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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**FLORENCE CHAMBERLIN,** )  
 )  
v. ) **DEMAND FOR JURY TRIAL**  
 )  
**TODD BLANCHE,** )  
Acting Attorney General )  
U.S. Department of Justice )  
and )  
 )  
**U.S. DEPARTMENT OF JUSTICE.** )

**COMPLAINT**  
**Discrimination in Violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.; Discrimination in Violation of the Age Discrimination in Employment Act, 29 U.S.C. § 633a; Discrimination in Violation of the First Amendment of the United States Constitution**

Plaintiff, Florence Chamberlin, by and through her undersigned attorneys, files this Complaint for declaratory, injunctive, and monetary relief against her former employer, the Department of Justice (hereinafter, “DOJ” or “the Agency”), and Acting Attorney General Todd Blanche in his official capacity (collectively, “Defendants”) to seek redress for Defendants’ violations of Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. §§ 2000e *et seq.*, the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 633a, and the First Amendment of the United States Constitution.

### **JURISDICTION**

1. This Court has jurisdiction under 28 U.S.C. § 1331 because this case arises under the Constitution and the laws of the United States. Jurisdiction is also proper under 42 U.S.C. § 2000e-5(f)(3), which applies pursuant to 42 U.S.C. § 2000e-16(d). The Court has authority to provide relief under the Declaratory Judgment Act, 28 U.S.C. § 2201, and the mandamus statute, 28 U.S.C. § 1361.

2. Venue is proper pursuant to Title VII, 42 U.S.C. § 2000e-5(f)(3). That is so because, among other things, but for the discriminatory practices, Plaintiff would have worked in Concord, California, within the Northern District of California. Venue is also proper under 28 U.S.C. § 1391(e)(1) because a substantial part of the events or omissions giving rise to the claim occurred in Concord, California, within the Northern District of California.

### **INTRADISTRICT ASSIGNMENT**

3. Assignment to the San Francisco Division of this District is proper pursuant to Civil Local Rule 3-2(c)-(d) because at all times relevant to this complaint, Plaintiff resided in Alameda County and was employed within Contra Costa County, wherein all acts or omissions complained thereof took place.

**PARTIES**

4. Plaintiff Chamberlin is an adult female who, at all times relevant to this complaint, resided in Alameda County within the State of California. Plaintiff is a citizen of the United States.

5. Defendant Todd Blanche is the Acting Attorney General, the head of the Department of Justice. Defendant Blanche is sued in his official capacity.

6. Defendant United States Department of Justice is the agency which formerly employed Plaintiff.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

7. On October 14, 2025, Plaintiff contacted the Defendant DOJ's Equal Employment Opportunity ("EEO") Office and initiated informal counseling on her Title VII and ADEA claims.

8. On December 26, 2025, Plaintiff filed a Formal Complaint of Discrimination with Defendants' EEO Office raising her Title VII and ADEA claims. In accordance with 42 U.S.C. § 2000e-16, 29 U.S.C. § 633a(b), and 29 C.F.R. § 1614.106(b), Plaintiff filed that Complaint following completion of informal counseling and within fifteen (15) days of Plaintiff's final interview and receipt of notification from her EEO counselor of her right to file a formal complaint.

9. On February 17, 2026, Defendants issued a Final Agency Decision under 29 C.F.R. § 1614.110 dismissing the Complaint for failing to state a claim.

10. According to the Final Agency Decision, Defendants' failure to convert Plaintiff's Immigration Judge position from a probationary to a permanent position and their termination of her employment:

w[ere] a lawful exercise of the Attorney General's authority under Article II of the Constitution. Article II of the Constitution allows the President and heads of departments exercising his power to remove inferior officers without cause, subject to only narrow exceptions that do not apply to your former position. No statute provides otherwise, and even if it did, the statute would run afoul of Article II.

11. Plaintiff filed the instant action within 90 days of receipt of the Agency’s final action pursuant to 29 C.F.R. § 1614.407(a), 42 U.S.C. § 2000e-16(c), and 29 U.S.C. § 633a(b)-(c).

**FACTS GIVING RISE TO RELIEF**

12. Plaintiff Chamberlin was born in 1966.

13. Plaintiff Chamberlin is a Hispanic woman of Cuban heritage. Plaintiff is fluent in Spanish and Portuguese.

14. Plaintiff was appointed to serve as an Immigration Judge with DOJ’s Executive Office of Immigration Review (“EOIR”) Concord Immigration Court on September 23, 2023.

15. Pursuant to DOJ policy and practice, upon appointment, Immigration Judges initially serve a two-year probationary period after which their appointments are routinely converted to permanent positions.

16. Throughout her employment, and during her probationary period as an Immigration Judge, Plaintiff Chamberlin met or exceeded all performance standards.

17. Plaintiff Chamberlin received satisfactory assessments—the highest possible rating—in her probationary period reports for FY2024 and FY2025 and exceeded her internal case completion goals. During her tenure, Plaintiff’s assigned annual case completion target was 700 cases per year; she completed approximately 2,714 cases during her two-year probationary period.

18. At no time during her service as an Immigration Judge did the Agency ever issue Plaintiff any form of discipline.

19. Starting on January 20, 2025, four women in permanent leadership positions within EOIR were terminated in close succession without stated cause. This included then-Chief Immigration Judge Sheila McNulty.

20. On or about February 14, 2025, several female Assistant Chief Immigration Judges (ACIJs) were terminated, including Judge Megan Jackler, Judge Rebecca Walters, Judge Noelle Sharp, Judge Megan Herndon, and Judge Rhana Ishimoto.

21. In January and February 2025, then-Acting Director of EOIR Sirce Owen issued a series of policy memoranda that were hostile toward noncitizens and noncitizen advocacy. Senior leadership of the Trump administration, including Deputy Chief of Staff for Policy and Homeland Security Advisor, Stephen Miller, and then-Attorney General Pamela Bondi, have publicly accused immigrant advocacy organizations and lawyers representing noncitizens of committing immigration fraud and labeled them extremists aligned with domestic terrorism.

22. In or around February 2025, Defendants began issuing numerous memoranda announcing the end to Diversity, Equity, and Inclusion (“DEI”) efforts.

23. The first memorandum, issued by then-Attorney General Bondi in February 2025, promised to “penalize illegal DEI and DEIA preferences,” particularly based on sex and race.

24. Other memoranda, issued by then-Acting Director Owen in February and March 2025, criticized the appointment practices of the prior administration, particularly with respect to Immigration Judges serving temporary appointments. The memoranda noted that the Agency had reviewed the hiring materials of any Immigration Judge hired under the prior Administration, and alleged that persons of “certain backgrounds” were given favorable treatment over others. One memorandum concluded EOIR was “committed to rectifying those harms.”

25. Together, the memoranda laid bare management’s hostility to hiring individuals with immigrants’ rights backgrounds, women, racial and ethnic minorities, and others who may be considered “DEI” hires.

26. Coinciding with these memoranda, and despite Defendant DOJ's FY2026 budget permitting up to 800 immigration judges, EOIR terminated a disproportionate number of Immigration Judges who were women, people of color, ethnic minorities, and persons associated therewith.

27. On September 19, 2025, Plaintiff received notice that the Attorney General decided not to convert her appointment into a permanent position. Her termination was effected on September 23, 2025. DOJ's dismissal letter stated: "Pursuant to Article II of the Constitution, the Attorney General has decided not to extend your term or convert it to a permanent appointment."

28. Upon information and belief, the Immigration Judges not converted to permanent positions and/or terminated in and around the same time as Plaintiff were overwhelmingly female, including Lucy Billings of the New York – Varick Immigration Court, Carmen Maria Rey Caldas of the New York - Federal Plaza Immigration Court, Chloe Dillon of the San Francisco Immigration Court, Jenna Peyton of the Chicago Immigration Court, Elaine Cintron of the Aurora Immigration Court, Jennifer Durkin of the New York - Varick Immigration Court, Kyra Lilien of the Concord Immigration Court, Nicole Lomartire of the Annandale Immigration Court, Jane Miller of the Indianapolis Immigration Court, Jody Barilla of the Chicago Immigration Court, Zahra Jivani Fenelon of the Houston Immigration Court, Ila Deiss of the San Francisco Immigration Court, Jami Vigil of the San Francisco Immigration Court, Vicenta Banuelos Rodriguez of the Imperial Immigration Court, Elisa Brasil of the San Francisco Immigration Court, Zahra Jivani Fenelon of the Houston Immigration Court, Tania Nemer of the Cleveland Immigration Court, Irma Pérez of the West Los Angeles Immigration Court, Sarah Tores of the Concord Immigration Court; Roberta Wilson of the Concord Immigration Court; Lisa Calero of the Concord Immigration Court; Stephanie Tobosa-Smit of the Concord Immigration Court; Shira

Levine of the San Francisco Immigration Court; Amber George of the San Francisco Immigration Court; Arwen Swink of the San Francisco Immigration Court; Shuting Chen of the San Francisco Immigration Court; and Karen McDowell of the Concord Immigration Court.

29. Several judges who Defendants did not convert to permanent Immigration Judges in around the same time as Plaintiff were Hispanic, including Carla Espinoza and Irma Pérez.

30. Around the time of Plaintiff's termination, white (non-Hispanic) male judges with similar performance metrics at Plaintiff's Immigration Court were converted to permanent positions and/or retained, including Justin Price, Jacob Stender, Jeremy Butler and Colin Eichenberger.

31. White (non-Hispanic) female judge Heather Libeu of the Santa Ana Immigration Court was converted to a permanent position around the same time.

32. Upon information and belief, since January 2025, the Immigration Judges who have been terminated from the Concord Immigration Court are exclusively female, and the Immigration Judges who have been converted and newly hired are exclusively male.

33. Plaintiff Chamberlin is and has been above the age of 40 at all times relevant to this complaint.

34. Upon information and belief, the majority of the Immigration Judges and Appellate Immigration Judges who Defendants did not convert to permanent positions and/or terminated in and around the same time as Plaintiff are over the age of 40, including (1) those in senior leadership positions, such as Sheila McNulty, Mary Cheng, Rebecca Walters, Rhana Ishimoto, Megan Herndon, Megan Jackler, and Noelle Sharp; (2) Board of Immigration Appeals Judges, including Katherine Clark and Andrea Saenz; and (3) Immigration Judges, including Vicenta Banuelos Rodriguez of the Imperial Immigration Court, Elisa Brasil of the San Francisco Immigration Court,

Lucy Billings of the New York – Varick Street Immigration Court, Roger Dinh of the San Francisco Immigration Court, Jami Vigil of the San Francisco Immigration Court, Jenna Peyton of the Chicago Immigration Court, Elaine Cintron of the Aurora Immigration Court, Jennifer Durkin of the New York - Varick Immigration Court, Kyra Lilien of the Concord Immigration Court, Nicole Lomartire of the Annandale Immigration Court, Jane Miller of the Indianapolis Immigration Court, Jody Barilla of the Chicago Immigration Court, Zahra Jivani Fenelon of the Houston Immigration Court, Irma Pérez of the West Los Angeles Immigration Court, Ila Deiss of the San Francisco Immigration Court, Chloe Dillon of the San Francisco Immigration Court, Carmen Maria Rey Caldas of the New York - Federal Plaza Immigration Court, George Najjar of the San Diego Immigration Court, George Pappas of the Boston Immigration Court, and Adrian Paredes Velasco of the El Paso Immigration Court.

35. Upon information and belief, Katie Mullins, serving the Adelanto Immigration Court, was converted to a permanent position around the time of Plaintiff’s termination and is in or around her early to mid-thirties.

36. Upon information and belief, Jacob Stender and Collin Eichenberger are younger than Plaintiff and were converted to permanent positions around the time of Plaintiff’s termination.

37. Prior to joining EOIR, Plaintiff spent approximately twenty-four years working as an attorney advocating for non-citizens before EOIR and the Department of Homeland Security.

38. From 2020 to 2023, Plaintiff Chamberlin was managing director of the Ciudad Juarez office of Kids in Need of Defense (KIND).

39. From 2018 to 2020, she was a supervising attorney for Special Programs - Family Separation team for KIND in San Francisco. Plaintiff worked closely with Scott Schucart at KIND,

who previously served in the Obama administration and is denoted as a target on DHS's Bureaucrat Watch List.

40. From 2002 to 2018, Plaintiff practiced immigration law at the Law Offices of Florence Chamberlin, PA where she represented noncitizens before EOIR, the United States Citizenship and Immigration Services, DHS, and the United States Department of State.

41. From 1999 to 2001, Plaintiff Chamberlin worked in communications and business development for America Online Latin America.

42. From 1996 to 1999, Plaintiff practiced immigration law with Kurzban Kurzban Tetzeli and Pratt PA in Miami, Florida. Ira Kurzban, who is a partner in that firm, is a nationally recognized immigration attorney, who works with Immigrants' List, a federal political action committee in favor of comprehensive immigration reform. Plaintiff served on the editing team for the Kurzban Immigration Law Sourcebook and is included in its acknowledgements.

43. Plaintiff was a Board member of the American Immigration Council, alongside staff member Royce Bernstein Murray.<sup>1</sup> Ms. Murray became the Former Assistant Secretary at the Department of Homeland Security under the Biden Administration and is denoted as a target on DHS's Bureaucrat Watch List.

44. EOIR management knew of Plaintiff's background and activity advocating for immigrants and immigrant rights at the time of hire because it was included in the resume that she submitted with her application to serve as an Immigration Judge, and summarized in her November 7, 2023, Appointment Announcement.

45. Plaintiff is a registered voter with the Democratic Party.

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<sup>1</sup> The American Immigration Council is a U.S. based non-profit focused on immigration law, policy, research and immigration related litigation.

46. Upon information and belief, Defendants were aware of Chamberlin's political affiliations and associations with individuals targeted by the Trump administration prior to her termination date, because among other things, her professional background was summarized in her November 7, 2023, Appointment Announcement.

47. Several of the Immigration Judges and Appellate Immigration Judges who were not converted to permanent positions and/or who were terminated around the time of Plaintiff's removal had backgrounds advocating for immigrants and immigrant rights prior to the time they were hired by Defendant DOJ, including Irma Pérez of the West Los Angeles Immigration Court, Christopher McNary of the Santa Ana Immigration Court, Sameer Ahmed of the Boston Immigration Court, Carla Espinoza of the Chicago Immigration Court, Lucy Billings of the New York – Varick Immigration Court, BIA Judge Homero López, George Pappas of the Boston Immigration Court, Amber George of the San Francisco Immigration Court, Arwen Swink of the San Francisco Immigration Court, Shira Levine of the San Francisco Immigration Court, Roberta Wilson of the Concord Immigration Court, Sarah Torres of the Concord Immigration Court, Stephanie Tobosa Smit of the Concord Immigration Court, Lisa Calero of the Concord Immigration Court, Shuting Chen of the San Francisco Immigration Court, and Kyra Lilien of the Concord Immigration Court.

48. Several Immigration Judges and Appellate Immigration Judges with exclusively prosecutorial immigration law backgrounds or who otherwise had never represented or advocated for non-citizens were converted to permanent positions around the time of Plaintiff's termination, including Heather Libeu of the Santa Ana Immigration Court; Monica Neumann of the Miami Immigration Court; Sasha Xu of the Federal Plaza Immigration Court; Brandi Lohr of the Buffalo Immigration Court; Jacquelyn Jo Joyce of the Houston Immigration Court; Elizabeth Treacy of

the Chicago Immigration Court; Robert Lundberg of the Annandale Immigration Court; and Colin Eichenberger of the Concord Immigration Court

49. Upon information and belief, numerous Immigration Judges and Appellate Immigration Judges who were not converted to permanent positions and/or who were terminated were also registered voters affiliated with the Democratic Party.

50. Defendant's decision to terminate Plaintiff was motivated in whole or in part by her sex (female), race and national origin (Cuban, Hispanic heritage), age (over 40), political affiliation, and/or association with immigrant groups

#### **COUNT ONE**

##### **Discrimination in Violation of Title VII of the Civil Rights Act of 1964**

51. Plaintiff Chamberlin incorporates by reference and re-alleges each of the allegations contained in paragraphs 1-50 of this Complaint.

52. Plaintiff Chamberlin was not converted to a permanent position because of her sex, race, national origin and/or association with Hispanic and Latin American individuals in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*

53. Defendants never provided a legitimate, non-pretextual justification for Plaintiff's removal.

54. As a direct and proximate result of the unlawful acts of Defendant, Plaintiff suffered and continues to suffer lost earnings and benefits, pain, suffering, humiliation and mental distress.

#### **COUNT TWO**

##### **Discrimination in Violation of the Age Discrimination in Employment Act**

55. Plaintiff incorporates by reference and re-alleges each of the allegations contained in paragraphs 1-50 of this Complaint.

56. At all times material to this complaint, Plaintiff was over 40 years old. She thus was a member of the class of persons protected by the ADEA's prohibition on discrimination on the basis of age.

57. Plaintiff was not converted to a permanent position by Defendants because of her age.

58. Defendants never provided a legitimate, non-pretextual justification for Plaintiff's removal.

59. As a direct and proximate result of the unlawful acts of Defendants, Plaintiff suffered and continues to suffer lost earnings and benefits, pain, suffering, humiliation and mental distress.

### **COUNT THREE**

#### **Discrimination in Violation of the First Amendment of the United States Constitution**

60. Plaintiff incorporates by reference and re-alleges each of the allegations contained in paragraphs 1-50 of this Complaint,

61. Plaintiff was terminated because of her political affiliation and/or past association with organizations affiliated with political ideologies contrary to Defendants' in violation of the First Amendment of the U.S. Constitution.

62. Defendants never provided a legitimate, non-pretextual justification for Plaintiff's removal.

### **COUNT FOUR**

#### **Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202**

63. Plaintiff incorporates by reference and re-alleges each of the allegations contained in paragraphs 1-50 of this Complaint.

64. Plaintiff is entitled to declaratory relief on the basis of all claims identified. There is a substantial ongoing controversy between Plaintiff and the Defendants, and a declaration of rights under the Declaratory Judgment Act is both necessary and appropriate to establish that Defendants did not have authority to remove Plaintiff on the basis of sex, race, national origin, age, prior association, or perceived political affiliation.

**COUNT FIVE**  
**Mandamus**

65. Plaintiff incorporates by reference and re-alleges each of the allegations contained in paragraphs 1-50 of this Complaint.

66. In the alternative, Plaintiff is entitled to mandamus or relief in the nature of mandamus commanding Defendants to return her to her office.

67. Title VII, the ADEA, and the First Amendment impose a ministerial duty on all Defendants not to discriminate on the basis of sex, race, national origin, age, prior association, or perceived political affiliation. Plaintiff is entitled to a mandamus returning her to her office. Absent this Court granting one of the counts identified above, there is no other adequate means of redress.

\* \* \*

WHEREFORE, the premises considered, Plaintiff Chamberlin respectfully prays that this Honorable Court:

1. Enter judgment on Plaintiff's behalf against Defendant;
2. Award Plaintiff compensatory damages, and other damages;
3. Instate Plaintiff to the position held prior to her unlawful terminations or other equivalent position;
4. Award Plaintiff all lost pay and associated benefits;
5. Award Plaintiff her court costs, expenses, attorneys' fees, and interest.

6. Declare that Defendants' conduct is in violation of Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and the First Amendment of the U.S. Constitution;

7. In the alternative, issue a mandamus; and

8. Grant such other relief as this Court deems just and proper.

**JURY DEMAND**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure Plaintiff demands a jury trial as to all issues so triable.

Dated: May 12, 2026

By:

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