

1 ALEXANDER HERNAEZ, State Bar No. 201441  
ahernaез@foxrothschild.com  
2 ANDREW S. ESLER, State Bar No. 320772  
aesler@foxrothschild.com  
3 HYUNKI (JOHN) JUNG, State Bar No. 318887  
JJung@foxrothschild.com  
4 FOX ROTHSCHILD LLP  
345 California Street, Suite 2200  
5 San Francisco, CA 94104-2670  
Telephone: 415.364.5540  
6 Facsimile: 415.391.4436  
Attorneys for Defendants  
7 SUNDAR IYER and RAMANA KOMPELLA

**Electronically Filed  
by Superior Court of CA,  
County of Santa Clara,  
on 1/12/2021 12:58 PM  
Reviewed By: R. Burciaga  
Case #20CV372366  
Envelope: 5624624**

8  
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SANTA CLARA

11  
12 DEPARTMENT OF FAIR EMPLOYMENT  
AND HOUSING, an agency of the State of  
13 California,

14 Plaintiff,

15 v.

16 CISCO SYSTEMS, INC., a California  
Corporation; SUNDAR IYER, an individual;  
17 RAMANA KOMPELLA, an individual,

18 Defendants.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 20CV372366

**DECLARATION OF SUNDAR IYER IN  
SUPPORT OF DEFENDANTS SUNDAR  
IYER AND RAMANA KOMPELLA'S  
OPPOSITION TO PLAINTIFF  
CALIFORNIA DEPARTMENT OF FAIR  
EMPLOYMENT AND HOUSING'S  
MOTION TO PROCEED USING A  
FICTITIOUS NAME**

Date: January 26, 2021  
Time: 9:00 a.m.  
Dept: 2  
Judge: Hon. Drew C. Takaichi

Action Filed: October 16, 2020  
Trial Date: None set.

**DECLARATION OF SUNDAR IYER**

I, Sundar Iyer, declare as follows:

1. I am a former Distinguished Engineer at Cisco Systems, Inc. (“Cisco”). I am also an individual defendant in this case. The matters set forth in this Declaration are based on my personal knowledge and if called as a witness, I could and would testify competently thereto.

2. In this lawsuit filed by the California Department of Fair Employment and Housing (“DFEH”) on behalf of John Doe (“Doe”), a former colleague of mine at Cisco, the DFEH wrongfully claims that I subjected Doe to unfair treatment because he is Dalit.

3. The DFEH’s allegations are premised on the notion that I am an adherent of the highest ranking social caste, Brahmin, and that I actively supported and advanced caste hierarchy at Cisco, which resulted in inferior terms and conditions of employment for Doe. This is categorically and demonstrably false.

4. I have publicly stated on my personal web page, for almost 20 years, that I do not practice organized religion, let alone Hinduism or Brahminism. I have publicly admonished the Indian caste system for over a decade, including in my short story from a writing class at Stanford in 2012. I actively opposed, and have never undergone, the *Upanayanam*, a Hindu rite-of-passage ritual which marks a boy’s acceptance into the religious community; the ritual is traditionally reserved for upper castes.

5. My extended family consists of at least two relatives who identify as Dalit and many others from various, non-Hindu, religious backgrounds. I have publicly declared my belief in human unity, not the outdated social constructs associated with the caste system, and I have nurtured these benevolent ideals in my personal and professional lives.

6. I first met Doe while attending the Indian Institute of Technology (“IIT”) together, where we were in the same department of only thirty-seven students. After graduating from IIT, I pursued further educational opportunities in the United States, ultimately founding numerous technology companies and advising several more in the San Francisco Bay Area.

7. I co-founded a special project at Cisco in 2015. This project was an internal technology start-up with substantial autonomy on how it operated. The project was fluid in how

1 it was managed, ensuring that the necessary staffing and expertise could be delegated to specific,  
2 constantly evolving, projects.

3 8. I actively solicited and hired Doe to join Cisco as a Principal Engineer and  
4 member of this project. I offered Doe a very competitive starting salary, in addition to stock  
5 grants valued in the millions of dollars, making him one of the mostly highly compensated  
6 members of the project. I sacrificed the entirety of my own equity in the project to provide Doe,  
7 and other members of the project, with generous compensation packages. Despite these facts,  
8 Doe now appears to take issue with not being given a raise in the low thousands of dollars.

9 9. During my time at Cisco, project members were recruited, hired, managed, and  
10 promoted based on their qualifications and work ethic, not because of their caste identity. One of  
11 these members self-identified to me as a Dalit decades ago. While knowing this and before Doe  
12 raised his complaint internally, I recruited and hired him for a head position on the project. I  
13 subsequently also offered him the Head of Engineering role, again before Doe raised any  
14 complaint. I championed his career, and ultimately offered him my position, which he declined.

15 10. Doe's caste had absolutely no influence on any management decisions I made,  
16 including decisions regarding his work assignments, training, reporting structure, and  
17 performance at Cisco. Indeed, it would be illogical for me to have actively recruited and hired  
18 Doe, offering him an extremely generous compensation package, the joint highest grade in my  
19 group, only to then hinder his performance because of his caste. My actions in the months both  
20 before and after Doe's hiring, and in giving him several leadership opportunities, further  
21 demonstrate that his allegations are meritless.

22 11. I have never retaliated against Doe, let alone in relation to this lawsuit. In fact, I  
23 left Cisco and the San Francisco Bay Area for the majority of the past 2.5 years in part to distance  
24 myself from Doe and the substantial media attention the DFEH has garnered to this case.

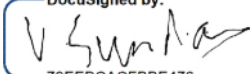
25 12. I am honored to have worked with a stellar and diverse team at Cisco, which was  
26 comprised of individuals from different countries, religions, and ethnic backgrounds. We built an  
27 environment of mutual respect — for each other to learn and flourish. It pains me that Doe is  
28 now attempting to tarnish that image with his own false narrative, all while cloaked behind a veil

1 of anonymity. Truly, if Doe’s allegations continue in court, Doe must publicly stand behind his  
2 accusations, so that those individuals impacted by his deceitful accusations can come forward and  
3 openly challenge them.

4 I declare under penalty of perjury under the laws of the State of California that the  
5 foregoing is true and correct.

6 Executed this 12th day of January, 2021, in Funchal, Portugal.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DocuSigned by:  
  
79EEBCACFBBE476... \_\_\_\_\_

Sundar Iyer