

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK, COUNTY OF NEW YORK

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CIVIL ACTION NO.: 16 CV 3207 (AJN) (GWG)

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CANDICE LUE, an individual,  
Plaintiff

v.

JPMORGAN CHASE & CO. a Delaware Corporation; ALEX KHAVIN, an individual; FIDELIA SHILLINGFORD, an individual; JOHN VEGA, an individual; HELEN DUBOWY, an individual; PHILIPPE QUIX, an individual; THOMAS POZ, an individual; CHRIS LIASIS, an individual; MICHELLE SULLIVAN, an individual; and DOES 1 - 10, inclusive,

Defendants

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**EXHIBITS**

**QQ – ZZ**

**IN OPPOSITION/RESPONSE TO DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT**

**DOCKET #s 89-100**

# EXHIBIT QQ

("Black Stereotypes")

There are dangerously false stereotypes about black women that not only diminish our humanity but also distort our self-image. While it is perfectly natural and acceptable for human beings to engage in a variety of emotional expressions, when a black woman's expression makes others uncomfortable, the labels given to those expressions become her identity. A white woman's emotional reactions, regardless of how outlandish or inappropriate, are perceived differently than those of black women. When white women express their emotional state, it is perceived as a "bad hair day" or perhaps, a hormonal imbalance. When a black woman does the same, her behavior becomes who she is in the sight of others. She is assumed to be easy to trigger and difficult to control. The label silences the natural, organic expression to feelings of overwhelmingness, fear and the experience of being stripped of personal power or private space.



How Michelle Obama Felt About Being Labeled...

6.7k



OWN 12/17/2016 12:03 am ET

## How Michelle Obama Felt About Being Labeled An 'Angry Black Woman'

"You think, 'That is *so* not me.' But then you sort of think, 'Well, this isn't about me.'"

Lisa Capretto OWN

First Lady Michelle Obama is tired of the "angry black woman" label — she explicitly said so in 2012, after having to address her portrayal in a book by a New York Times reporter — but it's an offense that continues to resurface. Just last month, the New York Times Style section used "angry black woman" in a since-deleted tweet about Mrs. Obama. Now, the First Lady is addressing what's behind the label and what happens in her mind when she hears it.

As Mrs. Obama tells Oprah during her final interview at the White House (airing Monday on CBS at 8 p.m. ET and Wednesday on OWN at 9 p.m. ET), there's a clear sequence of thoughts that ran through her head in the "angry black woman" blowback, beginning with this initial reaction:

"That was one of those things where you think, 'Dang, you don't even know me,'" Mrs. Obama says. "You just sort of feel like, 'Wow, where did that come from?' And that's the first blowback."

Her next thought, she says, led to a shift in perspective. "You think, 'That is *so* not me.' But then you sort of think, 'Well, this *isn't* about me. This is about the person or the people who write it,'" Mrs. Obama says. "That's just the truth."

“

**It's sad because the thing that least defines us as people is the color of our skin.**

What's at the heart of the label, she continues, is fear.



“You start thinking, ‘Oh, wow, we’re so afraid of each other,’” she says. “Color. Wealth. These things that don’t matter still play too much of a role in how we see one another, and it’s sad because the thing that least defines us as people is the color of our skin... It’s our values. It’s how we live our lives. And you can’t tell that from somebody’s race, somebody’s religion. People have to act it out. They have to live those lives.”

With this outlook, Mrs. Obama made a firm decision about how she’d live her life.

“I thought, ‘OK, well, let me live my life out loud so that people can then see and then judge for themselves,’” she says. “And that’s what I want young people to do: Just live your life. Live it out loud.”

*Mrs. Obama’s full interview airs on CBS this Monday, Dec. 19, at 8 p.m. ET. An encore presentation will air on OWN this Wednesday, Dec. 21, at 9 p.m. ET and will also be available on demand via the free Watch OWN app.*

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# Angry Black Woman

From Wikipedia, the free encyclopedia

**Angry Black Woman** is a trope that Black women are "sassy, ill-mannered, and tempered by nature", employing the terms "Sapphire" or "Sassy Black Woman". Researchers have claimed it to stem from racist assumptions. The Angry Black woman myth assumes that Black women are aggressive.

The Angry Black Woman stereotype has not been studied to the same degree as the Mammy and Jezebel archetypes. Some scholars, e.g. Dionne Bennett and Marcyliena Morgan, suggest that the stereotype is less studied because researchers accept it as true.<sup>[1][2]</sup>

## Contents

- 1 Sapphire stereotype as source
- 2 Perpetuation & Reproduction of the Myth
- 3 Relationships to other myths
- 4 Relationship to Present day
- 5 Portrayals in the media
- 6 See also
- 7 Black Feminists who challenge Angry Black Woman Myth
- 8 Further reading
- 9 References

## Sapphire stereotype as source

The Angry Black woman trope arises from the Sapphire stereotype, which claimed that enslaved Black women were aggressive, dominant and masculine: "In antebellum America, the female slaves' chattel status, sex, race combined to create a complicated set of myths about Black women."<sup>[3]</sup> Black women were involuntarily ascribed characteristics related to their identities in being Black, Woman and enslaved.

Furthermore, the exploitation of Black women was influenced by constructed perceptions. The sapphire archetype painted enslaved woman as impure, strong, masculine, dominant and aggressive women who drove their children and partners away from their overbearing natures.<sup>[3]</sup> This myth erased the realities of enslaved Black women who watched their children, partners and loved ones be sold away by slave owners. The emotions that were labeled or considered "unnecessary anger" derived from grief caused by the separation of families. Although many enslaved women were separated by loved ones, their emotions were not seen as credible or worthy of affirmation because of their social status. As a result, the grievances of Black women were often suppressed. These realities are essential in understanding the lived-experiences of Black women today.

## Perpetuation & Reproduction of the Myth

With roots in slavery, the sapphire archetype was furthered replicated in films, shows and literature by the early 1930s. Through these media and social platforms the stereotype was cultivated and sustained . Black women were perceived to be too expressive, more opinionated, harsh, have bad attitudes, loud, and generally negative and rude in nature. The 1930s radio show Amos 'n' Andy was particularly one of the first media outlets that reinforced the stereotype. In this production two white men voiced Black characters. Among those characters were Black women. The narrative of anger, assertiveness and frequent emasculation was echoed with characters such as Aunt Esther from Sanford and Son and Pam from Martin.

## Relationships to other myths

The sapphire archetype coincides with the mammy and jezebel. All three of these archetypes uphold the angry black woman myth, but in different ways. With the existence of these images, Black women were characterized as caregivers, submissive, promiscuous, aggressive and arrogant.<sup>[3]</sup> These constructed ideologies were used as a justification for the dehumanization



## WHAT IS AN UPPITY NEGRO?

### UPPITY NEGRO

*Use: proper noun*

*a fearless black person who by social definition is “not in their place”*

In the vicious history of racial segregation in this country, with its roots in the slaveocracy that contributed heavily to the building of the United States, in a post-Civil War society as blacks determined to legally fight for their freedom and began to take more and more liberties with exercising de facto forms of civil disobedience against Jim Crow laws in the South and discriminatory practices in the north, the phrase “uppity Negro” emerged. (Undoubtedly, its linguistic cousin “nigger,” I’m sure was often transposed for the more classy option of “Negro.”) Simply stated, an *uppity Negro* was one who dared to blatantly challenge the racist societal norms.

While the archetypes of black history include the likes of Sojourner Truth and Frederick Douglass all the way to Mary McLeod Bethune and Martin Luther King, Jr., for me, the *uppity Negroes* who made even more of a difference were the unnamed people in small towns and large cities that took a stand. The hundreds of black men lynched from trees for not “knowing their place” and the hundreds of black women beaten and raped at the will of white men for simply being black and being a woman—those are the true *uppity Negroes*.

An *uppity Negro* was one who didn’t mind using their status to take a stand. To make the contemporary connection, in the vein of DuBois’ “talented tenth” concept and borrowing from it a bit, an uppity Negro uses their privilege and status to make a change—it is here where I identify as such.

The conversation of race and what that looks like in the United States has seen three dominating narratives since World War II. Initially there was overarching fight for the laws to be changed to fulfill the basic citizenship, secondly the conversation shifted toward racial reconciliation and mostly conversations about race existed between the black and white racial dynamic. In a post-9/11 world with Hispanics being the number one minority in this country, the conversation has shifted from racial reconciliation toward embracing diversity—all of which was accelerated with the presidency of Barack Obama.

As far as the black and white relations in this country, Obama’s presidency raised the racial specter of *uppityness*. Even a U.S. Representative from a rural Georgia district had no issues going on record calling Obama “uppity.”

My intent is to use my gifts, graces and whatever other smattering of talents that I have been blessed with to be able to make uncomfortable those things that need to be unsettled, provide a salve to those things that need to be saved and to unashamedly embrace my blackness as defined by me.

## How can I explain to a white person who tells a black person, "you speak so well" or "you sound like a white person" why this isn't a compliment?

13 Answers



Gwendolyn Regina Yvonne Miller, teacher, consultant, researcher, writer, and speaker on racial microaggressions

Answered 29 Oct 2015

Dr. Derald Wing Sue, a psychologist at Columbia University, is one of the leading psychologists in the field of racial microaggressions today. He defines racial microaggressions as brief and daily verbal, behavioral, and environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial slights and insults to the target person or group. To put it briefly, "racial microaggressions are the everyday slights, indignities, and insults that people of color experience in their day-to-day interactions.

For example, "you speak so well", "you sound like a white person", or "you are a so articulate" assigns a degree of intelligence to a person of color. The metacommunication or hidden message is most people of color are inarticulate.

You can respond by saying, "Thanks, but there's no one type of black guy or girl. We all talk, look and act differently."

If a white person wants to compliment a black person just leave race out and compliment the black person for who they are.

The power that these racial microaggressions have to hurt and oppress marginalized groups are due to their "invisible" nature.

Subtle messages, such as these, are neither illegal nor regulated, therefore the person committing the racial microaggression may be unaware of its powerful negative impact on people of color.

*Empower Yourself - Learn About Racial Microaggressions*

Addressing Racial Microaggressions in Our Schools

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# Acting white

From Wikipedia, the free encyclopedia

In the United States, **acting white** is a pejorative term, usually applied to African Americans, which refers to a person's perceived betrayal of their culture by assuming the social expectations of white society.<sup>[1][2]</sup> Success in education in particular (depending on one's cultural background) can be seen as a form of "selling out" by being disloyal to one's culture.<sup>[2]</sup>

The term is controversial, and its precise meaning is hard to define.<sup>[1]</sup> Some minority students are discouraged from achieving in school by the negative prejudices of ethnic peers; such a view has been expressed in articles in *The New York Times*, *Time* magazine, and *The Wall Street Journal*—and by public figures and academics across the political spectrum.<sup>[2]</sup>

## Contents

- 1 History of usage
- 2 Case studies and research
- 3 Commentary
- 4 Accusations of "acting white"
  - 4.1 Barack Obama
  - 4.2 Russell Wilson
- 5 See also
- 6 References
- 7 External links

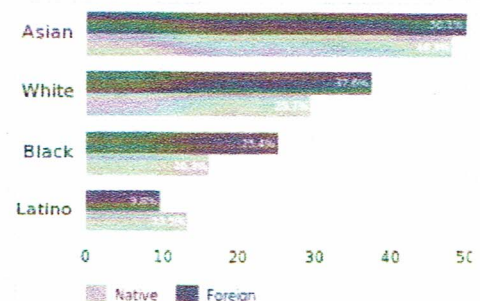
## History of usage

The question of whether or not "acting white" attitudes are prevalent has been debated in academic literature.<sup>[2]</sup> The African-American comedian and media figure, Bill Cosby, used the term in what became a noted May 2004 speech when he challenged the black community against the idea that gaining education was "acting white".<sup>[3]</sup> Black people accused of "acting white" are sometimes referred to as **Black Anglo-Saxons**, a term coined by comedian Paul Mooney.<sup>[4]</sup> The 2008 election of Barack Obama as President of the United States resulted in a public discussion that the *acting white* attitude may be waning, as he represented a model of African-American achievement.<sup>[5][6]</sup>

## Case studies and research

Not all scholars define *acting white* in the same way. Most definitions include a reference to situations where some minority adolescents ridicule their peers for engaging in behaviors perceived to be characteristic of whites. In this scenario, they equate "white behavior" with high grades in school, a result researchers can quantify, but the term is not limited to this.<sup>[7]</sup>

In 1986, Signithia Fordham co-authored with Nigerian sociologist John Ogbu a study that concluded that high-performing African-American students in a Washington, D.C., high school borrowed from hegemonic white culture as part of a strategy for achievement, while struggling to maintain a black identity. Ogbu made a related claim in his 2003 book, *Black American Students in an Affluent Suburb: A Study of Academic Disengagement*, concluding that black students' own cultural attitudes sometimes hindered academic achievement and that these attitudes are too often neglected. Ogbu had earlier written in his seminal work *Minority Education and Caste* (1978), that school disengagement among caste-like



The difference among social groups, both native and foreign born, in regard to those who have earned a bachelor's degree or higher (data from U.S. Census Bureau).



# Colored people's time

From Wikipedia, the free encyclopedia

**Colored people's time** (also abbreviated to **CP time** or **CPT**) is an American expression referring to a negative stereotype of African Americans as frequently being late.<sup>[1][2][3][4]</sup> The expression is often described as a derogatory racist stereotype.<sup>[5][6]</sup> It is considered derogatory because it implies that African Americans have a relaxed or indifferent view of work ethic, which leads to them being labeled as lazy or unreliable.<sup>[7][8][9]</sup>

The phrase has been used as early as 1912.<sup>[10]</sup> CP time is a cultural phenomenon that exists amongst people of African descent. It exists in Africa, widely known as "African time." These are differences between Monochronic societies and Polychronic societies (i.e., Africa)<sup>[11]</sup>

## In media

The expression has been referenced numerous times in various types of media, including the films *Bamboozled*, *Undercover Brother*, *Let's Do It Again*, *House Party* and several television series: *The Mindy Project*, *Prison Break*, *The Boondocks*, *The Wire*, *Weeds*, *Where My Dogs At?*, *Reno 911!*, *30 Rock*, *Everybody Hates Chris*, *A Different World*, *The PJs*, *Bridezillas*, *Mad TV* and *Cedric the Entertainer Presents*, *Empire*, and reality series *The Real Housewives of Atlanta*. In the *Maude* episode "Florida's Problem" (season 1, episode 18), which aired on February 13, 1973, Henry Evans (who later becomes James Evans Sr. on *Good Times*) says to Florida, "I'm coming back at 9:00, and I mean 9:00 WPT." He leaves and Maude asks Florida, what's "WPT"? Florida responds "White People Time. If he didn't mean 9:00 sharp he would have said CPT. That's Colored People Time. Which means 'shuffle on in when you feel like it'".<sup>[12]</sup> In *The Wire* S03E08 Moral Midgetry, when a girl asked Marlo Stanfield when he wants to meet, Marlo responded, "Five. And five mean five. I don't truck CP Time. Five and change; I'm gone." The mention of "CPT" in the television series *Prison Break* was by the white supremacist character Theodore "T-Bag" Bagwell. In the Black Jeopardy sketch aired during the March 29, 2014 episode of *Saturday Night Live*, host Darnell Hayes (Kenan Thompson) says upon the sound of the final bell, "As usual, we started late."

*Colored People's Time* was used as the name of a 1960s public interest program produced by Detroit Public Television and of a 1980s play written by Leslie Lee, the latter of which consisted of 13 vignettes of African American history from the Civil War through the Montgomery bus riots.<sup>[13]</sup> *CP Time* was also a 2007 book by J.L. King.<sup>[14]</sup>

In his 1982 book *"Let the Trumpet Sound: The Life of Martin Luther King, Jr."*, author Stephen B. Oates notes that King and his staff operated by what they jocularly called 'CPT' - Colored People's Time, "and kept appointments with cheerful disregard for punctuality".<sup>[15]</sup> King once apologized for being late for a banquet, saying he forgot what time he was on - EST, CST, or Colored People's Time, adding that "It always takes us longer to get where we're going."<sup>[16]</sup>

In April 2016, in a staged joke skit done for charity, Mayor of New York City Bill de Blasio said he was on "C.P. time" for not previously endorsing Hillary Clinton for President. Leslie Odom Jr. then said he did not like the joke. After that Clinton delivered the punch line that it was supposed to mean "cautious politician time". This was criticized as racist and tasteless.<sup>[17]</sup> In response to this, President Barack Obama, during the 2016 White House Correspondents' Dinner on April 30, jokingly apologized for being late because of "running on C.P.T.", adding that this stands for "jokes white people should not make".<sup>[18]</sup>

## See also

- Tardiness § *Racial stereotypes*, describing several other similar expressions

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## Corporate Careerist Blacks Work Twice As Hard, Are Twice as Maniacal and Servile Just to Get Ahead?



April 24 13:43 2015

by admin  
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While discussing on Facebook the report that Attorney General Loretta Lynch [is making police morale](#), as opposed to police brutality, her top priority, a friend made the following observations:

*Point blank, I have been surviving on this Earth for 42 years and finding a way to maneuver in the lower levels of corporate America to just make it in this world for a couple of decades now.*

*That being said, what I have found is that black people who try to achieve success in a Western society predicated on white supremacy and superiority are even more maniacal in their actions since they don't have white privilege to rely upon to rise up the corporate ladder.*

### The Absence of White Privilege Forces Careerist Blacks to be Even More Maniacal Than Their White Counterparts

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*Hence, although black folks say that they have to work twice as hard as a white person to reach the same amount of success (which is true), they also must be twice as good at all the other things that make the white collar world, such as twice as much of a backstabber, twice as servile to people in positions of power and twice as hard on black folks in proving their allegiance to the basic tenets of white supremacy. The fact this woman has already planned on making a tour of these police precincts as a means of solidifying her place as top cop proves my point since none of her white predecessors felt the need to do the same thing...*

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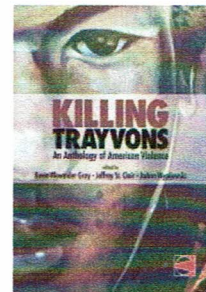


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*The Atlantic*

# Black Workers Really Do Need to Be Twice as Good

African American employees tend to receive more scrutiny from their bosses than their white colleagues, meaning that small mistakes are more likely to be caught, which over time leads to worse performance reviews and lower wages.



Shannon Stapleton / Reuters

GILLIAN B. WHITE | OCT 7, 2015 | BUSINESS

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For decades, black parents have told their children that in order to succeed despite racial discrimination, they need to be “twice as good”: twice as smart, twice as dependable, twice as talented. This advice can be found in everything from literature to television shows, to day-to-day conversation. Now, a new paper from the National Bureau of Economic Research shows that when it comes to getting and keeping jobs, that notion might be more than just a platitude.

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There's data that demonstrates the unfortunate reality: Black workers receive extra scrutiny from bosses, which can lead to worse performance reviews, lower wages, and even job loss. The NBER paper, authored by Costas Cavounidis and Kevin Lang, of Boston University, attempts to demonstrate how discrimination factors into company decisions, and creates a feedback loop, resulting in racial gaps in the labor force.

The researchers constructed an economic model based on labor market outcomes for unemployed workers. They build on existing data about job duration, unemployment duration, and lifetime earnings, and then simulate how companies determine whether or not new hires are a good fit.

They observe that the pool of unemployed black workers is likely to be seen as less skilled because of more consistent or prolonged unemployment. That can make companies less likely to hire them, and more skeptical once they do. This leads employers to invest more heavily in monitoring black employees. That could be everything from instructing supervisors to closely watch a new hire, or more directly monitoring job performance—for instance how many boxes a worker correctly packs at a shipping center.



Because black workers are more closely scrutinized, it increases the chances that errors—large or small—will be caught. According to the researchers it's more likely that a black employee would be let go for these errors than a white one. Thus another way of looking at the findings, Lang says, is that blacks simply don't get a second chance.

Once fired, black workers return to the pool of unemployed—where they will once again have a difficult time finding work, prompting their next employer to be wary as well. In the meantime, white workers are less scrutinized, and as a result, they enjoy a longer tenure on the job, which leads to a stronger work history, more skills, and higher wages.

In order to keep a job, black workers also must meet a higher bar. Only in instances where black workers are monitored and displayed a significantly higher skill level than their white counterparts would they stand a significant chance of keeping their jobs for a while, the researchers found. But even in instances where the productivity of black workers far exceeded their white counterparts, there was still evidence that discrimination persisted, which could lead to lower wages or slower promotions.

This all may help explain the continuing gaps in labor market outcomes between black and white Americans. Historically, the unemployment rate of black Americans hovers about 2 percentage points higher than their white counterparts. Right now, the gap is much wider. At the close of the [third quarter](#) the unemployment rate for white Americans was 4.5 percent, below the national average of just over 5 percent. For blacks, however, unemployment was 9.4 percent. And that's an improvement.

Unemployment among black Americans only dipped below 10 percent at the start of 2015—more than five years into the economic recovery. The unemployment rate for whites never even topped 10 percent.

Unsurprisingly, all of these job switches mean that black workers can expect to make less over a lifetime than their white counterparts, which can exacerbate the income and wealth gaps between the races. “With a

monitoring regime to look forward to at any future job, a black worker revealed to be in a good match could receive less than an unrevealed white worker,” the economists write.

The current system, in which black workers are disproportionately monitored and let go, while white workers are allowed longer stints, isn't just bad for black people—it's bad for the labor market overall. Such an arrangement is inefficient since a large pool of the unemployed drags on overall productivity and labor health, and since such bias doesn't guarantee that the most productive person gets, and keeps, a job.

#### ABOUT THE AUTHOR

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GILLIAN B. WHITE is a senior associate editor at *The Atlantic*.

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# Black troops more likely to face military punishment, new report says



SAFIA SAMEE ALI

Jun 8th 2017 7:16AM

Black service members are significantly more likely to face military punishment than their white colleagues, according to a [new report](#) that alleges rampant racial bias in the military.

The non-profit advocacy group Protect Our Defenders sifted through almost a decade's worth of government data obtained via Freedom of Information Act looking for clear disparities in the judicial treatment of white and black military personnel.

"The data shows that, for every year reported and across all service branches, black service members were substantially more likely than white service members to face military justice or disciplinary action, and these disparities failed to improve or even increased in recent years," the report stated.

"Depending on the service and type of disciplinary or justice action, black service members were at least 1.29 times and as much as 2.61 times more likely than white service members to have an action taken against them in an average year," according to the report.



Christensen said the reason behind the bias could be because the "system is rigged" against African Americans in the military. African-American are less likely to receive promotions or in-military education to advance, he said.

The Pentagon said it would review the report.

"It is longstanding Department of Defense policy that service members must be afforded the opportunity to serve in an environment free from unlawful racial discrimination. The Department will review any new information concerning implementation of and compliance with this policy once given the opportunity to review the report," Department of Defense spokesperson Johnny Michael said in a statement to NBC News.

Findings in the report also suggest that "decision-makers" have a "racial bias" that is causing the severe discrepancy.

"The report, while certainly eye-opening, should only be truly surprising if we believe that the United States military is a colorblind institution, which it is not and has never been," said Chad Williams, a professor of African and Afro-American Studies at Brandeis University. He said the same racial biases in the civilian criminal justice system are also in the military justice system.

"The report reflects the continuation of a long historical practice of viewing black servicemen and women as a 'problem' that must be controlled through various measures, mostly notably the military justice system," he said.

Evidence for other racial groups also varied, according to the data. Asian service members had lower "military justice or disciplinary involvement than their white counterparts" within the Army and the Navy, the report found.

The report also alleges that military superiors were well aware of the racial bias.

Protect Our Defenders received data from four service branches — and found a higher proportion of discipline against black service members in all four.

Black members of the Air Force were 71 percent more likely to "face court-martial or non-judicial punishment than white air force members in an average year," the group said.

In the Army, black soldiers were 61 percent more likely to get "general or special court-martial compared to white service members."

And in the Navy, black sailors were 40 percent more likely than white sailors to be referred to special or general court-martial, the report said. Once referred, whites and blacks were equally likely to be convicted, the study found.

Not all branches provided the same data, the study's authors said, making exact comparisons difficult.

One of the biggest discrepancies came out of the Marine Corp where black Marines were 2.61 times more likely than white Marines to receive a guilty finding at a general court-martial. In non-judicial punishment proceedings black Marines were 32 percent more likely to be found guilty than whites in an average year, the report said.

"While I was aware that this may have been happening, what surprised me is how pervasive it was across all boards in the military," said Col. Don Christensen, former chief prosecutor of the Air Force and president of Protect Our Defenders.

"What's more alarming is that it's not getting better, it's getting worse," he said.

The report identifies that the pattern of bias toward black personnel has gotten progressively grim over the years.

"Military leadership has been aware of significant racial disparity in its justice process for years, and has made no apparent effort to find the cause of the disparity or remedy it," the report reads. "The leadership has vigorously opposed any suggestion that the commander-controlled justice system is hindered by conflicts of interest or bias and has gone to great lengths to tout the fairness of the system."

The military is the most respected institution and it has to live up to that reputation, Christensen said. "They've had this data for years so it's time for them to be held accountable with action instead of them just throwing up a bumper sticker that says 'diversity is important,'" he said.

# **EXHIBIT QQ-1**

(Lack of promotional opportunities for Black/African Americans)



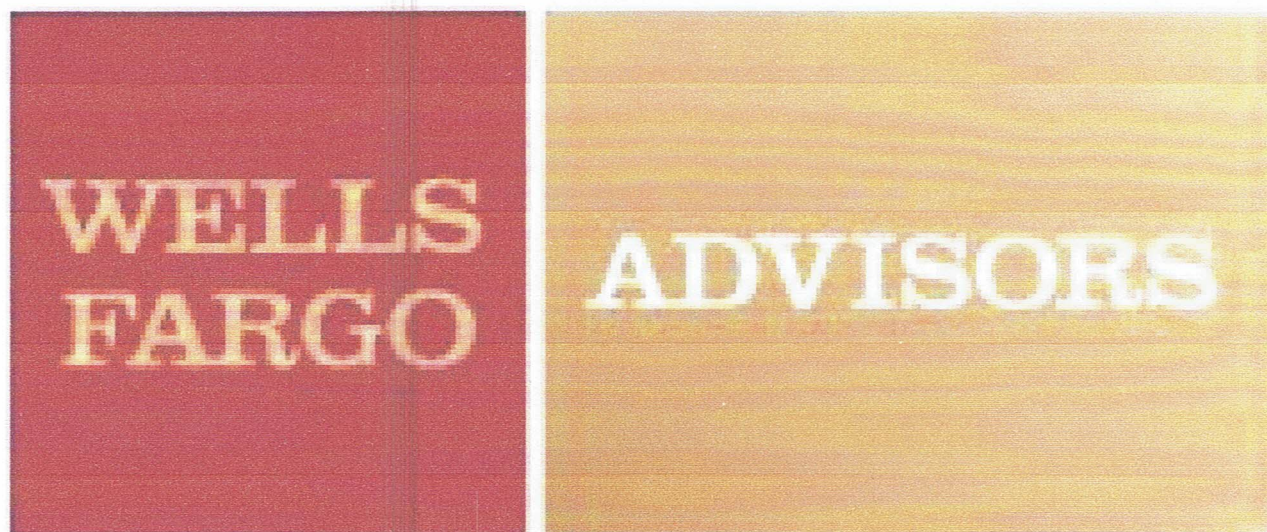
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### **Wells Fargo Advisors paying \$35.5 million to settle racial discrimination case**

By Lisa Brown St. Louis Post-Dispatch Jan 6, 2017





Wells Fargo Advisors, the St. Louis-based brokerage arm of Wells Fargo, has agreed to pay \$35.5 million to settle a class action racial discrimination lawsuit brought by a group of African-American financial advisers. The company also agreed to implement several initiatives to boost recruiting and advancement opportunities for African-Americans after the settlement finalizes later this month.

Lance Slaughter, the lead plaintiff, filed the lawsuit in September 2013 in federal court in the northern district of Illinois. Slaughter, a financial adviser employed by Wells Fargo Advisors in the Washington, D.C., area since 2005, alleged that of the company's more than 15,000 registered brokers, African-Americans are under-represented in adviser and managerial roles and are paid substantially less than employees who are not African-Americans.

Wells Fargo "employs company-wide teaming and account transfer and distribution policies and practices that deny African-Americans the same business opportunities as employees who are not African-American," the lawsuit alleged. "Wells Fargo's teaming and account distribution policies and practices exclude African-Americans from lucrative teams and client account distributions and segregate its workforce by race."

There are at least 325 people who self-identify as African-Americans who are potential members of the class and there may be more class members, said Slaughter's attorney, Linda Friedman of the Chicago-based law firm Stowell & Friedman, who said she's hopeful the settlement will prompt other investment firms to end discriminatory practices.

In addition to the monetary settlement, Wells Fargo Advisors also agreed to not enforce class action waivers or mandatory arbitration agreements for race discrimination or race-related retaliation claims of African-American financial advisers or trainees for four years.

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"The hope is that this case and others, that the message will resound that there is liability for these actions," Friedman said. Several other investment firms have also faced racial bias lawsuits lodged by employees in recent years, including Morgan Stanley and Merrill Lynch.

Wells Fargo Advisors denied the allegations but said it agreed to settle the case to avoid protracted litigation.

"We do not agree with the claims in the lawsuit, but believe that putting this matter behind us is in the best interests of our team members, clients and investors," Wells Fargo Advisors spokeswoman Helen Bow said in a statement. "Resolving this matter allows Wells Fargo Advisors to continue to focus on providing a diverse and inclusive work environment where all of our team members can thrive through industry leading recruiting, coaching, leadership and business development practices. We will also update our policies and procedures to provide greater opportunities for inclusiveness."

Additionally, as part of the settlement reached Dec. 30, Wells Fargo Advisors agreed to end the practice of requiring new financial advisers or trainees to reimburse costs of their training, which can total \$50,000 per year. The company also agreed to boost hiring and promotion opportunities for minorities, and hire a recruiting professional whose primary responsibility is to recruit African-American financial advisers and trainees.

The settlement comes as the brokerage arm's parent company, San Francisco-based Wells Fargo, is seeking to burnish its image after its employees created thousands of fake accounts to meet sales quotas. The bank said it fired about 5,300 employees related to the account scandal and was fined \$185 million last year.



Autoplay: On | Off



## **Lisa Brown**

Lisa Brown is a reporter for the St. Louis Post-Dispatch.

# EXHIBIT R

(Escalation of Defendants Sullivan's and Liasis' Intentional Regression and Stagnation of My Career to Their Skip Level and Direct Manager, Charlie Coignard, Respectively)



## Lue, Candice

---

**From:** Lue, Candice  
**Sent:** Friday, November 07, 2014 4:13 PM  
**To:** Sullivan, Michelle T  
**Subject:** RE: Good Luck

Thanks Michelle. Same to you.

All the best,  
Candice

**Candice Lue** | **J.P. Morgan** | Corporate & Investment Bank | Global Commodities Group | Tele: (212) 623 - 3774 | Email: [Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com) | Hotline: (480) 634 - 9373 | Fax: (917) 464 - 8347  
*JPMC Internal Use Only*

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**From:** Sullivan, Michelle T  
**Sent:** Friday, November 07, 2014 4:01 PM  
**To:** Lue, Candice  
**Subject:** Good Luck

Candice,

I missed you end of day but wanted to thank you again and wish you luck in the future.

Regards,

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](mailto:michelle.t.sullivan@jpmorgan.com)  
*JPMC Internal Use Only*

## **Lue, Candice**

---

**From:** Lue, Candice  
**Sent:** Thursday, April 10, 2014 9:12 AM  
**To:** Coignard, Charles X  
**Subject:** RE: The Trajectory of My Career

Thanks Charlie.

Regards,  
Candice

**Candice Lue** | **J.P. Morgan** | Corporate & Investment Bank | Global Commodities Group | ☎ (212) 623 - 3774 |   
[Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com) | **JPMC Internal Use Only**

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**From:** Coignard, Charles X  
**Sent:** Thursday, April 10, 2014 9:02 AM  
**To:** Lue, Candice  
**Subject:** RE: The Trajectory of My Career

Candice – I will send you a calendar invite.

Charlie

**Charles Coignard** | Executive Director | **J.P. Morgan** | 383 Madison Avenue, Floor 10, New York NY 10179 | T: (212) 834-7081 |  
[charles.x.coignard@jpmorgan.com](mailto:charles.x.coignard@jpmorgan.com) | [jpmorgan.com](http://jpmorgan.com)

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**From:** Lue, Candice  
**Sent:** Wednesday, April 09, 2014 1:09 PM  
**To:** Coignard, Charles X  
**Subject:** The Trajectory of My Career

Hi Charlie,

I am having an issue here. I was hoping that you could spare a minute of your time to meet with me. Please let me know if there is a time that is convenient for you.

Regards,  
Candice

**Candice Lue** | **J.P. Morgan** | Corporate & Investment Bank | Global Commodities Group | ☎ (212) 623 - 3774 |   
[Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com) | **JPMC Internal Use Only**



# EXHIBIT Y

(December 23, 2015 Email Trail)

## **Lue, Candice**

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**From:** Poz, Thomas I  
**Sent:** Wednesday, December 23, 2015 1:36 PM  
**To:** Lue, Candice; Zambon, M Sol; Shillingford, Fidelia X; Dang Ngoc, Ali; Kishore, Gaurav; Avetyan, Tatevik; Dorfman, Jon; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Dauber, Kimberly S  
**Subject:** RE: Monthly Governance Meeting

Please everyone refrain from commenting on this unfortunate occurrence. This will be resolved prior to next month's meeting.

---

**From:** Lue, Candice  
**Sent:** Wednesday, December 23, 2015 1:29 PM  
**To:** Zambon, M Sol; Shillingford, Fidelia X; Dang Ngoc, Ali; Kishore, Gaurav; Avetyan, Tatevik; Dorfman, Jon; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Dauber, Kimberly S  
**Subject:** Re: Monthly Governance Meeting

Fidelia,

Along with having to do 3 presentations for the meetings, I was supposed to also do the below twice in one month, December 2 and December 23? How fair!

Best regards,  
Candice

---

**From:** Zambon, M Sol  
**Sent:** Wednesday, December 23, 2015 01:12 PM  
**To:** Shillingford, Fidelia X; Dang Ngoc, Ali; Kishore, Gaurav; Avetyan, Tatevik; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Dauber, Kimberly S  
**Subject:** RE: Monthly Governance Meeting

Yes, that is agreed, but given that the schedule was moved because Candice did November instead, and I did December, I am proposing we keep you schedule but move it up by one month to reflect what happened.

---

**From:** Shillingford, Fidelia X  
**Sent:** Wednesday, December 23, 2015 12:32 PM  
**To:** Dang Ngoc, Ali; Kishore, Gaurav; Zambon, M Sol; Avetyan, Tatevik; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Dauber, Kimberly S  
**Subject:** Re: Monthly Governance Meeting

All

To clarify, I had to create a new schedule because we were still hitting a wall in regards to have a point person responsible for organizing the materials.

The new schedule was communicated to all, as per below email and to be fair, all analysts were assigned a month or two. And I was specific that the assigned analyst would be responsible for taking notes and prepping materials.



Per the schedule it was Candice's turn to prep the materials and take notes.

Regards  
Fidelia

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**From:** Dang Ngoc, Ali  
**Sent:** Wednesday, December 23, 2015 11:00 AM  
**To:** Kishore, Gaurav; Zambon, M Sol; Shillingford, Fidelia X; Avetyan, Tatevik; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Dauber, Kimberly S  
**Subject:** RE: Monthly Governance Meeting

Gaurav,

There were two separate schedules (for 2014 and 2015) which I believe might have caused the confusion. According to the old schedule, I was assigned December, but was then told to go by the new schedule which supersedes the old one. Fidelia, could you please confirm?

Regards,  
Ali

---

**From:** Kishore, Gaurav  
**Sent:** Wednesday, December 23, 2015 10:44 AM  
**To:** Zambon, M Sol; Shillingford, Fidelia X; Avetyan, Tatevik; Dang Ngoc, Ali; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Dauber, Kimberly S  
**Subject:** RE: Monthly Governance Meeting

Thanks Sol for taking the meeting notes. Given that I generally don't run this meeting, I would prefer Fidelia and Tom to weigh in on your proposed schedule.

It seems there are two tasks – (i) taking meeting notes and (ii) organizing the meeting materials. Just checking who was responsible for organizing the materials for today's meeting? I really appreciate all the analysts and associates gathering the materials today at a short notice. Ideally, we should have had the packet ready, like prior meetings.

Regards,  
Gaurav

Gaurav Kishore was in the group during Baruch Horowitz's tenure and since the Defendants claim that Baruch Horowitz did those "two tasks", why is Gaurav Kishore saying: "It seems there are two tasks"? Shouldn't Gaurav Kishore be aware of the

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**From:** Zambon, M Sol  
**Sent:** Wednesday, December 23, 2015 10:11 AM  
**To:** Shillingford, Fidelia X; Avetyan, Tatevik; Dang Ngoc, Ali; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W  
**Cc:** Poz, Thomas I; Kishore, Gaurav; Dauber, Kimberly S  
**Subject:** FW: Monthly Governance Meeting  
**Importance:** High

Team,

Given the fact that Candice took the notes for the November meeting and I had to move up and take the notes of the December meeting, I think we will need to move the schedule proposed by Fidelia up by 1 month.

Analyst	Original Schedule	New Proposed Schedule
Candice	Dec 2015	Nov 2015
Sol	Jan 2016	Dec 2015
Kenny	Feb 2016	Jan 2016
Jon	Mar 2016	Feb 2016
Ali	Apr 2016	Mar 2016
Fiona	May 2016	Apr 2016
Tatevik	Jun 2016	May 2016
Ryan	Jul 2016	Jun 2016
Candice	Aug 2016	Jul 2016
Sol	Sep 2016	Aug 2016
Kenny	Oct 2016	Sep 2016
Jon	Nov 2016	Oct 2016
Ali	Dec 2016	Nov 2016
Fiona	NA	Dec 2016

Best,

Sol

**From:** Shillingford, Fidelia X

**Sent:** Tuesday, December 01, 2015 10:07 AM

**To:** Avetyan, Tatevik; Dang Ngoc, Ali; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W; Zambon, M Sol

**Cc:** Poz, Thomas I; Kishore, Gaurav; Dauber, Kimberly S

**Subject:** Monthly Governance Meeting

**Importance:** High

All

Please note the below schedule for the analyst responsible for minutes at our Monthly Governance Meeting.

Please be advised that **the person responsible for the minutes is also responsible for coordinating of the materials for the meeting.**

Team members are responsible for saving all relevant materials in the shared folder in the respective Year/Month:

[REDACTED]. Note that Asia will provide the data through email.

**The preference would be to PDF all materials as a package and bring copies to the room.**

Note if you will be OOO; it is your responsibility to coordinate with another analyst.

Thanks for your help.

Analyst	Month
Candice	Dec 2015
Sol	Jan 2016
Kenny	Feb 2016
Jon	Mar 2016



Ali	Apr 2016
Fiona	May 2016
Tatevik	Jun 2016
Ryan	Jul 2016
Candice	Aug 2016
Sol	Sep 2016
Kenny	Oct 2016
Jon	Nov 2016
Ali	Dec 2016

Regards  
Fidelia

## Lue, Candice

---

**From:** Shillingford, Fidelia X  
**Sent:** Tuesday, August 25, 2015 11:24 AM  
**To:** Avetyan, Tatevik; Dang Ngoc, Ali; Dorfman, Jon; Lue, Candice; Ng, Kenneth T; Nguyen, Fiona N; Vroom, Ryan W; Zambon, M Sol  
**Cc:** Poz, Thomas I; Kishore, Gaurav; Shillingford, Fidelia X  
**Subject:** Monthly Meeting Minutes

All

Please note that the responsibility for meeting minutes for the governance meeting will be shared among all the analysts as follows (to be announced at today's team meeting):

Note, this is the schedule up to year end.

Month	Analyst
August	Kenny
September	Tatevik
October	Jon
November	Candice
December	Ali

Regards  
Fidelia

This email proves that the task of taking the Monthly Governance Meeting minutes was never exclusively assigned to any one of the non-Black analysts and/or associates.

This was after my EEOC Charge was served. CL

# EXHIBIT Y-1

(Defendant Fidelia Shillingford's retaliatory attempts to denigrate my performance)



## **Lue, Candice**

---

**From:** Lue, Candice  
**Sent:** Tuesday, July 21, 2015 5:47 AM  
**To:** Vega, John R.  
**Subject:** FW: May Reconciliation - Newton Reports  
**Attachments:** RE: Tasks; Re: May Reconciliation - [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Hello John,

As requested, below is my response to the email I conceive to be a clear attempt to unfairly portray me as being incompetent. The email is also, in my opinion, a retaliation mechanism used because of the current circumstance to put me in a negative light.

Best regards,  
Candice

**Candice Lue** | Asset Management | Counterparty Risk Group | **J.P. Morgan** | 270 Park Avenue, 9th Floor, New York, NY 10017 | ☎ (212) 648 - 0936 | ✉ [Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com)

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**From:** Lue, Candice  
**Sent:** Monday, June 15, 2015 9:16 AM  
**To:** Shillingford, Fidelia X  
**Cc:** Khavin, Alex G  
**Subject:** RE: May Reconciliation - Newton Reports

Hi Fidelia,

As suggested, I have renamed the Newton Reconciliation file.

With regards to "cleaning up the entries for GRA," as you are aware and as we have discussed on many occasions, in practice, the previous month's list is copied over to the current month's list to help with ensuring that we are capturing all the roll overs. The current month's list is then subsequently scrubbed to remove items resolved in the previous month and comments updated accordingly.

Before you reviewed May's Reconciliation Report and sent out this email, you came over to my desk at around 9:45am to ask about the GRA entries at which time I advised you that May's reconciliation is a work in progress and that I will be working on further updating the items on the list and the commentary. In addition to that, during our discussion I pointed out to you on my computer screen the following note I had in capital letters and in red on the exceptions list in the May Reconciliation file above the GRA entries:

PLEASE NOTE: GRA COMMENTARY IS A WORK IN PROGRESS - ONGOING ONBORARDING OF NAMES  
FOLLOWING LIAISONS WITH GRA CONTACTS; MONITORING STATUS OF [REDACTED] APPROVALS

I had previously put that note so that the status is obvious and to keep you in the loop.

Please also be advised that I started working on the reconciliation items (reconciling reports against [REDACTED] approval list, tracking exceptions, data quality issue items, conducting investigations and follow ups) at the beginning of the month (June 1 through 3) while also starting the ball rolling on the Exposure Report and multi-tasking accordingly with my other current tasks prior to me being out of office on June 4 and 5. As a reminder, please see attached email I sent to you with a breakdown of my tasks, an approximation of the time spent and the methods/steps it takes to bring each task to fruition.



As you are also aware, we got side-tracked from the Reconciliation Report because we had to spend a lot of time addressing all the issues with the Exposure Report. We have been met with many challenges for the Exposure Report during variance analysis and investigations, confirming which products to leverage from Newton versus business files and liaising with the Newton Team to confirm logic for filtering and calculating exposures for new products to leverage from Newton. I have been conducting the time consuming investigations largely due to data quality issues and subsequent preparation of analyses to conduct follow ups with Newton Team, calculating and re-calculating exposures due to the back and forths between us being advised to use Newton data then having to revert to using business file data and vice versa. You are also aware of all the discussions and are on the emails we exchanged with the Newton Team.

With that said, if I have to stop working on the Reconciliation Report to prioritize the Exposure Report, urgent ad-hoc items, etc., I do not have a backup to continue working on reconciliation related items. For example, even though you said you would have worked on the Reconciliation Report during my absence, obviously and understandably you did not get a chance to work on it because you already have a high volume of work to do on your end so the work for the Reconciliation Report was left for me to do upon my return to the office. Another example, last week, again, you advised that you would help with the Reconciliation Report and that I should continue to focus on working on the Exposure Report but similar to the afore-stated, you did not get a chance to work on the Reconciliation Report so again, I have no backup. This stems back to the fact that there is a lack of human resources to do the reporting side of the business given the volume and time consuming nature of the work – an issue I have raised to you on several occasions. Also, please bear in mind that I have been working long hours day after day. My average time for leaving the office for the past 2 weeks was 8pm.

In light of the foregoing, I find your feedback for the “clean up” of the GRA entries to be disingenuous and to be an unfair attempt to make me seem incompetent. However, please be advised that the list has now been updated as of Friday, June 12. And as usual, any item that has been duly addressed for previous months are no longer showing. As you know and as per normal, as GRA approval requests get reviewed/approved in [REDACTED], I will update comments again accordingly.

Going forward and to make sure that we are on the same page, as discussed on Friday, for GRA, because there are a lot of items which entails continuous onboarding of counterparty names in [REDACTED], liaisons with GRA contacts to confirm counterparty classification and legal entity names and monitoring status of [REDACTED] approvals, please be advised that the commentary in and of itself will always be a work in progress. Therefore, ensuring that “our file is clean” for whatever reason will always be a challenge unless commentaries are deliberately omitted to give us the illusion of such.

I also discussed the following with you in regards to the method for handling reconciliations for this product taking into consideration the need to not only look for any potential trading breaches but also to incorporate the fact that there is an ongoing project for onboarding the GRA counterparty names in [REDACTED] to capture both sides:

- The GRA confirmations from the contacts came in piece meal over time
- I continued to work on the GRA investigations, updating commentary, raising [REDACTED] approval requests and had to reconcile the May list with April's list's to remove items resolved in April for May's list
- Items roll over month to month and after adding the items accordingly to current month's list, I have to also go through the list to make sure items resolved in the previous month are removed from current month's reconciliation list
- I employ a similar treatment of roll over items to other products to make sure that we are not missing any items that still need to be investigated as new items are being added to this list

Besides the GRA items, overall, as discussed, the Reconciliation Report items (whether source is Newton or business files) and commentary still continue to be a work in progress because even though data is reconciled against approval lists and exceptions/data quality issue items are tracked, investigations for resolution are continuous and time consuming and each time there is an update on the status of an item, the commentary needs to be updated again.

For the items noted in your email with regards to [REDACTED] - [REDACTED] - [REDACTED], please see emails I have attached and on which you were copied, to [REDACTED] - [REDACTED] - [REDACTED]



show that I have done follow ups on them. I will be continuing investigations and follow ups accordingly on these items as per normal. I am aware that [REDACTED] and [REDACTED] lists need to be updated. They are part of the process I described above with capturing all items, reconciling monthly lists and updating commentary. I will look into adding the counterparty SPNs in [REDACTED] where necessary.

Again, I informed you that I had to continue to update items on the reconciliation list which entails making sure all items have been added, updating commentary and removing resolved items on current month's list relating to previous month (all tasks a part of the original and modified procedures for working on the Reconciliation Report) before you started your review. Meaning, it would have made sense if you had given me the opportunity to continue working on the items that obviously needed to be scrubbed and updating commentary on items for continuous investigation before reviewing and reporting your findings.

With all due respect and in closing, you have made the reporting position much more stressful than it needs to be.

Best regards,  
Candice

**Candice Lue** | Asset Management | Counterparty Risk Group | **J.P. Morgan** | 270 Park Avenue, 9th Floor, New York, NY 10017 | ☎ (212) 648 - 0936 | ✉ [Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com)

---

**From:** Shillingford, Fidelia X  
**Sent:** Friday, June 12, 2015 4:01 PM  
**To:** Lue, Candice  
**Subject:** May Reconciliation - Newton Reports

Hi

I have reviewed the reconciliation, below is my feedback.

**From review, no true exception in the Newton reconciliation.** I haven't looked at the manual files; once I do, I will send feedback separately.

- Let's name the Newton file – [REDACTED]. Please exclude FI in the name as this covers all desks for the respective products and not only FI.
- Also as discussed, please clean up the entries for GRA. I see several entries that were addressed in April that are carried over in May.
  - Note we should include only active exceptions in the current month meaning if the name was an exception in March but in April it was addressed (added in [REDACTED] as [REDACTED] or [REDACTED]); then I should not see the name in May (see my comment in cell [REDACTED]). There appears to be several items like this. Can you schedule some time next week after the exposure to review the GRA list and to understand where we are in the reconciliation process for GRA. I want to ensure our file is clean in preparation for the [REDACTED] Audit.
- [REDACTED] – can you enter the SPNs; if you do not know how I can show you (see example below on how to add SPNs). All entities are approved for the activity; the duplicate SPNs are not attached in CMS, therefore they are appearing as exceptions
- [REDACTED] – For the [REDACTED], while we wait for Tech to address the branch issue in [REDACTED], can you add the SPNs under main legal entity in [REDACTED]
- [REDACTED] have been segregated – CRG was informed in our demo in May, we need to segregate in the reconciliation ([REDACTED] – [REDACTED])
- Next week, we need to follow up with Sol on [REDACTED]. Let's also check our emails to see where we left off
- [REDACTED] – have you sent the email to Tom/Zeesan regarding the removal. Is not approved for trading for the US (and we are adopting this approach across other regions) for [REDACTED]. I see it

approved for other activities? We need confirmation. Was the business advised of this? We suspended in [REDACTED] but no action was taken in [REDACTED] – this broker is still trade-able.

○ Also why isn't this on the MAY tab?

- [REDACTED] – the names listed in the [REDACTED] tab does not reconcile with the names listed in the [REDACTED] tab of the Newton report (see snap shot 1 below); any explanation why? Also, please follow up on the [REDACTED] with Newton.
- [REDACTED] – the names listed in the [REDACTED] tab does not reconcile with the names listed in the [REDACTED] tab of the Newton report (see snap shot 2 below); any explanation as to why [REDACTED] remains on the list – it did not appear in May exceptions. Again, as noted previously, I only want to see current month's exceptions in the current months view.

REDACTED



## Lue, Candice

---

**From:** Lue, Candice  
**Sent:** Thursday, October 15, 2015 9:19 AM  
**To:** Shillingford, Fidelia X  
**Cc:** Poz, Thomas I  
**Subject:** RE: Sept. 2015 Exposure Report - Blanks in Tableau for Current Exposure, Gross Exposure and Net Exposure Fields

That is why I said that you are being deliberate.

If I would have spotted this potential issue during my review, like the other data quality and potential data quality issues that I've spotted and escalated to Tech, I would have done the same with this one, as you have seen.

Please note that besides inquiring if the blanks meant zero during our conversation, I also brought up the point that there might be a possibility that values did not feed into the system so those exposure fields appear blank. At that point, we BOTH agreed that I would follow up with Tech.

It is because of my due diligence that I was able to self-identify and independently follow up on the other data quality issues without (with emphasis) you directing me to do so.

Please note that in light of the afore-mentioned, there is no way that I would be making "assumptions" – and incidentally, that is an insult to my hard work.

You are a very unfair person and yes, knowing the numerous data quality issues that we experience for which I have self-identified, investigated, prepared analysis for and escalated to the Tech team, if there is a very minimal or ONE oversight, you do not need to unfairly give the impression for me to be seen as being incompetent.

Please bear in mind that unlike you, the company understands that there is a propensity that incidents of oversight will happen whether with you, me or anybody and that is why per the company's protocol, a second reviewer is required.

Best regards,  
Candice

**Candice Lue** | Asset Management | Counterparty Risk Group | **J.P. Morgan** | 270 Park Avenue, 9th Floor, New York, NY 10017 | ☎ (212) 648 - 0936 | ✉ [Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com)

---

**From:** Shillingford, Fidelia X  
**Sent:** Wednesday, October 14, 2015 9:39 PM  
**To:** Lue, Candice  
**Cc:** Poz, Thomas I  
**Subject:** Re: Sept. 2015 Exposure Report - Blanks in Tableau for Current Exposure, Gross Exposure and Net Exposure Fields

Candice to clarify, this abnormality was overlooked by you.

As part of the secondary review, I spotted this. Subsequent to which I called you over to inquire about it. You noted and I quote "that blank indicates zero exposure." To which my response was, "Why do we see zero or negative in order rows but not this one."

I then directed you to send an email to Tech to confirm if this should be zero or maybe an indication of some underlying data quality issue.

As I stated before, I expect that you would independently follow up on such abnormalities and not make any assumptions. My email is not intended to marginalize the work you have done on the data quality but simply to emphasis that you need to be diligent. Knowing the numerous data quality issues that we experience, you need to always ask questions when something seems amiss.

Regards  
Fidelia

---

**From:** Lue, Candice  
**Sent:** Wednesday, October 14, 2015 07:03 PM  
**To:** Shillingford, Fidelia X  
**Cc:** Poz, Thomas I  
**Subject:** RE: Sept. 2015 Exposure Report - Blanks in Tableau for Current Exposure, Gross Exposure and Net Exposure Fields

Fidelia,

You are being deliberate. You are well aware that we both noticed this abnormality while reviewing the exposure report when I was over at your desk this afternoon. At that time, when we looked at this together, we both agreed that I would follow up with the Tech Team. I subsequently raised this abnormality to the Tech Team at today's Tech Meeting and also via the email below.

As you know, throughout the September month end exposure reporting process this month, I have self-identified, investigated, prepared analysis and escalated several data quality issues and potential data quality issues to the Tech Team for further investigation and resolution. You were copied on all the emails and in conjunction with these emails, I have kept you in the loop of any updates as I continuously liaised with Tech to resolve the data quality issues.

Furthermore, between last week and this week, I have been in the office until 9:15 / 9:20pm on some days and averaged 8pm for the rest of the days analyzing the exposure data, conducting the required time consuming investigations and analysis preparation to escalate data quality issues to the Tech Team for resolution. Just like with the previous months' exposure reports as we continue with the transition to automation, I have self-identified, investigated, prepared analysis and escalated several data quality issues to the Tech Team for resolution and continuously liaised with them accordingly.

Best regards,  
Candice

**Candice Lue** | Asset Management | Counterparty Risk Group | **J.P. Morgan** | 270 Park Avenue, 9th Floor, New York, NY 10017 | ☎ (212) 648 - 0936 | ✉ [Candice.Lue@jpmorgan.com](mailto:Candice.Lue@jpmorgan.com)

---

**From:** Shillingford, Fidelia X  
**Sent:** Wednesday, October 14, 2015 5:40 PM  
**To:** Lue, Candice  
**Subject:** RE: Sept. 2015 Exposure Report - Blanks in Tableau for Current Exposure, Gross Exposure and Net Exposure Fields

Candice

I expect that when you see these abnormalities that you don't make assumptions but always reach out to the Tech team for confirmation.

Regards  
Fidelia

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**From:** Lue, Candice  
**Sent:** Wednesday, October 14, 2015 5:36 PM



**To:** Nedunchezhiyan, Gokulakrishnan; CPTY DQ

**Cc:** Shillingford, Fidelia X

**Subject:** Sept. 2015 Exposure Report - Blanks in Tableau for Current Exposure, Gross Exposure and Net Exposure Fields

**Importance:** High

Hi Gokul,

As discussed in today's Tech meeting, we noticed some blanks for current exposure, gross exposure and net exposure fields in Tableau for COB 9/30/15 data. Please see screenshots from Tableau below. Could you please confirm if these blanks mean that the exposure values should be zero or if there was a feeding issue whereby these exposures did not populate?

If there is supposed to be a specific value (other than zero), could you please confirm the respective values?

Many thanks!

Best regards,  
Candice

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# EXHIBIT ZZ

(Somatisation/Somatoform and Psychosomatic Disorders)



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# Somatisation/Somatoform Disorders

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When mental factors such as stress cause physical symptoms the condition is known as somatisation. **Somatoform disorders** are a severe form of **somatisation** where physical symptoms can cause great distress, often long-term. However, people with somatoform disorders are usually convinced that their symptoms have a physical cause.

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## Somatisation

### What is somatisation?

When physical symptoms are caused by mental (psychological) or emotional factors it is called somatisation. For example, many people have occasional headaches caused by mental stress. But, stress and other mental health problems can cause many other physical symptoms such as:

- Chest pains \*
- Tiredness
- Dizziness
- Back pain
- Feeling sick (nauseated) \*

The term psychosomatic disorder means something similar to somatisation but includes other things. See separate leaflet called *Psychosomatic Disorders* for more details.

### How can the mind cause physical symptoms?

The relationship between the mind and body is complex and not fully understood. When we somatise, somehow the mental or emotional problem is expressed partly, or mainly, as one or more physical symptoms. However, the symptoms are real and are not imagined. You feel the pain, have the diarrhoea, etc.

### How common is somatisation?

It is common. Sometimes we can relate the physical symptoms to a recent stress or mental health problem. For example, you may realise that a bout of neck pain or headache is due to stress. Anxiety and depression are also common reasons to develop physical symptoms such as a 'thumping heart' (palpitations), aches and pains, etc. Often the physical symptoms go when emotional and mental factors ease. However, often we do not realise the physical symptom is due to a mental factor. We may think we have a physical disease and see a doctor about it.

### Somatisation and functional symptoms

Some doctors prefer to use the term functional when no known physical cause can be found for a physical symptom. A functional symptom means a function of the body is faulty (for example, there may be pain or diarrhoea) but we don't know the cause. The cause may be due to mental factors (somatisation), physical factors not yet discovered, or a combination of both. Another term which is sometimes used for such symptoms is medically unexplained symptoms.

## What are the somatoform disorders?

The somatoform disorders are the extreme end of the scale of somatisation. So, the physical symptoms persist long-term, or are severe but no physical disease can fully explain the symptoms. Somatoform disorders include:

- Somatisation disorder
- Hypochondriasis



- Conversion disorder
- Body dysmorphic disorder
- Pain disorder

They are classed as mental health disorders, as the cause of the symptoms is thought to be mental factors. However, they cannot be fully explained by depression, substance abuse, or other recognised mental health disorders. There has recently been a renaming of these mental health disorders and they have all been put under the main heading of 'somatic symptom disorder'. Doctors used to make the diagnosis based on strict patterns of symptoms. However, they now rely much more on how much the symptoms affect the person's life and well-being. It is also recognised that somatic symptom disorder can occur in people who have physical diseases such as arthritis or cancer.

**Note:** this leaflet has retained the old headings where necessary. They probably still have some use in understanding the different types of symptoms that occur.

People with somatoform disorders usually disagree that their symptoms are due to mental factors. They are convinced that the cause of their symptoms is a physical problem.

### Somatisation disorder

People with this disorder have many physical symptoms from different parts of the body - for example:

- Headaches ✱
- Feeling sick (nauseated) ✱
- Tummy (abdominal) pain ✱
- Bowel problems
- Period problems
- Tiredness
- Sexual problems

The main symptoms may vary at different times. Affected people tend to be emotional about their symptoms. So they may describe their symptoms as 'terrible', 'unbearable', etc and symptoms can greatly affect day-to-day life. The disorder persists long-term although the symptoms may wax and wane in severity. ✱

The cause is not known. It may have something to do with an unconscious desire for help, attention or care. It runs in some families. The disorder usually first develops between the ages of 18 years and 30 years. More women than men are affected. ✱

It is difficult for a doctor to diagnose somatisation disorder. This is because it is difficult to be sure that there is no physical cause for the symptoms. So, people with this disorder tend to be referred to various specialists, and have many tests and investigations. However, no physical disease is found to account for the symptoms.

### Hypochondriasis

This is a disorder where people fear that minor symptoms may be due to a serious disease. For example, that a minor headache may be caused by a brain tumour, or a mild rash is the start of skin cancer. Even normal bodily sensations such as 'tummy rumbling' may be thought of as a symptom of serious illness. People with this disorder have many such fears and spend a lot of time thinking about their symptoms.

This disorder is similar to somatisation disorder. The difference is that people with hypochondriasis may accept the symptoms are minor but believe or fear they are caused by some serious disease. Reassurance by a doctor does not usually help, as people with hypochondriasis fear that the doctor has just not found the serious disease.

### Conversion disorder

Conversion disorder is a condition where a person has symptoms which suggest a serious disease of the brain or nerves (a neurological disease) - for example:

- Total loss of vision (severe sight impairment).
- Deafness.
- Weakness, paralysis or numbness of the arms or legs.



The symptoms usually develop quickly in response to a stressful situation. You unconsciously convert your mental stress into a physical symptom.

Conversion disorder tends to occur between the ages of 18 years and 30 years. Symptoms often last no longer than a few weeks but persist long-term in some people. In many cases there is only ever one episode and no treatment is needed once symptoms have gone. Some people have repeated episodes of conversion disorder from time to time.

### Body dysmorphic disorder

Body dysmorphic disorder is a condition where a person spends a lot of time worried and concerned about their appearance. A person with this disorder may focus on an apparent physical defect that other people cannot see. Or, they might have a mild physical defect but the concern about it is out of proportion to the defect.

For example, a person may think that he or she has a skin blemish or an odd-shaped nose. However, no one else can see the defect, or the blemish would be considered trivial by most people. The person becomes preoccupied with the imagined defect, or slight defect. For example, they may spend a lot of time looking in the mirror at the apparent defect. They may wear camouflaging make-up to hide the defect. The thought of the defect is very distressing for people with this condition.

Some people with body dysmorphic disorder consult a cosmetic surgeon to have the imagined or trivial defect corrected. See separate leaflet called *Body Dysmorphic Disorder* for more details.

### Pain disorder

Pain disorder is a condition where a person has a persistent pain that cannot be attributed to a physical disorder.

## Who gets somatoform disorders and what causes them?

Somatoform disorders can affect anyone of any age. The exact number of people affected is difficult to determine, as many cases are probably not diagnosed. Somatisation disorder is thought to be quite rare, perhaps affecting about 1 in 1,000 people. Hypochondriasis and body dysmorphic disorder are perhaps more common.

It is not clear why some people develop somatoform disorders. Genetic 'makeup' and environmental factors both probably play a part. Genetic makeup is the material inherited from your parents which controls various aspects of your body. This genetic makeup combined with factors such as how you were brought up, your parental and peer influences, etc, may all contribute.

Somatoform disorders are more common in people who abuse alcohol and drugs. However, drugs and alcohol may be factors in both cause and effect. For example, some people may turn to alcohol or other drugs to ease the distress of their somatic symptoms. On the other hand, excess alcohol or illicit drugs may make the symptoms worse.

## What is the treatment for somatoform disorders?

Treatment is often difficult, as people with somatisation disorders commonly do not accept that their symptoms are due to mental (psychological) factors. They may become angry with their doctors who cannot find the cause for their symptoms. Another difficulty is that people with somatisation disorder, like everyone else, will develop physical diseases at some point. So, every new symptom is a challenge to a doctor to know how far to investigate.

Many people who are thought to have a somatoform disorder also have other mental health problems such as depression, anxiety or substance abuse. Treatment of these other mental health problems may improve the situation.

If the person can be convinced that mental factors may contribute to, or cause, the physical symptoms then they may accept a talking treatment. Talking treatments, such as cognitive behavioural therapy, may help people to understand the reasons behind symptoms. Such treatments aim to change any false beliefs the person may have and help them identify and deal with emotional issues.



Medication does not have much of a role except if the disorder is associated with underlying anxiety or depression. Some specific conditions such as body dysmorphic disorder and pain disorder have been helped by medicines called selective serotonin reuptake inhibitors (SSRIs).

## Further help & information

### FND Action

Web: [www.fndaction.org.uk/](http://www.fndaction.org.uk/)

### FND Hope

Web: [fndhope.org/](http://fndhope.org/)

## Further reading & references

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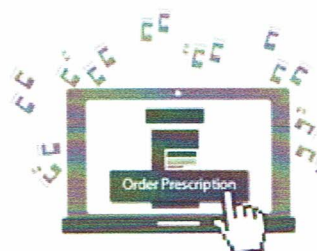
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## Psychosomatic Disorders

Psychosomatic means mind (psyche) and body (soma). A **psychosomatic disorder** is a disease which involves both mind and body. Some physical diseases are thought to be particularly prone to be made worse by mental factors such as stress and anxiety. Your current mental state can affect how bad a physical disease is at any given time.

### Which diseases are psychosomatic?

To an extent, most diseases are psychosomatic - involving both mind and body.

- There is a mental aspect to every physical disease. How we react to disease and how we cope with disease vary greatly from person to person. For example, the rash of psoriasis may not bother some people very much. However, the rash covering the same parts of the body in someone else may make them feel depressed and more ill.
- There can be physical effects from mental illness. For example, with some mental illnesses you may not eat, or take care of yourself, very well which can cause physical problems.

However, the term psychosomatic disorder is mainly used to mean ... "a physical disease that is thought to be caused, or made worse, by mental factors".

Some physical diseases are thought to be particularly prone to be made worse by mental factors such as stress and anxiety. For example, these include psoriasis, eczema, stomach ulcers, high blood pressure and heart disease. It is thought that the actual physical part of the illness (the extent of a rash, the level of the blood pressure, etc) can be affected by mental factors. This is difficult to prove. However, many people with these and other physical diseases say that their current mental state can affect how bad their physical disease is at any given time.

\* Some people also use the term psychosomatic disorder when mental factors cause physical symptoms but where there is no physical disease. For example, a chest pain may be caused by stress and no physical disease can be found. See separate leaflet called Somatisation/Somatoform Disorders for more details.

### How can the mind affect physical diseases?

It is well known that the mind can cause physical symptoms. For example, when we are afraid or anxious we may develop:

- A fast heart rate.
- A 'thumping heart' (palpitations).
- Feeling sick (nauseated). \*
- Shaking (tremor).
- Sweating.
- Dry mouth.
- Chest pain. \*
- Headaches. \*
- A knot in the stomach.
- Fast breathing.

These physical symptoms are due to increased activity of nervous impulses sent from the brain to various parts of the body and to the release of adrenaline (epinephrine) into the bloodstream when we are anxious.



However, the exact way that the mind can cause certain other symptoms is not clear. Also, how the mind can affect actual physical diseases (rashes, blood pressure, etc) is not clear. It may have something to do with nervous impulses going to the body, which we do not fully understand. There is also some evidence that the brain may be able to affect certain cells of the immune system, which is involved in various physical diseases.

## What are the treatments for psychosomatic disorders?

Each disease has its own treatment options. For physical diseases, physical treatments such as medication or operations are usually the most important. However, healthcare workers will usually try to treat a person as a whole and take into account mental and social factors which may be contributing to a disease. Therefore, treatments to ease stress, anxiety, depression, etc, may help if they are thought to be contributing to your physical disease.

## Further reading & references

- Somatic Symptom Disorder; American Psychiatric Association, 2013
- Kallivayalil RA, Punnoose VP; Understanding and managing somatoform disorders: Making sense of non-sense. Indian J Psychiatry. 2010 Jan;52(Suppl 1):S240-5. doi: 10.4103/0019-5545.69239.

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