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8 Attorneys for Plaintiff JESSICA HEWITT,
9 on behalf of herself and current and former aggrieved employees

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SAN JOAQUIN**

12 JESSICA HEWITT, on behalf of herself and
13 current and former aggrieved employees

14 Plaintiff,

15 vs.

16 STARBUCKS CORPORATION; and DOES 1 to
17 100, inclusive,

18 Defendants.

CU-2026- 0070770

19 **PAGA ACTION**

20 **PLAINTIFF JESSICA HEWITT'S
COMPLAINT FOR:**

- 21 1. **CIVIL PENALTIES PURSUANT
22 TO THE PRIVATE ATTORNEYS
23 GENERAL ACT OF 2004
24 ("PAGA"), LABOR CODE
25 SECTIONS 2698, ET SEQ.**

26 **COMES NOW** Plaintiff JESSICA HEWITT ("Plaintiff"), who alleges and complains
27 against Defendants STARBUCKS CORPORATION; and DOES 1 to 100, inclusive (collectively
28 "Defendants") as follows:

29 **I. INTRODUCTION**

30 1. This is a Private Attorneys General Act of 2004, Labor Code §§ 2698, *et seq.*
31 ("PAGA") representative action brought by Plaintiff on behalf of the State of California, herself
32 and other current and former aggrieved employees of Defendants who worked as hourly non-exempt
33 employees in California during the relevant time period seeking civil penalties associated with

1 Defendants' violation of the Labor Code based on Defendants' failure to authorize and permit all
2 legally required and legally compliant lactation accommodation breaks and/or failure to pay
3 lactation accommodation premiums. Plaintiff experienced these violations personally, as well as is
4 informed and believes other aggrieved employees did as well. Plaintiff seeks on a representative
5 basis, following notice to the Labor and Workforce Development Agency, civil penalties, reasonable
6 attorneys' fees pursuant to Labor Code section 2699(g)(1) and costs brought on behalf of Plaintiff,
7 the State of California, and others aggrieved.

8 **II. JURISDICTION AND VENUE**

9 2. This Court has jurisdiction over the claims of Plaintiff and all other current and
10 former aggrieved California-based hourly non-exempt employees because Plaintiff's lawsuit seeks
11 civil penalties on behalf of herself, all other current and former aggrieved California-based hourly
12 non-exempt employees, and the State of California in excess of thirty-five thousand dollars
13 (\$35,000); Defendants employed Plaintiff and all other current and former aggrieved California-
14 based hourly non-exempt employees; and the injuries to Plaintiff and all other current and former
15 aggrieved California-based hourly non-exempt employees occurred in locations throughout
16 California, including but not limited to San Joaquin County, at 5010 West Lane, Stockton, California
17 95210.

18 **III. PARTIES**

19 3. Plaintiff brings this action as a representative of the Labor and Workforce
20 Development Agency on behalf of herself and other current and former employees subject to
21 violations of the Labor Code. The named Plaintiff and the persons on whose behalf this action is
22 filed include current, former and/or future employees of Defendants who work, worked, or will work
23 for Defendants as direct employees as well as temporary employees employed through temp
24 agencies as hourly non-exempt employees in California. At all times mentioned herein, the currently
25 named Plaintiff is and was domiciled and a resident and citizen of California and was employed by
26 Defendants in an hourly position at Defendants' location in San Joaquin from in or around April 7,
27 2023, until on or around June 12, 2026.

28 4. Plaintiff is informed and believes and thereon alleges that Defendant STARBUCKS

1 CORPORATION is authorized to do business within the State of California and is doing business
2 in the State of California and/or that Defendants DOES 1-50 are, and at all times relevant hereto
3 were persons acting on behalf of Defendant STARBUCKS CORPORATION in the establishment
4 of, or ratification of, the aforementioned illegal wage and hour practices or policies. Defendant
5 STARBUCKS CORPORATION operates in San Joaquin County and employed Plaintiff and
6 aggrieved employees in San Joaquin County, including but not limited to, at 5010 West Lane,
7 Stockton, California 95210.

8 5. Plaintiff is informed and believes and thereon alleges that Defendants DOES 1
9 through 50 are corporations, or are other business entities or organizations of a nature unknown to
10 Plaintiff that employed Plaintiff and aggrieved California non-exempt employees, permitted
11 Plaintiff and aggrieved employees to work, and exercised control over the wages, hours and working
12 conditions of employment of Plaintiff and aggrieved employees.

13 6. Plaintiff is informed and believes and thereon alleges that Defendants DOES 51
14 through 100 are individuals unknown to Plaintiff. Each of the individual defendants is sued
15 individually and in his or her capacity as an agent, shareholder, owner, representative, manager,
16 supervisor, independent contractor and/or employee of each defendant who violated or caused to be
17 violated the minimum wage and overtime provisions of the Labor Code and/or any provision of the
18 Industrial Welfare Commission's wage orders regulating hours and days of work.

19 7. Plaintiff is unaware of the true names of Defendants DOES 1 through 100. Plaintiff
20 sues said defendants by said fictitious names, and will amend this complaint when the true names
21 and capacities are ascertained or when such facts pertaining to liability are ascertained, or as
22 permitted by law or by the Court. Plaintiff is informed and believes that each of the fictitiously
23 named defendants is in some manner responsible for the events and allegations set forth in this
24 complaint.

25 8. Plaintiff makes the allegations in this complaint without any admission that, as to
26 any particular allegation, Plaintiff bears the burden of pleading, proving, or persuading and Plaintiff
27 reserves all of Plaintiff's right to plead in the alternative.

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1 **FIRST CAUSE OF ACTION**

2 **CIVIL PENALTIES PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT OF**
3 **2004, LABOR CODE SECTIONS 2698, ET SEQ.**

4 **(Against all Defendants by Plaintiff on behalf of Themselves, the State of California, and**
5 **Other Current and Former Aggrieved Employees)**

6 9. Plaintiff incorporates all paragraphs above as though fully set forth herein.

7 10. During Plaintiff's employment and continuing through the present, Plaintiff alleges
8 Defendants violated Labor Code sections 1030, 1031, 1033, and the applicable Wage Orders.

9 11. Specifically, Defendants have committed the following violations of California
10 Labor Code:

11 12. **Failure to authorize and permit all legally required and legally compliant**
12 **lactation accommodation breaks and/or failure to pay lactation accommodation premiums:**
13 Defendants often employed non-exempt employees, including the named Plaintiff and all other
14 current and former aggrieved California-based hourly non-exempt employees, who desired to
15 express breast milk for the employees' infant children.

16 13. California law requires every employer to provide a reasonable amount of break time
17 to accommodate an employee's desire to express breast milk for the employee's infant child each
18 time the employee needs to express milk. California law also requires that an employer provide an
19 employee with a room or location for the employee to express milk in private which shall:

20 (a) not be a bathroom, shall be in close proximity to the employee's work area, shielded
21 from view and free from intrusion while the employee is expressing milk;

22 (b) shall be safe, clean, and free of hazardous materials as defined in Labor Code section
23 6382;

24 (c) shall contain a surface to place a breast pump and personal items;

25 (d) shall contain a place to sit; and

26 (e) shall have access to electricity or alternative devices, including, but not limited to,
27 extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

28 14. California law also requires the employer provide access to a sink with running water

1 and a refrigerator suitable for storing milk in close proximity to the employee's workspace or other
2 suitable colling device if a refrigerator cannot be provided. If an employer fails to provide reasonable
3 break time or adequate space to express milk, the employer must pay the employee an additional
4 hour of pay at the employee's regular rate for each workday the adequate space or reasonable time
5 is not provided. (Lab. Code §§1033, subd. (a), 226.7, subd. (c).)

6 15. In this case, Plaintiff and all other current and former aggrieved California-based
7 hourly non-exempt employees of Defendants sought to express breast milk for the employees' infant
8 children; however, Defendants employed policies, practices, and/or procedures or lack of such
9 policies, practices, and/or procedures which resulted in its failure to provide Plaintiff and all other
10 current and former aggrieved California-based hourly non-exempt employees with reasonable break
11 time for lactation or a room which complied with the requirements of California law, including but
12 not limited to, the room not being private and shielded from view or free from intrusion while the
13 employee is expressing milk. For example, the room where Plaintiff and all other current and former
14 aggrieved California-based hourly non-exempt employees were permitted to express milk (a) had
15 no blinds or other forms of shielding view of the inside of the room; (b) had no locking mechanism
16 on the door(s); and (c) which other employees were permitted to enter the room while Plaintiff and
17 all other current and former aggrieved California-based hourly non-exempt employees were
18 expressing milk.

19 16. Additionally, Defendants failed to pay Plaintiff and all other current and former
20 aggrieved California-based hourly non-exempt employees an additional hour of pay at their regular
21 rate of compensation for each workday the employees did not receive all legally required and
22 compliant lactation periods, i.e., legally compliant time or space. Defendants employed policies and
23 procedures which ensured that employees did not receive any lactation period premium wages to
24 compensate them for workdays in which they did not receive all legally required and compliant
25 lactation periods.

26 17. The aforementioned policies, practices, and/or procedures of Defendants resulted in
27 Plaintiff and all other current and former aggrieved California-based hourly non-exempt employees
28 not being provided with all legally required and compliant lactation periods and/or not receiving

premium wages to compensate them for such instances, all in violation of California law.

18. Pursuant to the applicable Industrial Welfare Commission (“IWC”) Wage Order (“Wage Order”), codified at California Code of Regulations, title 8, section 11050, Defendants are employers of Plaintiff within the meaning of Wage Order 5 and applicable Labor Code sections. Therefore, each of these Defendants is jointly and severally liable for the wrongs complained of herein in violation of the Wage Order and the Labor Code.

19. Labor Code sections 2699, subdivisions (a) and (g) authorize an aggrieved employee, on behalf of himself or herself and other current or former employees, to bring a civil action to recover civil penalties against all Defendants pursuant to the procedures specified in Labor Code section 2699.3.

20. Plaintiff has complied with the procedures for bringing suit specified in Labor Code section 2699.3. On June 29, 2026, Plaintiff filed a PAGA Claim Notice with the LWDA and provided notice to Defendants by certified mail which provided notice of the specific provisions of the Labor Code alleged to have been violated, including the facts and theories to support the violations alleged.

21. Pursuant to Labor Code section 2699.3, the LWDA must give written notice by certified mail to the parties that it intends to investigate the alleged violations of the Labor Code within 60 days of the date of the complainant's written notice. The LWDA failed to provide the parties notice within 60 days of the date of Plaintiff’s PAGA Claim Notice that the LWDA intends to investigate Plaintiff’s claims.

22. Pursuant to Labor Code sections 2699(a) and (f), Plaintiff is entitled to recover civil penalties for Defendants’ violations of Labor Code sections 1030, 1031, and 1033.

23. Pursuant to Labor Code section 2699(g), Plaintiff is entitled to an award of reasonable attorneys’ fees and costs in connection with her claims for civil penalties.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF, ON BEHALF OF HERSELF AND ON OTHER AGGRIEVED EMPLOYEES, PRAYS AS FOLLOWS:

ON THE FIRST CAUSE OF ACTION:

1 1. That Defendants be found to have violated the provisions of the Labor Code and the
2 IWC Wages Orders as to the Plaintiff and aggrieved employees;

3 2. For any and all legally applicable penalties during the relevant statute of limitations
4 subject to any permissible tolling, including but not limited to those recoverable under the California
5 Labor Code, including but not limited to sections 210, 225.5, 226.3, 558, 2699(f);

6 3. For attorneys' fees and costs of suit, including but not limited to those recoverable
7 under California Labor Code section 2699(g); and

8 4. For such and other further relief, in law and/or equity, as the Court deems just or
9 appropriate.

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11 Dated: September 3, 2026

Respectfully submitted,
LAVI & EBRAHIMIAN, LLP

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13 By:



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