle in CIB Emp told NS: - That NS must retrieve the emails that will show how adamantly Michelle insisted on writing emp's review. NS explained to emp that since Michelle was emp's mgr until October/November 2014, therefore she would have been the appropriate mgr to write the review, not the new manager. Emp still felt very strongly that Michelle had adamantly insisted on writing the review in order to add malicious comments in the review - Emp said that Michelle exaggerates the situation and turns things into something negative - When NS asked the emp why she was saying that she felt 'hunted' by Michelle, emp explained that Michelle only liked emp who didnt question her and simply agreed with everything she said. Emp said that because she always asked questions, therefore Michelle didnt like her and so she treated her badly - NS asked emp if she discussed her disagreement of the review with Michelle, but emp said she didnt think it would make sense to do that since Michelle herself had written the malicious comments in the first place - NS told emp that she would read the review, the emp's response to the review and would revert back with an update after looking into the concerns raised

HISTORY OF CHANGES

ATTACHED FILES

ESS	Mgr	Date	Filename	Submitted By
		2/16/2015 8:23:36 PM	Emails from Fidelia.msg	Nancy R Sebastian
		2/16/2015 8:23:08 PM	Complaint - Michelle Sullivan.pdf	Nancy R Sebastian

INCIDENT TRACKING

Miller, Pauline J

From: Shillingford, Fidelia X
Sent: Friday, January 30, 2015 1:28 PM
To: Sebastian, Nancy R
Attachments: RE: Candice Lue EOY Ranking and Commentary; FW: Additional Manager has been removed from Candice Lue's (2014) Performance Review

See attached for communications with Candice former manager and HR.

Regards

Fidelia Shillingford | VP, Counterparty Risk Management | **J.P. Morgan Asset Management**
270 Park Avenue, 9th Floor, New York, NY 10017-2014 | T: 212 648 1810

Miller, Pauline J

From: Shillingford, Fidelia X
Sent: Wednesday, January 14, 2015 2:03 PM
To: Sullivan, Michelle T
Cc: Miller, Brooke A
Subject: RE: Candice Lue EOY Ranking and Commentary

Hi
She is not eligible from my pool; I was told that she would be part of yours. I have finalized the review in PMC.

Regards
Fidelia Shillingford | VP, Counterparty Risk Management | **J.P. Morgan Asset Management**
270 Park Avenue, 9th Floor, New York, NY 10017-2014 | T: 212 648 1810

From: Sullivan, Michelle T
Sent: Wednesday, January 14, 2015 1:52 PM
To: Shillingford, Fidelia X
Subject: RE: Candice Lue EOY Ranking and Commentary

Hi-Candice hasn't reached out. I was going to send her a note to see when she was free, but wanted to check with you first.

I think Comp discussions are next week and I have been told that PMCs need to be finalized (signed, etc) before then.

I don't believe she is eligible (at least not from my pool) but want to be consistent.

Thanks,
Michelle Sullivan | Vice President | GCG | J.P. Morgan | 4 Chase Metrotech Center, 13th Floor, Brooklyn, NY | T: 212 623 5646 |
michelle.t.sullivan@jpmorgan.com
JPMC Internal Use Only

From: Shillingford, Fidelia X
Sent: Tuesday, January 06, 2015 6:18 PM
To: Sullivan, Michelle T
Cc: Miller, Brooke A; Cabrera-Vargas, Ana J
Subject: Re: Candice Lue EOY Ranking and Commentary

Hi
Happy New Year to you as well.
Yes, your feedback and rating has been inputted in PMC and also communicated to Candice. I have also advised her that she should also schedule some time to discuss with you.
Sorry for the late response but I was OOO.

Regards
Fidelia Shillingford

From: Sullivan, Michelle T
Sent: Monday, January 05, 2015 12:01 PM
To: Sullivan, Michelle T; Shillingford, Fidelia X
Cc: Miller, Brooke A; Cabrera-Vargas, Ana J
Subject: RE: Candice Lue EOY Ranking and Commentary

Hi Fidelia,

Happy New Year.

I'm back in the office now and wanted to reach out to see if there was anything else needed from me for year end?

If not, please confirm that PMC has been updated with my feedback and ranking.

I need to confirm back to my manager this week that I have completed PMC for my directs for 2014.

Thanks,

Michelle Sullivan | Vice President | GCG | J.P. Morgan | 4 Chase Metrotech Center, 13th Floor, Brooklyn, NY | T: 212 623 5646 |

michelle.t.sullivan@jpmorgan.com

JPMC Internal Use Only

From: Sullivan, Michelle T

Sent: Thursday, December 18, 2014 4:15 PM

To: Shillingford, Fidelia X

Cc: Miller, Brooke A; Cabrera-Vargas, Ana J

Subject: Candice Lue EOY Ranking and Commentary

Hi Fidelia,

In addition to my mid-year commentary, here are my EOY comments on Candice's performance.

Strengths/Accomplishments-

- Follows procedures and often meets or exceeds SLAs on assigned tasks
- Takes pride in her work which ties in with her commitment to complete bau and adhoc assignments (often staying later hours to do so)
- Demonstrates ability to multi task and prioritize workflow
- Very responsive to incoming client requests and responded to both the business and clients in a professional manner
- Good interest in Firm's agenda (GoodWorks, People Agenda) and was able to participate in extracurricular activities but not at the cost of completing her tasks
- Completed Skills Academy
- Knowledge Share completed at EOY- This was one of Candice's assigned stretch tasks for 2014. Her effort, presentation and delivery were good. It could have gone into more detail around really understanding the business but provided the team good with a good SOP on how to process unique structures. Overall a success.

Opportunities:

- Develop a deeper understanding of the products, workflow, controls and policy in which our process is based on. Not unlike most analysts but I saw little to no development in this area from when she started the role. She was able to follow SOPs and direction but had a hard time extending her knowledge to like situations and often required step-by-step instructions for resolution. Spending time building this foundation would have helped her realize some of the goals she set for herself for the year such as change management and participation in requirement gathering and UAT for system migrations.
- Candice would also benefit from being more receptive to feedback and partnering with her managers and team leads to develop skills and to ultimately allow her to broaden the scope of her role. We all have development points but her inability to identify these will continue to impair her personal development. Candice also didn't solicit balanced feedback from the senior team leads or her stakeholders and when asked previously had

refused as she saw this as putting a 'stain' on her permanent record instead of helping to facilitate career development.

- Continue to make an effort to partner and build relationships with her stakeholders (TS, MMO, FO)
- Attitude, interaction with team members and conflict resolution- This last year we faced many challenges in NA Documentation, with the team placed in a transition state after the sale of the physical business. In this environment Candice's opportunity areas became apparent. Change proved to be very difficult for Candice, and she was unable to keep pace with rapidly evolving roles. At a time when the team needed to come together to face these new challenges, she instead became insular. Her frustrations adapting were often times directed outward at members of the team, causing friction with her coworkers and a drop in overall performance. Candice wasn't able to overcome these issues with team and change in general, and they remained unresolved until her termination.

EOY Ranking 'M-'

Please let me know if you would like to discuss in further detail. I am here tomorrow but will be on holiday through Jan 1st.

Happy Holidays ☺

Michelle Sullivan | Vice President | GCG | J.P. Morgan | 4 Chase Metrotech Center, 13th Floor, Brooklyn, NY | T: 212 623 5646 | michelle.t.sullivan@jpmorgan.com

JPMC Internal Use Only

Miller, Pauline J

From: Shillingford, Fidelia X
Sent: Tuesday, December 16, 2014 12:31 PM
To: Miller, Brooke A
Subject: FW: Additional Manager has been removed from Candice Lue's (2014) Performance Review
Importance: High

Hello
Can you please give me a call to discuss?
Thanks in advance.

Regards
Fidelia Shillingford | VP, Counterparty Risk Management | **J.P. Morgan Asset Management**
270 Park Avenue, 9th Floor, New York, NY 10017-2014 | T: 212 648 1810

From: Cabrera-Vargas, Ana J
Sent: Tuesday, December 16, 2014 11:15 AM
To: Shillingford, Fidelia X; Sullivan, Michelle T
Cc: Miller, Brooke A
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Fidelia, That is not the company's practice and I've confirmed with your organizations HRBP (I've cc'ed her) that it's not normal practice in Asset Mgmt as well.

Feedback for 2014 should be primarily based on her time in Commodities as she spent 11 months in this team. You can both have the discussion together with the employee at year-end; I don't have an issue with that, however the employee should receive the feedback from her prior team. Obviously the employee is in a new organization, new group – so you as the primary manager can give her fdbk as how she has performed in the last 4 weeks and what your expectation of her is going forward into 2015 but again 2014 feedback should be mostly driven by her time in Commodities.

If you are not able to include Michelle's feedback, please let us know and we will add her back in as an additional manager otherwise please incorporate her feedback and include her in the YE discussion.

Thanks

Ana Cabrera-Vargas | Vice President | CIB Human Resources
JPMorgan, 1 Chase Manhattan Plaza, 22nd Floor, New York, NY 10005-1401
✉ E-mail: ana.cabrera-vargas@jpmorgan.com ☎ Tel: (646) 582-7396 📠 Fax: (212) 270-4715
HR/Benefits related questions can be directed to AccessHR (877-576-2427)

From: Shillingford, Fidelia X
Sent: Tuesday, December 16, 2014 11:04 AM
To: Cabrera-Vargas, Ana J; Sullivan, Michelle T
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Hi
As noted, it is our practice to complete the PMC for transfers regardless of the time of transfer. I will incorporate Michelle's feedback into the review and will co-ordinate the review with Candice.

Thank you

Regards

Fidelia Shillingford | VP, Counterparty Risk Management | J.P. Morgan Asset Management
270 Park Avenue, 9th Floor, New York, NY 10017-2014 | T: 212 648 1810

From: Cabrera-Vargas, Ana J
Sent: Tuesday, December 16, 2014 10:57 AM
To: Sullivan, Michelle T; Shillingford, Fidelia X
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

To make this clear, ranking should be based on Candace's time in the CIB organization given she spent most of the year here.

Fidelia – as we discussed, please ensure Michelle's feedback is incorporated into Candace's YE review. If you are not adding her as an additional manager, her feedback is the primary feedback and you can add additional feedback for the 4 weeks she has been in your team.

I'm not fussing about who puts the feedback into the review but I do want to ensure Michelle's feedback is incorporated and is the primary feedback. HR will review the review as we normally do.

For the communication, both can be included.

Thanks

Ana Cabrera-Vargas | Vice President | CIB Human Resources
JPMorgan, 1 Chase Manhattan Plaza, 22nd Floor, New York, NY 10005-1401
✉ **E-mail:** ana.cabrera-vargas@jpmorgan.com ☎ **Tel:** (646) 582-7396 📠 **Fax:** (212) 270-4715
HR/Benefits related questions can be directed to AccessHR (877-576-2427)

From: Sullivan, Michelle T
Sent: Tuesday, December 16, 2014 10:42 AM
To: Shillingford, Fidelia X; Cabrera-Vargas, Ana J
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

I'm not clear on a few things here:

- 1) Why am I not able to input my feedback in PMC directly?
- 2) Is Candice getting her ranking based on her time in my org or will Fidelia be providing this to her (Candice's last day in my org was 11/7 and EOY rankings were completed for my Org the last week in October)
- 3) Who is verbally communicating with Candice her EOY feedback for her time in Commodities

Thanks,

Michelle Sullivan | Vice President | GCG | J.P. Morgan | 4 Chase Metrotech Center, 13th Floor, Brooklyn, NY | T: 212 623 5646 |
michelle.t.sullivan@jpmorgan.com
JPMC Internal Use Only

From: Shillingford, Fidelia X
Sent: Monday, December 15, 2014 9:56 PM
To: Cabrera-Vargas, Ana J; Sullivan, Michelle T
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Thank you. Michelle, could you please email a copy of your feedback and I will coordinate with Candice.

Regards
Fidelia Shillingford

From: Cabrera-Vargas, Ana J
Sent: Monday, December 15, 2014 3:39 PM
To: Shillingford, Fidelia X; Sullivan, Michelle T
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

As discussed, I'm OK if Candace receives feedback from new area as well however most of the feedback should be from Commodities Ops given she spent most of the time in Michelle's space. Please collaborate in providing the feedback to Candace.

Thanks, Ana

Ana Cabrera-Vargas | Vice President | CIB Human Resources
JPMorgan, 1 Chase Manhattan Plaza, 22nd Floor, New York, NY 10005-1401
✉ **E-mail:** ana.cabrera-vargas@jpmorgan.com ☎ **Tel:** (646) 582-7396 📠 **Fax:** (212) 270-4715
HR/Benefits related questions can be directed to AccessHR (877-576-2427)

From: Shillingford, Fidelia X
Sent: Monday, December 15, 2014 12:38 PM
To: Cabrera-Vargas, Ana J; Sullivan, Michelle T
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Hi Ana

The process is different within our Line of Business. We typically request that the prior manager email us with his/her feedback and we input those along with our feedback. The yearend review is conducted by us.

Regards

Fidelia Shillingford | VP, Counterparty Risk Management | **J.P. Morgan Asset Management**
270 Park Avenue, 9th Floor, New York, NY 10017-2014 | T: 212 648 1810

From: Cabrera-Vargas, Ana J
Sent: Monday, December 15, 2014 9:27 AM
To: Sullivan, Michelle T; Shillingford, Fidelia X
Subject: RE: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Hi Fidelia , You should keep Michelle Sullivan on the review as an additional manager given she will be inputting the YE review and communicating the actual review as well.

Thanks, Ana

Ana Cabrera-Vargas | Vice President | CIB Human Resources
JPMorgan, 1 Chase Manhattan Plaza, 22nd Floor, New York, NY 10005-1401
✉ **E-mail:** ana.cabrera-vargas@jpmorgan.com ☎ **Tel:** (646) 582-7396 📠 **Fax:** (212) 270-4715
HR/Benefits related questions can be directed to AccessHR (877-576-2427)

From: Sullivan, Michelle T
Sent: Monday, December 15, 2014 8:15 AM
To: Shillingford, Fidelia X
Cc: Cabrera-Vargas, Ana J
Subject: FW: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Hi Fidelia,

I received the below notice late Friday. Can you add me back in today please?

Thanks,
Michelle

Sent with Good (www.good.com)

-----Original Message-----

From: Shillingford, Fidelia X

Sent: Friday, December 12, 2014 07:45 PM Eastern Standard Time

To: Sullivan, Michelle T

Cc: Lue, Candice

Subject: Additional Manager has been removed from Candice Lue's (2014) Performance Review

Hi Michelle,

You have been removed as the Additional Manager on Candice Lue's (2014) Performance Review by Fidelia Shillingford.

To access Performance Management Central (PMC), click on the following URL:

<https://pmc.jpmchase.net>

If you have questions about PMC, please contact your local accessHR.

This is an automated message - please do not reply

Subject: Complaint: Michelle Sullivan – I Need Help

This is a desperate plea for help.

I was trying my hardest to pick up the pieces of my morale (please see my two year PMC history) and move forward to execute the duties of my new position which started on November 10, 2014 to the best of my ability. However, I continue to be hunted and haunted by my former manager, Michelle Sullivan who seems bent on derailing, smearing and destroying the financial career I've worked so hard to pursue.

During my college matriculation as a business student, my dream was always to work at JPMC, to work with managers who could help me to cultivate and build a successful financial career at one of the finest financial institutions. However, in the two years that I spent with Michelle Sullivan as my manager, it has been anything but.

Over the two years, she used my PMC – my permanent work record as a means to surreptitiously carry out her devious deeds whether by writing malicious, mendacious, and defamatory comments of her own (all of which I have debunked in my PMC responses) or by ordering me to send feedback requests to employees loyal to her to write malicious feedbacks on my PMC (please see the comments I made on my PMC for 2013 year end).

Please understand that I am by no means saying that I am a perfect employee so it is not and has never been my wish to have only the best of my abilities and/or efforts reported on my PMC. However, when there is little to no truth in the areas that are reported as "opportunities" and such can be debunked with solid proofs, a manager, as in the case of Michelle Sullivan should not be allowed to continue to defame an employee's character without the unbiased intervention of a third party.

Even though my position in the Global Commodities Group - Confirmations Team was eliminated effective November 9, 2014 due to the sale of the physical commodities business and I am currently in a new position, Michelle adamantly requested via HR that she be the one to write comments on my PMC for my 2014 year end review. What good intentioned, professional manager would be fighting tooth and nail to have her comments on my PMC? It was these said malicious comments and the performance rating of "Below Meets Expectations" that she gave me which have propelled me to seek help from the higher echelon of HR staff as I have suffered far too long from being hunted by her.

It broke and continues to break my heart to know that the harder I tried to make beneficial contributions and to help to improve the process of my former team (as outlined in my PMCs), the more pushback I got from Michelle Sullivan and her reinforced help Chris Liasis, who as her former manager and I will safely say confidant, started the defamation of my character (please see my 2013 mid year PMC response where I went line by line to debunk his less than accurate statements). To this day, I

Candice Lue
January 12, 2015

Page 1

JPMORGAN CHASE 000123

cannot figure out what these two individuals have against me. However, I am/was not the only one they had/have treated this way.

During the transition period of the sale of the physical commodities business and even after I got my 60 day notice of termination, I continued to perform my duties at the highest professional level with optimal accuracy and quick turnaround time. In fact, one day before my date of termination, I got an email (on which Michelle was copied) from a senior co- worker with whom I was working on a transition project thanking me for the "speedy turnaround" in completing the project he had asked me to work on. One day before my date of termination.

I was instrumental in providing thorough cross-training to the team. I came into work on time, all my work was on schedule and with optimal accuracy, my reports were run on time, if needs be that I stay late to complete a time sensitive task, I did so. I served as back up for teammates who were on vacation for extended periods of time and never called out sick to use any of my seven unused sick days as spite or malice for being terminated. In fact, on November 7, 2014 (my last day in the department), I had six unused sick days.

Throughout high school and college, this has always been my work ethic and this is the same work ethic that I brought with me to JPMC. Case in point, one of the fourteen scholarships/awards that I received at my high school graduation was for perfect attendance. I also got an award for my many hours of volunteering. And, working here at JPMC, I have always sought and continue to seek opportunities to volunteer via JPMC's Good Works. The last volunteer activity that I did on behalf of JPMC was on December 12, 2014. It was for a toy drive for the Salvation Army - Greater New York Division's Toy Shop where I donated, sorted and organized toys for distribution to needy children during the holiday season.

However, with the foregoing being the example of my dedicated contribution to JPMC and my attitude towards work, Michelle Sullivan had always written and still continues to write disparaging comments on my PMC which includes this time, giving me a performance rating of "Below Meets Expectations". This is truly painful. It has been a distraction for my new position and it has caused me a great deal of undue stress as I think her intent is purely malicious.

Prior to accepting that position in Global Commodities Group – Confirmations Team, I worked as a temp in Global Commodities Group –Settlements Team where my then manager once told me based on my performance, "*You have something extra.*" When I informed the representative at ICAP Energy Limited (JPMC's major broker) that I was moving on to another position, she wrote back telling me, "*Being extremely selfish Candice, this news is with much regret. You have managed the JPM accounts better than anyone in the 10 years I have looked after them. I would be very happy to endorse this to your line manager if you let me know who it is? Are you staying at JPM? Thank you SO much for all your help.*"

Candice Lue
January 12, 2015

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JPMORGAN CHASE 000124

I shared this email with the then manager of the department who informed me that she shared it with Charlie Coignard. The said department manager was also the one who recommended me for the Confirmations Team position where I subsequently ended up reporting to Michelle Sullivan. As for my current position in Asset Management, I can only describe my two month tenure there as "I hit the ground running."

I was an over achiever in high school and I was an over achiever in college from which I graduated third from the former and Summa Cum Laude from the latter. I have been awarded with scholarships, awards and accolades from these two institutions that would require the use of one full page to list them all. This is the same mentality of hard work that has caused me to not only fulfill but to exceed the company's line of business training requirements in a more than timely manner.

Just for transparency, I had previously reached out to Charlie Coignard, Michelle Sullivan's and Chris Liasis' manager when my regular duties were taken away from me and I was given duties that consisted of using the majority of my BAU to call clients to ask them if they had received issued trade confirmations and when can we expect a returned signed copy.

Because of how I was able to execute my regular duties competently and was able to thoroughly train other co-workers on how to do those said duties whereby when they were taken away from me, they were moved over to or shared amongst those co-workers and I was left pretty much "counting pencils", after discussing the matter with Michelle Sullivan and Chris Liasis proved fruitless, I escalated the downgrade of my duties to Charlie Coignard. As, as an ambitious, forward thinking individual who has proven that I can produce a high quality of work at a professional level and that I have the ability to successfully tackle challenges in ever-changing environments and take on challenges in demanding, time-sensitive environments to add value to the department and in turn the company as a whole, I thought Michelle Sullivan's and Chris Liasis' actions were extreme sabotage.

The response to my complaint was pretty much "this is the new role. If you don't like it, you can resign", exact word used. I also took the opportunity to let Charlie know about the less than truthful and comments with malicious intent that Michelle and Chris had been putting on my PMC, his response to that was "*maybe that's how the manager feels*". I then informed him that I had put statements on my PMC debunking those inflammatory comments and he said, "*that's what it's there for*". But should it just "be there"? Shouldn't it be screaming to a third party who reviews these PMCs, "HR, there is a problem" or something like that? Upon the directive of Charlie, I had to meet with Michelle and Chris again. An enraged Chris addressed me, "*this is not going to take long, you don't even have to sit down..... You are going to do whatever we assign you. If you don't want to do it, we need to know now.....*" On one of Charlie's future visits to the office where I worked, he did follow up with me by asking me "*how are things since our meeting?*" My response to him was "*I'm okay. I make my work be my main focus*". What more could I have said?

With seemingly no possible reprimand and clearly an attempt to get back at me for escalating matters to her manager, Michelle was free again to write her usual less than truthful and comments with malicious intent on my 2014 mid-year review.

Going forward, I did the work that they gave me to do to the best of my ability and with never another complaint until my termination date of November 7, 2014. Before departing, I shook Michelle Sullivan's hand and wished her well and she wished me the same. I had just accepted my new position the day before on November 6 and I did not tell anyone in the department that on November 10, 2014 I would be working in my new position.

I do not know if it is because Michelle Sullivan's real wish for me to be permanently terminated from JPMC had failed and this would be her last opportunity to smear my credibility why she provided those malicious, mendacious and defamatory "opportunities" comments along with a performance rating of "Below Meets Expectations" for my 2014 year end review but for whatever the reason, IT IS WRONG and based on my responses to them (see my PMC), goes against JPMC's Code of Conduct.

I'd appreciate if you'd order a full investigation into this matter and request a copy of any email correspondence between HR and Michelle Sullivan with regards to my 2014 year end review. As, I believe her adamancy in making sure that she provided the comments and performance rating for my 2014 year end review should have raised a red flag to HR as again, no good intentioned, professional manager would be fighting tooth and nail to have her comments and performance rating put on a subordinate's PMC. Unless, the manager has way too much time on her hands or she has a vendetta against the subordinate.

I look forward to your help and the vindication of my character so that I can once again see JPMC as the fine institution I had always envisioned it to be.

Best regards and Happy New Year!

EXHIBIT B

Source of Inquiry: 1**Standard ID:** 0024978**Empl ID:** 13017B**Name:** Fidelia Shillingford**Corp Title:** Vice President**Job Title:** Counterparty Risk**Date Last Loaded:** 5/26/2016**Work Location:** New York,NY**Home Country:** United States**EE Indicator:** E**Heritage/Bank Flag:** G-JPMC (new) > 1-Jan-2005**CS Hier #5:** ASSET MANAGEMENT**CS Hier #6:** GIM INCLUDING HBG**FT/PT:** F**Status:** Active**Action ID/Desc:** RFL-Return-LOA**Action Reason/Desc:** RPL-Return from Paid Leave**Action Date:** 4/11/2013**Assignment LE:****Original Hire:** 8/09/2010**Current Hire:** 8/09/2010**JPMC Hire:** 8/09/2010**VLSR:** 8/09/2010**Last Day Paid:** 12/31/9999**Last Day Worked:** 12/31/9999**Work Phone:** +12126481810**GENERAL**Case **6224386-0** for Employee **SHILLINGFORD,FIDELIA**

Type	GHR - Management Practices	
Sub Type:	Conflict Resolution-Mgr/Employee	**RESTRICTED CASE** Workplace conflict involving manager and employee
Subject:		
Priority:	Standard	
Outcome:		

STATUSPermit Employee to close case via ESS: ☐Permit Manager to view case via ESS: ☐Opened:
6/04/2015 10:08:24 AMBy:
Terri C VernonAssigned:
6/04/2015 10:09:17 AMTo:
John R VegaClosed:
3/04/2016 12:19:20 PMBy:
Terri C Vernon**SOURCE OF INQUIRY**

Relationship:	Employee	Notification Method:	Phone	
Name:	LUE,CANDICE	<u>SID:</u>	R089235	Phone: +12126480936

HR REP INFORMATION

HR Rep SID:

U088672

HR Rep Name:

DUBOWY, HELEN

HR Rep Email Address:

HELEN.DUBOWY@chase.com

NOTES

ESS	Mgr	Date	Note	Author
		3/04/2016	Case related to broader case involving Candice Liu	Terri C Vernon
*	*	12:17 PM	which resulted in Candice Liu being terminated. OK to close this case in AK	
		8/12/2015	On July 29, 2015, JRV had a conference call with teh	John R Vega
		10:37 PM	Complaint to advise her that he completed the investigation. The following are the comments made by JRV relative to his investigation findings: 1. The job posting does reference "prepare management presentations" -- this falls well w/in your job description and clearly foreseeable that preparing mgmt presentations would encompass the governance reports that you are so adamantly opposed to presenting. Every job has some level of administrative responsibility and your perception of what you deem your responsibilities to be is simply wrong. No one is asking you to do anything illegal, immoral or improper, -- they are asking you to do your job and the onus is on you to do it. Whoever did this job, regardless of race is responsible for this activity. 2. The postings you provided does refer to both Kim Dawber on one and Fidelia on another. The job remained the same. Whoever was the manager, the role did not change and it is well w/in the purview of management to decide who is the manager. You made the decision to post for the role and decided to accept it. 3. Issue surrounding Fidelia reaching out to your former manager to inquire about sick days is not improper. Fidelia's inquiry was based on how many you took under while reporting to Michelle prior to coming under Fidelia's supervision. This really helps you to ensure that you get everything that you've accrued. The fact is that you carried over 6 and had 12 days for 2015. Bottom line -- there was nothing wrong or improper with her inquiry. 4. Guidance provided by manager is to assist EE's in their performance. I would suggest that you accept the guidance that you get from your manager and move on. Your continued opposition to doing some of the components of your job may ultimately lead to you derailing your own career. As I mentioned during our earlier discussions, no one is asking you to do anything illegal, improper or immoral. Simply stated, do your job. I found no evidence of any discriminatory animus in what you've described. Let me know when you have your mid-year review and if you have any concerns, please reach out to me. Case to be closed	
*	*			

NOTES OF SECOND CANDICE LUE INTERVIEW ON JULY 23, 2015

- EE stated that the expectations of her role have not changed; says that the administrative portion of her job was not in the job description.
- Says that Alex told Eileen to stop helping her; this is contrary to what Klavin said to me;
- When I asked EE why she didn't ask Eileen for assistance, she stated " Am I now the administrative assistant's assistant?" She harped on that issue and I told her to move on.
- EE stated that the credit team also does reports for the Governance meeting;
- Claims that she is now in a hostile work environment because of sick time, the work was not done and said that her MGR asked why wasn't the work done?
- EE continued to mention issues about second class treatment because of the reporting
- Claims that Fidelia takes on extra work.

JRV asked her for a copy of the job posting. Employee provided one shortly after the meeting (several copies) which ad both Kim Dawber and Fidelia Shillingford as the hiring MGR.

JV asked EE to provide chronology of issues via email and anything else she believes will assist in this investigation.

Telephone call with Alexandra Klavin, on 6/16/2015: Manager of Fidelia Shillingford.

- Klavin stated that Complainant Candice Lue was hired for a reporting role (1st year analyst). Further that Lue was position eliminated from a prior role due to LOB having been divested. Lue's role is that of a counter party risk analyst, which done analysis for financial institutions. The role was to take on exposure reporting, which required someone with a control mindset.
- According to Klavin, the role is not a credit analyst role, it is a reporting role which is critical to LOB success. They really needed someone who had a strong controls mindset.
- Kalvin indicated she was very taken aback when Lue complained about some of the responsibilities she needed to perform. There is a monthly governance meeting that the previous analyst (Baruch Horowitz) had performed for three years when he sat in the role that is currently occupied by the Lue. Horowitz was a senior analyst who performed the function.
- At one of the meetings in January, things need to be prepared at least a day or two before the meeting. Klavin indicated to the team that the materials needed to be sent to Lue for preparation of the monthly report.
- Fidelia Shillingford, the Complainant's manager also stated to Lue that she needs to prepare the reports. Kim Dawber reports to Klavin for Credit and Fidelia for reporting. Both Dawber and Shilling are VP's with the organization.
- Klavin stated that Lue something to the effect that "I believe this is beneath me" and that "you're demeaning me compared to the other analysts." Klavin went on to state that Lue stated these are administrative functions". Klavin stated that she responded that everyone does it administrative tasks, and that Klavins's assistant Eileen, can assist.
- According to Klavin, there are others doing similar tasks, which are administrate for their teams.
- Klavin stated that Lue "Won't do work she does not want to do"; she also stated that she is surprised to see that if Lue can help team, she basically refuses to do anything that she does not want to do. Says that Lue has claimed she adds value, but acts like the tasks are beneath her. ("Am I the help") comment
- Klavin stated that when Lue was coming over, they sought feedback from her previous manager, Michelle Sullivan. Lue was trending M- as a rating. According to Klavin, Lue is also trending the same for this year.
- Klavin further stated that Lue won't take feedback or constructive criticism when it is shared; Lue refuses to do things, they ask Kenny Ng to assist and he does it without a problem and usually faster than Lue. She also stated that Lue is very set in her ways and has poor mgmt. skills in terms of her time and that she cannot juggle multiple priorities.
- Klavin stated that everyone is valued on the team and that she is appalled that Lue would bring up race as an issue..

- Klavin also stated that when Lue was interviewed by Dawber and Shillingford that it was made very clear who Lue would be reporting to.
- All analysts have availability to work from home, but it needs to be approved, cannot be done ad hoc.
- Klavin stated that in the future, they may be some centralization of the counter-party reporting function and role may be automated. If so, Lue likely will be RIF'd.
- Bottom line – according to Klavin, Lue is a poor performer. She also stated that there are some other analysts who would say that Lue is talented. She does add value but what she does, detracts from it.
- Klavin states that Lue has said that her previous manager, Michelle Sullivan was trying to derail her career.
- Klavin also stated that there is an issue with Lue at least once a month – Klavin also notes that there is a tone to the emails that Lue writes which is not professional at all and that there are some issues which were never brought to Fidelia's attention.

From:
Sent:
Subject: Notes of Interview with Fidelia Shillingford

JV met with Fidelia Shillingford on 6/17/2015

- Fidelia stated that she has been with the firm for approximately 8 year;
- Fidelia stated that they didn't do the due diligence on Lue when she was brought on;
- If we knew then what we know now, we would've have thought about it very seriously;
- Lue had posted for the job, she was a first year analyst.
- Based upon my question regarding the Complainant, Fidelia stated that Lue has an inflated sense of self.
- Fidelia stated she is a hands on manager and that she has helped the Complainant. EE is a black female as is the Manager.
- Stated that the EE refuses to do the minutes of the monthly governance meeting
- She stated that employee does not want to do some of the administrative duties required of the job
- Manager stated that EE Is very defensive and that she does not take feedback well
- Stated the employee WFH on Holy Thursday and was off Good Friday and Easter Monday.
- Kenny Ng helped w. exposure numbers/Ee cannot manage her workload; poor with time management; very little interest with her position

Meeting with Kim Dawber – on 6/17/2015

- All groups are responsible for their own administrative groups, all part of the job
- Says that Complainant is a reporting analyst.
- Stated that it is inexcusable that the person here is Shillingford, and that it's the Complainant who is the problem.

EXHIBIT C

JPMORGAN CHASE & CO.

RECOMMENDATION FOR TERMINATION

Prepared by: Terri Vernon (D215155) Employee Relations	Date: January 6 th , 2016
Recommendation for Termination of Employment of: Candice Lue (R089235)	
<p>Candice Lue was issued a PIP on July 30th, 2015 and a Written Warning on September 1st, 2015. Both documents included issues on refusing to perform assigned tasks as well as a lack of professionalism including inappropriate tone of emails and verbal communication. Despite numerous conversations that Candice has had with Employee Relations and management, she still she has not had sustained improvement in these areas.</p> <p>On 10/23 and 12/1 she has refused to speak to her manager (when spoken to) and has not completed the work she was asked to do. Additionally, there are many examples when Candice has sent disrespectful emails to her manager.</p> <p>Because of the continued lack of professionalism and refusal to perform the work asked of her, it is the recommendation to move forward with termination of employment.</p>	
[Click & type description of employee's actions or inactions, including any applicable date(s) that support the reason for recommendation.]	
[If applicable, click & type date and brief description of prior coaching/counseling or written warning. If not applicable, just click & delete]	
(Note to manager: Attach any supporting documentation.)	
HR Business Partner's or HR Support Team Member's Signature: <i>Helen DeBry</i>	Date: <i>1/6/16</i>

Copies to: HRBP or HR Support Team and Employee Records (DE3-2280) or
EmployeeRecords@Chase.com or efax to 302-220-4614

Revised 07/13

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