

# Suit claims Bulletproof Coffee company terminated executive after 'brain mapping' session

BY **NAT LEVY** on November 9, 2018 at 1:28 pm



Bulletproof's Buttermobile parked in front the company's Seattle cafe. (GeekWire Photo / Kurt Schlosser)

A former executive at Bulletproof 360, maker of the brain-boosting Bulletproof Coffee, accused the company of age discrimination in a new lawsuit and of terminating her due to health information she disclosed during "brain training" and "brain mapping" sessions.

In the lawsuit, the former executive, who does not give her full name but does say she is 48 years old, details a training session that occurred in April 2016 in which she and other executives were "strongly encouraged" to participate in "brain training" sessions with a doctor of acupuncture and oriental medicine. The lawsuit alleges that another executive was terminated soon after she refused to participate in the sessions. According to the suit, the training included electroencephalography sessions, which entailed attaching a "cap with 'nodes' on it" to the plaintiff's head to record electrical activity in the brain.

The doctor recorded results that were “deviant from normal” and showed “dysregulation in bilateral frontal lobes especially in the right frontal lobe.” The lawsuit alleges the doctor shared those results as well as information about the plaintiff’s personal and medical history obtained during “talk therapy” sessions with others at the company.

The plaintiff alleges other executives began making comments about her performance at work in the months following the sessions. In August 2016, the lawsuit alleges that the plaintiff was terminated via video conference call, with the explanation that “she was no longer a ‘good fit.’”

Around that same time, Bulletproof terminated another executive, who along with the plaintiff were the two oldest women on the executive team, according to the documents.

Bulletproof issued the following statement on the allegations:

“We prefer not to comment on pending litigation; however, we are confident in our position especially since these allegations have already been thoroughly investigated by the federal Equal Employment Opportunity Commission (EEOC) and found to be without merit.”

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The lawsuit, filed earlier this week in King County Superior Court, claims the alleged “brain training” and “brain mapping” sessions **violated Washington state law** that bans companies from requiring “any employee or prospective employee submit genetic information or submit to screening for genetic information as a condition of employment or continued employment.” The law states that “genetic information” means information about inherited characteristics that can be derived from a DNA-based or other laboratory test, family history, or medical examination.

The plaintiff, who worked for Bulletproof for just over a year as vice president of brand management starting in August 2015, alleges that she was “terminated on the basis of depression, anxiety, Post-Traumatic Stress Disorder, and/or other actual and/or perceived disabilities,” in violation of Washington State Law Against Discrimination.

The plaintiff in the lawsuit is named under the initials J.S. The plaintiff filed a motion to use only initials in documents to retain some privacy as the case will require her to disclose sensitive medical history.

Bellevue, Wash.-based Bulletproof offers a line of high-performance food, drinks and supplements, from its coffee that boasts grass-fed butter as an ingredient to its brain octane oil which promises its users more energy throughout the day. The lawsuit cites the company website, which describes “becoming bulletproof” as a “state of high performance where you take control of and improve your biochemistry, your body, and your mind so they work in unison, helping you execute at levels far beyond what you’d expect, without burning out, getting sick, or allowing stress to control your decisions.”

The suit speculates that “Bulletproof seeks out and hires employees who it perceives as embodying the state of being ‘Bulletproof.’ In practice, this means Bulletproof seeks out and hires employees who it perceives as being young, healthy, fit, and free of mental or physical disabilities.”

The plaintiff claims that when she worked at Bulletproof, the marketing, product and brand teams totaled about 50 people, with less than five people over the age of 40.

Bulletproof is led by Dave Asprey, a longtime tech worker who is also named as a defendant in the suit. A self-described “biohacker,” Asprey is the best-selling author of two books, “Bulletproof Diet” and his latest, “Head Strong.” His company is aimed at helping people improve their lives by putting better ingredients in their bodies. Bulletproof says its science-based information, tools and products are meant to help people perform better, increase focus, enhance energy, and live longer.

Bulletproof has raised a total of \$68 million, including a \$40 million round in September. It opened its first cafe in Santa Monica, Calif. in 2015. Today it has three cafes, **including a Seattle location that opened** near Amazon’s campus last year.