

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Zajonc v. T-Mobile US, Inc.

No. 3:25-cv-02860-JSC (N.D. Cal. Aug. 21, 2025) · No. 3:25-cv-02860-JSC · Decided August 21, 2025

SUMMARY

The United States District Court for the Northern District of California grants T-Mobile’s motion to dismiss Paula Zajonc’s First Amended Complaint. The court holds that the complaint does not plausibly allege a bona fide religious belief conflicting with T-Mobile’s COVID-19 vaccination requirement or termination based on religious beliefs. The court also dismisses the California Unfair Competition Law claim for lack of Article III standing and failure to state a claim, while granting one final opportunity to amend.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	August 21, 2025
DOCKET	3:25-cv-02860-JSC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's First Amended Complaint for failure to state a claim. Defendant also challenged Plaintiff's standing to seek prospective injunctive relief under the California Unfair Competition Law.
STANDARD OF REVIEW	On a motion to dismiss for failure to state a claim, the court accepts well-pleaded factual allegations as true and determines whether they plausibly state a claim for relief; conclusory allegations and threadbare recitals of elements are insufficient. Article III standing for prospective injunctive relief requires a substantial risk of future injury.
PRECEDENTIAL VALUE	unpublished_nonprecedential
PARTIES	Paula Zajonc v. T-Mobile US, Inc.

TOPICS

motions to dismiss

religious discrimination

employment discrimination

standing

civil procedure

PRACTICE AREAS

civil procedure

employment law

employment discrimination

civil rights

remedies

QUESTIONS PRESENTED

1. Whether the First Amended Complaint plausibly alleged a religious-discrimination claim under the California Fair Employment and Housing Act.
2. Whether the First Amended Complaint plausibly alleged a California Unfair Competition Law claim under the unlawful, unfair, or fraudulent prongs.
3. Whether Plaintiff had Article III standing to seek prospective injunctive relief under the Unfair Competition Law.
4. Whether Plaintiff should receive leave to amend after previously amending her complaint.

HOLDINGS

1. The First Amended Complaint failed to state a FEHA religious-discrimination claim because it alleged only the conclusory assertion that Plaintiff had bona fide religious beliefs preventing vaccination, without facts plausibly describing those beliefs or their conflict with the vaccination requirement. It also failed to plausibly allege that Plaintiff was terminated because of her religious beliefs.
2. Plaintiff lacked Article III standing to seek prospective injunctive relief because she did not allege that T-Mobile had a policy of terminating employees who refused COVID-19 vaccination or that, as a former employee, she faced a substantial risk of future injury.
3. Plaintiff could not pursue UCL equitable relief for the same alleged harm because her FEHA claim sought damages and therefore supplied an adequate remedy at law. Her suggestion that she sought restitution did not establish equitable jurisdiction.
4. The UCL claim failed under each asserted prong. The unlawful theory depended on the deficient FEHA claim; the unfair theory added no supporting facts; and the fraudulent theory did not plausibly allege a business practice likely to deceive the public.
5. The court granted Plaintiff one final opportunity to amend because she represented at oral argument that she could plead additional facts supporting her claims.

KEY QUOTATIONS

“To state a claim for religious discrimination under Title VII or FEHA “a plaintiff must allege, among other things, that she holds ‘a bona fide religious belief’ that conflicts with an employment requirement.”” (ECF 2)

“To establish a right to forward-looking relief, Plaintiff must demonstrate that she faces “a substantial risk of future injury.”” (ECF 4)

“Because Plaintiff represented at oral argument that she could plead additional facts in support of her claims, the Court will give her one final opportunity to amend.” (ECF 5)

FACTUAL BACKGROUND

Paula Zajonc challenged T-Mobile's denial of her requested religious exemption from its COVID-19 vaccination requirement. She alleged that she had bona fide religious beliefs preventing vaccination and that T-Mobile initially approved her accommodation request before later refusing accommodations, resulting in termination of her employment. Her First Amended Complaint referred to, but did not identify or attach, a pastor's letter describing the religious reasons for her refusal. She also sought relief under California's Unfair Competition Law based on the alleged employment practices.

PROCEDURAL HISTORY

Plaintiff filed a putative class action in Alameda County Superior Court. Defendant removed the action to federal court based on diversity jurisdiction, and the court previously granted Defendant's motion to dismiss the original complaint. Plaintiff filed a First Amended Complaint; the court granted Defendant's renewed motion to dismiss but allowed one final opportunity to amend.

DISPOSITION

dismissed

CASES CITED

- Bolden-Hardge v. Office of California State Controller, 63 F.4th 1215, 1222-23 (9th Cir. 2023)
- Heller v. EBB Auto Co., 8 F.3d 1433, 1438 (9th Cir. 1993)
- Friedman v. Southern California Permanente Medical Group, 102 Cal. App. 4th 39, 45 (2002)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Sturgill v. American Red Cross, 114 F.4th 803, 806-12 (6th Cir. 2024)
- Bazinet v. Beth Israel Lahey Health, Inc., 113 F.4th 9, 16-17 (1st Cir. 2024)
- Passarella v. Aspirus, Inc., 108 F.4th 1005, 1007, 1010-12 (7th Cir. 2024)
- Bube v. Aspirus Hospital, Inc., 108 F.4th 1017, 1019-20 (7th Cir. 2024)
- Lucky v. Landmark Medical of Michigan, P.C., 103 F.4th 1241, 1242-44 (6th Cir. 2024)
- Ringhofer v. Mayo Clinic, Ambulance, 102 F.4th 894, 900-01 (8th Cir. 2024)
- Peterson v. Wilbur Communications, Inc., 205 F. Supp. 2d 1014, 1018, 1021-22 (E.D. Wis. 2002)
- Cel-Tech Communications, Inc. v. Los Angeles Cellular Telephone Co., 20 Cal. 4th 163, 180 (1999)
- Sonner v. Premium Nutrition Corp., 971 F.3d 834, 842, 844 (9th Cir. 2020)
- Guaranty Trust Co. of New York v. York, 326 U.S. 99, 105 (1945)
- Guzman v. Polaris Industries, 49 F.4th 1308, 1313 (9th Cir. 2022)
- Graham v. Central Garden & Pet Co., No. 22-CV-06507-JSC, 2023 WL 2744391, at *4 (N.D. Cal. Mar. 30, 2023)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 431 (2021)
- Murthy v. Missouri, 603 U.S. 43, 69 (2024)
- Aleksick v. 7-Eleven, Inc., 205

- Davis v. HSBC Bank Nevada, N.A., 691 F.3d 1152, 1169 (9th Cir. 2012)
- Morgan v. AT&T Wireless Services, Inc., 177 Cal. App. 4th 1235, 1256-57 (2009)
- Eminence Capital, LLC v. Aspeon, Inc., 316 F.3d 1048, 1051 (9th Cir. 2003)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
PAULA ZAJONC, Case No. 3:25-cv-02860-JSC 8 Plaintiff, ORDER RE: MOTION TO DISMISS
9 v. FIRST AMENDED COMPLAINT 10 T-MOBILE US, INC., Re: Dkt. No. 20 Defendant. 11
12 13 Paula Zajonc filed this putative class action in Alameda County Superior Court 14
challenging Defendant T-Mobile's denial of a religious exemption to its Covid-19 vaccine 15
requirement.

Plaintiff brings claims under the Fair Employment and Housing Act (FEHA) and 16 California's
Unfair Competition Law (UCL), Cal. Bus. & Professions Code § 17200. Defendant 17 removed
the action to this Court based on diversity jurisdiction and the Court granted Defendant's 18
motion to dismiss the complaint for failure to state a claim. (Dkt. No. 17.1) Defendant's motion 19
to dismiss Plaintiff's First Amended Complaint is now pending before the Court.

(Dkt. No. 20.) 20 Having reviewed the parties' briefs and having had the benefit of oral argument
on August 21, 21 2025, the Court GRANTS the motion to dismiss. 22 DISCUSSION 23
Defendant again moves to dismiss Plaintiff's FEHA and UCL claims for failure to state a 24
claim.² Because Plaintiff's FAC still does not plausibly allege a claim, the motion to dismiss is 25
granted.

26 1 Record Citations are to material in the Electronic Case File ("ECF"); pinpoint citations are to
the 27 ECF-generated page numbers at the top of the document. A. FEHA Religious
Discrimination Claim 1 To state a claim for religious discrimination under Title VII or FEHA "a
plaintiff must 2 allege, among other things, that she holds 'a bona fide religious belief' that
conflicts with an 3 employment requirement." Bolden-Hardge v. Off. of California State
Controller, 63 F.4th 1215, 4 1222 (9th Cir.

2023) (quoting Heller v. EBB Auto Co., 8 F.3d 1433, 1438 (9th Cir. 1993) (Title 5 VII); Friedman
v. S. Cal. Permanente Med. Grp., 102 Cal.App.4th 39, 45 (2002) (FEHA)). The 6 Court previously
dismissed this claim because Plaintiff's perfunctory allegations failed to state a 7 claim. (Dkt. No.
17 at 2.) Plaintiff's FAC suffers from the same pleading deficiency.

The FAC 8 alleges: 9 Plaintiff had bona fide religious beliefs which prevented her from 10 taking
the Covid vaccine. Indeed, in support of Plaintiff's exemption request, she attached a letter from
the Pastor of her church, of which 11 Plaintiff was a disciple, which outlined the religious reasons
for Plaintiff's refusal to take the Covid-19 vaccine. 12 (Dkt.

No. 19 at ¶ 8.) Plaintiff still does not allege facts that plausibly support an inference she had 13 a bona fide religious belief which prevented her from taking the Covid vaccine. See *Ashcroft v. 14 Iqbal*, 556 U.S. 662, 678 (2009) (“Threadbare recitals of the elements of a cause of action, 15 supported by mere conclusory statements, do not suffice.”). 16 Plaintiff argues numerous appellate courts have reversed dismissal orders in Covid 17 exemption cases which reflects a “growing consensus that such claims can and should proceed to 18 discovery.” (Dkt.

No. 23 at 7-8 (citing *Sturgill v. Am. Red Cross*, 114 F.4th 803, 807-812 (6th Cir. 19 2024); *Bazinet v. Beth Israel Lahey Health, Inc.* 113 F.4th 9, 16-17 (1st Cir. 2024); *Passarella v. 20 Aspirus, Inc.* 108 F.4th 1005, 1010-1012 (7th Cir. 2024); *Bube v. Aspirus Hosp., Inc.* 108 F.4th 21 1017, 1019-1020 (7th Cir. 2024); *Lucky v. Landmark Medical of Mich., P.C.* 103 F.4th 1241, 22 1243-1244 (6th Cir.

2024); *Ringhofer v. Mayo Clinic, Ambulance*, 102 F.4th 894, 900-901 (8th 23 Cir. 2024).) But these case merely highlight the insufficiency of Plaintiff’s pleading. In each the 24 plaintiff alleged facts supporting an inference of a sincerely held religious belief, not just the bare 25 conclusion that the plaintiff had such a belief. See, e.g., *Sturgill*, 114 F.4th at 806 (“*Sturgill* sent a 26 detailed letter to the Red Cross seeking a religious exemption” which “informed the Red Cross 27 that her ‘sincerely held religious belief for [her] accommodation stems from the biblical teaching 1 of [her] religious spiritual leader Jesus Christ,’” and the letter “quoted several different scriptures 2 [] supporting her belief that she is the ‘steward[] of God’s blessing of life’ and thus was required 3 to ‘tak[e] the utmost care for [her] body... to continue to honor God and the temple he gave 4 [her].’”); *Bazinet*, 113 F.4th at 16 (“*Bazinet* explained her religious objection to being vaccinated” 5 including “that presently available COVID-19 vaccines were developed using fetal cell lines that 6 originated from aborted fetuses” such “that taking the vaccine would make her complicit in the 7 performance of abortions which would be ‘an aberration to [her] Christian faith’” and “provided 8 numerous quotations from religious sources that she says support her view.”); *Passarella*, 108 9 F.4th at 1007 (“Invoking and quoting passages from the Bible, *Passarella* explained her Christian 10 belief that her body ‘is [the Lord’s] dwelling place’” and stated “[a]fter prayerful consideration, I 11 don’t feel at peace about receiving the COVID vaccine’ and instead ‘must trust God with my body 12 (His temple) and that he will provide for me and protect me as he has already proven time and 13 time again during my life.’”); *Bube*, 108 F.4th at 1019 (“*Bube* informed *Aspirus* in her initial 14 request that she is a ‘baptized and a practicing Catholic’” and when her initial request was denied 15 she “further explained that she tries to ‘eat healthy’ and ‘remain active’ to ‘keep my God-given 16 mind, body, and soul healthy.’”); *Lucky*, 103 F.4th at 1242 (“*Lucky* is a non-denominational 17 Christian who believes that she ‘should not have any vaccination enter her body such that her 18 body would be defiled, because her body is a temple’” and she “[p]rayed to God specifically about 19 the COVID-19 vaccine’ and says that God told her ‘that she would suffer spiritual harm if she 20 received the COVID-19 vaccine.’”); *Ringhofer*, 102

F.4th at 901 (“religious beliefs prevent her 21 from putting into her body the Covid-19 vaccines” explaining “because they were all produced 22 with or tested with cells from aborted human babies.

Receiving the vaccine would make her a 23 participant in the abortion that killed the unborn baby.”). 24 Plaintiff’s reliance on *Peterson v. Wilmar Commc’ns, Inc.*, 205 F. Supp. 2d 1014, 1018 25 (E.D. Wis. 2002), for the proposition “courts must give ‘great weight’ to the plaintiff’s own 26 characterization of his or her beliefs as religious” misses the point.

The issue there was not 27 whether the plaintiff had adequately described his belief, but rather, whether the plaintiff’s beliefs 1 1021-22. Here, in contrast, Plaintiff alleges no facts regarding her beliefs and why they conflicted 2 with the vaccination requirement.

The FAC references a letter Plaintiff’s pastor sent “outlin[g] the 3 religious reasons for her refusal,” but neither identifies those reasons nor attaches the letter. (Dkt. 4 No. 19 at 8.) “[C]ourts [are not required to] take plaintiffs’ conclusory assertions of violations of 5 their religious beliefs at face value.” *Bolden-Hardge*, 63 F.4th at 1223 (stating the plaintiff bears 6 the burden to allege a conflict with religious beliefs).

7 Plaintiff also has not plausibly alleged she was terminated because of her religious beliefs. 8 Rather, she alleges Defendant initially approved her request, but then later “refused to allow any 9 accommodations, resulting in the termination of Plaintiff’s employment.” (FAC at ¶ 10.) These 10 conclusory allegations, which do not even allege when she was terminated, are insufficient.

Iqbal, 11 556 U.S. at 678. 12 Defendant’s motion to dismiss Plaintiff’s FEHA claim is again granted. 13 B. UCL Claim 14 The UCL defines unfair competition as “any unlawful, unfair or fraudulent business act or 15 practice.” Cal. Bus. & Prof. Code, § 17200.

The statute is written in the “disjunctive” and 16 establishes three varieties of unfair competition, with each as a basis for liability. *Cel-Tech 17 Comm’n, Inc. v. Los Angeles Cellular Tel. Co.*, 20 Cal. 4th 163, 180 (1999) (citation omitted). 18 Because the UCL provides only for equitable remedies, plaintiffs bringing a UCL claim in a 19 federal court must establish that they “lack[] an adequate remedy at law” before the court can 20 award them the UCL’s equitable relief.

Sonner v. Premium Nutrition Corp., 971 F.3d 834, 844 21 (9th Cir. 2020). 22 1. Adequate Remedy at Law 23 Federal courts cannot “award[] equitable relief when an adequate legal remedy exists.” 24 *Sonner*, 971 F.3d at 842; see also *Guar. Tr. Co. of N.Y. v. York*, 326 U.S. 99, 105 (1945) 25 (“Equitable relief in a federal court is of course subject to restrictions,” including that “the suit 26 must be within the traditional scope of equity” and “a plain, adequate and complete remedy at law 27 must be wanting.”).

So, Plaintiff “must establish that [she] lacks an adequate remedy at law before 1 844. If Plaintiff has a “viable” legal “damages claim,” then she cannot pursue an equitable claim 2 under the UCL for the same alleged harm. *Guzman v. Polaris Indus.*, 49 F.4th 1308, 1313 (9th Cir. 3 2022), cert. denied sub nom. *Polaris Indus. Inc. v. Albright*, 143 S. Ct. 2612 (2023).

4 Plaintiff contends her UCL claim seeks prospective injunctive relief, not damages, so it 5 cannot be dismissed under *Sonner*. See *Graham v. Cent. Garden & Pet Co.*, No. 22-CV-06507- 6 JSC, 2023 WL 2744391, at *4 (N.D. Cal. Mar. 30, 2023) (holding monetary damages are not 7 adequate legal remedy for prospective injunctive relief).

In particular, she seeks an order 8 “enjoining T-Mobile from wrongfully terminating its employees for failing to take the Covid-19 9 vaccine, in violation of their religious right, for which she has no adequate remedy at law.” (Dkt. 10 No. 23 at 13.) T-Mobile counters that Plaintiff does not have Article III standing to obtain 11 injunctive relief. See *TransUnion LLC v. Ramirez*, 594 U.S. 413, 431 (2021) (“[P]laintiffs must 12 demonstrate standing for each claim that they press and for each form of relief that they seek (for 13 example, injunctive relief and damages)[.]”).

To establish a right to forward-looking relief, 14 Plaintiff must demonstrate that she faces “a substantial risk of future injury.” *Murthy v. Missouri*, 15 603 U.S. 43, 69 (2024). As Plaintiff has not alleged T-Mobile in fact has a policy of terminating 16 employees for failing to take the Covid vaccine or that she, a former employee, faces a substantial 17 risk of future injury, her UCL claim for injunctive relief fails for lack of Article III standing.

18 Plaintiff’s suggestion at oral argument that she was seeking restitution is unavailing. 19 *Guzman v. Polaris Indus. Inc.*, 49 F.4th 1308, 1313 (9th Cir. 2022) (“In order to entertain a 20 request for equitable relief, a district court must have equitable jurisdiction, which can only exist 21 under federal common law if the plaintiff has no adequate legal remedy.”).

Plaintiff’s FEHA 22 claim seeks damages, and thus, provides an adequate remedy at law. 23 2. Failure to State a Claim 24 Even if Plaintiff had adequately alleged standing to pursue injunctive relief, her UCL claim 25 fails to state a claim. 26 First, as before, Plaintiff’s “unlawful” claim is predicated on the FEHA violation and thus 27 must be dismissed for the same reason as the FEHA claim.

See *Aleksick v. 7-Eleven, Inc.*, 205 1 fails”). Second, Plaintiff has not alleged any additional facts in support of her claim under the 2 unfair prong; so, the claim under this prong is dismissed for the reasons previously stated. (Dkt. 3 No. 17 at 2-3.)

Third, although Plaintiff has added a sentence to her claim under the fraudulent 4 prong alleging the “fraudulent conduct includes, but is not limited to, Plaintiff’s manager, Erik 5 Wetzel, stated on a November 1, 2021 document that Plaintiff’s accommodation request was 6 approved, only to revoke the approval,” this addition is insufficient to state a claim under the 7 unlawful prong.

(Dkt. No. 19 at ¶ 34.) “A business practice is fraudulent under the UCL if 8 members of the public are likely to be deceived.” *Davis v. HSBC Bank Nevada, N.A.*, 691 F.3d 9 1152, 1169 (9th Cir. 2012). Plaintiff insists the statement was false because T-Mobile rejected the 10 request for an exemption under “a common policy,” but she does not identify the policy.

(Dkt. 11 No. 23 at 14-15 (citing FAC at ¶ 9.) Plaintiff’s allegation that Defendant initially granted her an 12 exemption, but later denied it, does not support an inference Defendant had a deceptive business 13 practice likely to mislead members of the public. See *Morgan v. AT&T Wireless Servs., Inc.*, 177 14 Cal. App. 4th 1235, 1256–57 (2009). 15 Accordingly, Plaintiff’s UCL claim is dismissed for lack of Article III standing and failure 16 to state a claim.

17 C. Leave to Amend 18 Federal Rule of Civil Procedure 15(a) provides leave to amend should be freely given 19 “when justice so requires.” Fed. R. Civ. P. 15(a)(2); *Eminence Capital, LLC v. Aspeon, Inc.*, 316 20 F.3d 1048, 1051 (9th Cir. 2003). Defendant urges the Court to deny leave to amend because 21 Plaintiff has already amended the complaint and failed to cure the deficiencies.

Plaintiff requests 22 leave to amend if the Court dismisses again arguing she should be given another chance as 23 Defendant does not contend her claim is barred as a matter of law. (Dkt. No. 23 at 15.) Because 24 Plaintiff represented at oral argument that she could plead additional facts in support of her claims, 25 the Court will give her one final opportunity to amend.

26 CONCLUSION 27 For the reasons stated above, Defendant’s motion to dismiss is GRANTED. Any amended 1 The Court sets an initial case management conference for October 29, 2025 at 2:00 p.m. 2 || via videoconference. A joint case management conference statement is due October 22, 2025. 3 This order Disposes of Docket No. 20. 4 IT IS SO ORDERED. 5 Dated: August 21, 2025 6 ie Sth D 7 JACQUELINE SCOTT CORLEY 8 United States District Judge 9 10 11 12 13 © 15 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 28