

For Immediate Release

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**Coaches Sue Chivas USA Professional Soccer Organization,
Allege Discrimination Against Non-Latinos**

LOS ANGELES (May 29, 2013)—Two former members of the coaching staff of Chivas USA have filed a lawsuit against the Major League Soccer organization, saying they were fired “because they were neither Mexican nor Latino.” The filing was announced today by Gregory D. Helmer, of the Los Angeles law firm of Helmer Friedman, LLP, who represents the two coaches.

Daniel Calichman and Theodoros Chronopoulos, both of whom were former professional soccer players and members of the U.S. National Team before being hired by Chivas USA, are suing in Los Angeles Superior Court. The men, described in the complaint as “Caucasian, non-Latino Americans,” allege discrimination, harassment, retaliation and wrongful termination by Chivas USA based on national origin, ethnicity and race.

Mr. Chronopoulos and Mr. Calichman were employed as coaches in the Chivas USA Academy, which offers soccer programs for youngsters from approximately age seven through age 18.

Mr. Helmer noted that the Chivas USA team was formed in 2004 by a group that included Jorge Vergara Madrigal, a prominent Mexican businessman.

Two years earlier Mr. Vergara had acquired Chivas de Guadalajara. The Mexican team, popularly known as “Chivas,” has since 1908 had a stated policy of hiring only players who are Mexican-born or born of Mexican parents.

In 2012, Mr. Vergara acquired full ownership of Chivas USA and, according to the complaint, began to “implement a discriminatory policy similar to the ethnocentric ‘Mexican-only’ policy that exists at Chivas de Guadalajara.” This included “replacing

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players and staff who had no Mexican or Latino heritage," and appointing Mexican nationals to the team's top executive positions.

"While the hiring practices of Chivas de Guadalajara may be legal in Mexico," Mr. Helmer said, "Chivas USA must follow California and federal laws prohibiting discrimination, including treatment based on race, national origin or ethnicity."

On November 13, 2012, the complaint states, Mr. Vergara called all Chivas USA employees to a meeting and announced that non-Spanish speaking employees would be fired. It quotes Mr. Vergara as saying, "If you don't speak Spanish, you can go work for the Galaxy, unless you speak Chinese, which is not even a language." (The Los Angeles Galaxy soccer team hires players from diverse backgrounds, notably including David Beckham of England.)

In late November of 2012, the complaint states, Jose David, the team's newly hired president and chief business officer, asked Mr. Chronopoulos to report which Academy players and coaches were Mexican or Mexican-American and which were not.

In late December Mr. David directed Mr. Chronopoulos to collect ethnic and national origin data on the youngsters enrolled in the Chivas Academy and their parents, according to the complaint, which states that "When the requests for this information were sent to the parents, many of them were offended and refused to provide it."

On January 11, 2013, Mr. Calichman and Mr. Chronopoulos submitted written complaints of discrimination and harassment to the team's Human Resources Manager, Cynthia Craig. At a meeting three days later, according to the court filing, "Ms. Craig assured Mr. Calichman that Chivas USA was going to conduct a 'full investigation'" into the men's complaint, but no investigation was made.

At that meeting Mr. David stated that he and Mr. Vergara "were taking the team 'back to its Mexican roots,'" the complaint states, and indicated that Mr. Calichman and Mr. Chronopoulos would not be "part of the effort to take the team back to its Mexican roots."

The two men subsequently "were informed that they were not being fired but, at the same time were told not to perform their job duties. They were, in effect, placed on suspension."

The following day, the complaint states, Ms. Craig contacted both men proposing that they resign from their jobs in exchange for two weeks of severance. On January 18, Mr. Calichman responded by email, rejecting the proposal and asking Ms. Craig to verify that he was still employed.

In February, having received no response to their allegations of harassment and discrimination, the court filing states, the men filed complaints with the California Department of Fair Employment and Housing.

On March 7, 2013, according to the court filing, both men received identical letters from Mr. David, notifying them that their employment was being terminated as of the following day. Their lawsuit notes that "the letter is conspicuously silent" as to whether the company had investigated their complaints of harassment and discrimination. "Moreover, in further retaliation for their complaints, Mr. David falsely and maliciously accused them of 'demonstrat[ing] unprofessional conduct that created an unsafe work environment,'" without stating how they allegedly did so.

The lawsuit seeks general, special and punitive damages in amounts to be determined at trial, as well as any other relief the Court may deem proper.

Also named as defendants are Insperity, Inc. and Insperity Business Services, L.P. The complaint alleges that Insperity is a joint employer with Chivas USA and, in that capacity, is liable for any unlawful employment practices.

"A major professional soccer team should pick its players and coaches based on their abilities," Mr. Helmer noted. "The behavior detailed in our complaint against Chivas USA is totally unacceptable for any American employer. It is also a disservice to young people of all ethnicities who might aspire to a career in professional soccer, or who look at these players as role models. It also short-changes fans by fielding a team whose players are selected because of their ethnicity rather than their skills."

Helmer Friedman LLP provides legal representation and advice in a wide range of areas, including labor and employment, sports, and entertainment. The firm can be reached at 310-396-7714 or www.helmerfriedman.com.

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Note to media: The full complaint can be viewed at <http://fofry.com/chivasusa>