

Contact: Gloria Allred
(323) 653-6530
E-mail: gallred@amglaw.com

I represent Meg Whitman's former housekeeper, Nicky Diaz Santillan. Nicky (an undocumented worker) was employed by Ms. Whitman for approximately 9 years until she was fired by her in June 2009.

Yesterday, at a news conference, Nicky alleged that Ms. Whitman knew by 2003 or before that date that she and her husband (Dr. Harsh) were employing an undocumented worker. My client indicated that part of our proof of this allegation was sent to Ms. Whitman and her husband from the Social Security Administration in a letter dated April 22, 2003. That letter indicated that the Social Security number that Nicky had provided to her employer (Meg Whitman and Dr. Harsh) did not match Nicky's name.

A mismatch of a Social Security number to an employee's name is a clue that the employee may be undocumented.

In interviews after my news conference, Ms. Whitman clearly denied that she and her husband received such a letter.

1. New York Times, Sept. 29, 2010

"We never received that notification."

2. *Associated Press, Sept. 29, 2010*

"We never received that letter or that notification."

3. *Los Angeles Times, Sept. 30, 2010*

Whitman denied receiving any such letters.

4. *San Francisco Chronicle, Sept. 30 th*

Was there a letter?

Whitman's team said the former CEO never saw such a letter - and, in any case, Diaz was in charge of picking up the mail in the house.

Today I am distributing to the press the letter which Meg Whitman denied that she and her husband received.

It is from the Social Security Administration and is addressed to Griffith Harsh and Margaret C. Whitman, 24 Edge Rd., Atherton, CA. It is dated April 22, 2003. It informs Ms. Whitman and her husband, Dr. Harsh, that the information reported to Social Security about Nicky (their employee) does not match their records.

It then tells the employer (Ms. Whitman and her husband) what they need to do.

1. "Compare the information shown above to your employment records".

(It is unknown if they did this.)

2. "If the records match, ask the employee to give you the name and Social Security number exactly as it appears on the employee's Social Security card."

(In response to this letter neither Meg Whitman nor Dr. Harsh asked Nicky to give them her name and Social Security number.)

5. "Fill in the information above and return in the enclosed envelope."

(Dr. Harsh filled it out partially and neither he nor Meg Whitman returned it to the government.)

Meg Whitman and her husband deny receiving the letter, but please look at the bottom of the letter. On it, Dr. Harsh has written "Nicky, please check this. Thanks." Nicky recognizes this as Dr. Harsh's writing since he wrote her many notes.

He wrote this on the letter and then gave it to Nicky. That is why she has it.

After that he never asked her to return it to Meg Whitman or to him. They are the employers and the letter clearly indicates that it is the employer's duty to return the completed letter to the government (which they clearly did not do since Meg Whitman said "We never received that letter.")

Why didn't they return that 2003 letter or similar ones received in subsequent years from the government? Nicky alleges that she saw the other letters in the trash.

We conclude that they didn't return the 2003 letter because they wanted to continue to employ an undocumented worker since she was easier to exploit than a documented one.

They knew from the Social Security letters as well as from Nicky's statement to Ms. Whitman before 2003 and after that that Nicky could not travel outside of the country. That was still another clue that Nicky was undocumented.

Today we have clearly proven, with the release of this letter, that Meg Whitman lied to the press and the public when she said "We never received that letter and notification."

Her attempt to deceive the public and hide the fact that she knew that she was employing an undocumented worker long before she fired Nicky in 2009 has failed.

Meg Whitman is exposed as a liar and a hypocrite. She should now apologize to Nicky, the press and the public for her blatant lie.

The truth is that Nicky was fired because Meg Whitman was afraid that she would be exposed as an employer who knew that she was employing an undocumented worker for many years.

Nicky's attempt to become legal and ask Meg for assistance (to get an Immigration attorney) would have revealed that.

Meg Whitman should be ashamed and embarrassed that she has lied, but I am so proud of Nicky. She is the hero in this story. She is the courageous Rosa Parks of the movement to win respect and dignity for Latinas and others in the workplace.

We respect and admire Nicky and all the other "Nicky's" who work so hard in millions of homes everyday. Nicky is an inspiration to them and we thank her for finding the strength and courage to come forward.

Gloria Allred

Attorney at Law

Representing Nicky Diaz Santillan

September 30, 2010

Social Security Administration Retirement, Survivors, and Disability Insurance Request for Employer Information

Social Security Administration
Data Operations Center
P.O. Box 89
Wilkes-Barre, PA 18767-0089

DER02 0417 665168 042 POE39BL
GRIFFITH HARSH & MARGARET C WHITMAN
24 EDGE RD
ATHERTON CA 94027-2226

Date: APRIL 22, 2003

Sequence Number: 3 161555795 4

Employer Number: 94 [REDACTED]



We are writing to you about your Wage and Tax Statement (W-2), for the employee shown below. Please complete the information on the reverse and return it to us promptly. We can't put these earnings on the employee's Social Security record until the name and Social Security number you reported agree with our records.

Employee's Name: NICANDRA - SANTILLAN
Social Security Number: [REDACTED]
Reported Earnings: 17940.00
Tax Year: 2002

The reasons the reported information doesn't agree with our records may include, but are not limited to:

- Record transcription or typographical errors
- Incomplete or blank name reported
- Incomplete or blank SSN reported
- Name changes

This letter does not imply that you or your employee intentionally provided incorrect information about the employee's name or SSN. It is not a basis, in and of itself, for you to take any adverse action against the employee, such as laying off, suspending, firing, or discriminating against the individual. Any employer that uses the information in this letter to justify taking adverse action against an employee may violate state or federal law and be subject to legal consequences. Moreover, this letter makes no statement about your employee's immigration status.

For Spanish-speaking individuals: Esta carta no implica que usted ni su empleado intencionalmente proveyó información incorrecta sobre el nombre o número de Seguro Social del empleado. Esto no es una razón, de por sí, para que usted tome ninguna acción adversa en contra del empleado, tal como suspensión, despedida o discriminación del individuo. Cualquier empleador que usa la información en esta carta para justificar una acción adversa en contra de un empleado puede violar la ley estatal o federal y estar sujeto a consecuencias legales. Además, esta carta no hace ninguna declaración sobre el estado de inmigración de su empleado.

Esta carta pide información sobre las ganancias reportadas por usted para su empleado. Si usted necesita una traducción de esta carta, por favor, llámenos al número de teléfono gratis, 1-800-772-1213, de 7:00 a.m. a 7:00 p.m. hora del este.

Please See Reverse

REQUEST FOR EMPLOYER INFORMATION

(Please Print- Use Black Ink or #2 Pencil)

1. Name shown on the employee's Social Security card:

M	I	C	A	N	D	R	A										S	A	N	T	I	L	L	A	N								
<small>FIRST</small>													<small>M.I.</small>	<small>LAST</small>																			

2. Social Security number on the employee's card:



3. Do the earnings reported belong to this employee? Yes No (Explain)

4. Has the employee ever used another name? No Yes (Give other names used)

M	I	C	A	N	D	R	A										D	I	A	Z								
<small>FIRST</small>													<small>M.I.</small>	<small>LAST</small>														

5. Does the employee still work for you? Yes No (Give full last known address)

<small>ADDRESS</small>																			

<small>CITY</small>														<small>STATE</small>				<small>ZIP</small>												

6. Daytime phone number where you can be reached: 650 - 723 +

THIS IS WHAT YOU NEED TO DO

1. Compare the information shown above to your employment records.
2. If the records match, ask the employee to give you the name and Social Security number exactly as it appears on the employee's Social Security card. (While the employee must furnish the SSN to you, the employee is not required to show you the Social Security card. But, seeing the card will help ensure that all records are correct.)
3. If the employee's Social Security card does not show the employee's correct name or Social Security number, or if the employee needs to report a name change or replace a lost Social Security card, have the employee contact any Social Security office.
4. If you or the employee have been using an incorrect name or Social Security number, you must correct it.
5. Fill in the information above and return this letter in the enclosed envelope. (Do not attach a W-2c to this letter.)

If you have any questions, you may call us toll free at 1-800-772-6270 from 7:00 a.m. to 7:00 p.m. eastern standard time. If you call an office, please have this letter with you. It will help us to answer your questions.

Nicky check please this

W Burnell Hurt
W. Burnell Hurt
 Associate Commissioner for
 Central Operations

Enclosure:
Envelope

Thank
 See Next Page