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Attorneys for Plaintiff David Angeles, on behalf of himself and on behalf of all similarly situated individuals,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

DAVID ANGELES, on behalf of himself and
on behalf of all similarly situated individuals,

Plaintiff,

v.

WASTE RESOURCES, INC., a California
corporation, WASTE RESOURCES
TECHNOLOGIES, INC., a California
corporation, KOSTI SHIRVANIAN, an
individual, LINDA SHIRVANIAN, an
individual, and DOES 1 through 10, inclusive,

Defendants.

CASE NO:

20STCV45250

**CLASS AND REPRESENTATIVE
ACTION COMPLAINT FOR:**

- 1. FAILURE TO PAY ALL MINIMUM
AND OVERTIME WAGES (LABOR
CODE §§ 510, 558, 1194, AND 1194.2)**
- 2. FAILURE TO PROVIDE REST
PERIODS OR COMPENSATION IN LIEU
THEREOF (LABOR CODE §§ 226.7 AND
558; IWC WAGE ORDER 4-2001)**
- 3. FAILURE TO PROVIDE MEAL
PERIODS OR COMPENSATION IN LIEU
THEREOF (LABOR CODE §§ 226.7, 512,
AND 558; IWC WAGE ORDER 4-2001)**
- 4. KNOWING AND INTENTIONAL
FAILURE TO COMPLY WITH
ITEMIZED EMPLOYEE WAGE
STATEMENT PROVISIONS (LABOR
CODE § 226(a), (e))**
- 5. VIOLATION OF BUSINESS AND
PROFESSIONS CODE § 17200**

**CONFORMED COPY
ORIGINAL FILED**
Superior Court of California
County of Los Angeles

NOV 25 2020

Sherri R. Carter, Executive Officer/Clerk of Court
By: Tanya Herrera, Deputy

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**6. PENALTIES PURSUANT TO LABOR
CODE § 2699(f) FOR VIOLATIONS OF
LABOR CODE §§ 201-202, 226(a), 226.7,
510, 512, AND 1194 AND PURSUANT TO
LABOR CODE § 2699(a) FOR
VIOLATIONS OF LABOR CODE §§ 226.3
AND 558**

DEMAND FOR JURY TRIAL

Plaintiff DAVID ANGELES (“Plaintiff”), on behalf of himself, all similarly situated individuals, and on behalf of the general public, as “aggrieved employees” under the Labor Code Private Attorneys General Act of 2004, complain of Defendants, and each of them, as follows:

I.

INTRODUCTION AND FACTUAL BACKGROUND

1. This is a Class Action and Representative Action, pursuant to Code of Civil Procedure § 382 and Labor Code § 2698 *et seq.*, on behalf of Plaintiff and the Class of individuals described in detail below against WASTE RESOURCES, INC., a California corporation, WASTE RESOURCES TECHNOLOGIES, INC., a California corporation, KOSTI SHIRVANIAN, an individual, LINDA SHIRVANIAN, an individual, and/or any subsidiaries or affiliated companies (hereinafter collectively referred to as “Defendants”) within the State of California.

2. For at least four (4) years prior to the filing of this action and continuing to the present (the “liability period”) Defendants have had a consistent policy of failing to provide legally compliant meal and rest periods, or compensation in lieu thereof; failing to pay all minimum wages and overtime wages; and failing to issue accurately itemized wages statements.

3. Plaintiff, on behalf of himself members of the Class, brings this action pursuant to Labor Code §§ 226(a), 226.7, 510, 512, 558, 1194, and 1194.2, seeking compensation for all unpaid wages, liquidated damages, civil and statutory penalties, injunctive and other equitable relief, and reasonable attorneys’ fees and costs.

4. Plaintiff, on behalf of himself and Class Members, pursuant to Business & Professions Code §§ 17200-17208, also seeks injunctive relief, restitution, and disgorgement of all benefits Defendants enjoyed from their failure to pay all wages.

5. Plaintiff, on behalf of himself and all aggrieved employees, pursuant to Labor Code §§ 2698 *et seq.*, seeks penalties and wages for Defendants' various violations of the California Labor Code.

6. Venue is proper in this judicial district, pursuant to Code of Civil Procedure § 395 because Defendants employed Plaintiff and members of the Class in Los Angeles County, California.

II.

PARTIES

A. Plaintiff

7. Plaintiff DAVID ANGELES has been employed by Defendants since June 2018 as a non-exempt employee and performed work for Defendants in Los Angeles County, California.

8. During his work with Defendants, Plaintiff is:

- a. Willfully denied the payment of all minimum wages and overtime wages;
- b. Willfully denied meal and rest periods, or compensation in lieu thereof; and
- c. Willfully denied accurately itemized wage statements.

B. Defendants

9. Defendant WASTE RESOURCES, INC. is a California corporation Defendant WASTE RESOURCES, INC. employed Plaintiff and other Aggrieved Employees in Los Angeles County, California.

10. Defendant WASTE RESOURCES TECHNOLOGIES, INC., is a California corporation. Defendant WASTE RESOURCES TECHNOLOGIES, INC. employed Plaintiff and other Aggrieved Employees in Los Angeles County, California.

11. Defendant KOSTI SHIRVANIAN is an owner, director, officer, and/or managing agent of WASTE RESOURCES, INC. and WASTE RESOURCES TECHNOLOGIES, INC. As an owner, director, officer, and/or managing agent of WASTE RESOURCES, INC. and WASTE RESOURCES TECHNOLOGIES, INC. who directly and/or indirectly, or through an agent or some other person, engaged, suffered, and/or permitted Plaintiff and Aggrieved Employees to work and exercised control over their wages, hours, and working conditions, KOSTI SHIRVANIAN is

1 personally liable for the violations alleged herein pursuant to *Martinez v. Combs* (2010) 49 Cal.4th
2 35.

3 12. Defendant LINDA SHIRVANIAN is an owner, director, officer, and/or managing
4 agent of WASTE RESOURCES, INC. and WASTE RESOURCES TECHNOLOGIES, INC. As an
5 owner, director, officer, and/or managing agent of WASTE RESOURCES, INC. and WASTE
6 RESOURCES TECHNOLOGIES, INC. who directly and/or indirectly, or through an agent or some
7 other person, engaged, suffered, and/or permitted Plaintiff and Aggrieved Employees to work and
8 exercised control over their wages, hours, and working conditions, LINDA SHIRVANIAN is
9 personally liable for the violations alleged herein pursuant to *Martinez v. Combs* (2010) 49 Cal.4th
10 35.

11 13. The true names and capacities, whether individual, corporate, associate, or otherwise,
12 of Defendants sued herein as DOES 1 to 10, inclusive, are currently unknown to Plaintiff, who
13 therefore sues Defendants by such fictitious names under Code of Civil Procedure § 474. Plaintiff is
14 informed and believes, and based thereon alleges, that each of the Defendants designated herein as a
15 DOE is legally responsible in some manner for the unlawful acts referred to herein. Plaintiff will
16 seek leave of court to amend this Complaint to reflect the true names and capacities of the Defendants
17 designated hereinafter as DOES when such identities become known.

18 14. Plaintiff is informed and believes, and based thereon alleges, that each Defendant acted
19 in all respects pertinent to this action as the agent of the other Defendants, carried out a joint scheme,
20 business plan or policy in all respects pertinent hereto, and the acts of each Defendant are legally
21 attributable to the other Defendants.

22 15. The Defendants named herein as DOE 1 through DOE 10 are and were persons acting
23 on behalf of, or acting jointly with, Defendants, who violated, or caused to be violated, one or more
24 provisions of the California Labor Code as alleged herein.

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1 **III.**

2 **CLASS ACTION ALLEGATIONS**

3 16. Plaintiff brings this action on behalf of himself and all others similarly situated as a
4 Class Action pursuant to § 382 of the Code of Civil Procedure. Plaintiff seeks to represent the
5 following class composed of and defined as follows:

6 **THE CLASS**

7 All persons employed as non-exempt California employees by
8 Defendants at any time since the date four years preceding the filing of
9 this Action.

10 17. Plaintiff reserves the right under Rule 3.765, California Rules of Court, to amend or
11 modify this class description with greater specificity or further division into subclasses or limitation
12 to particular issues.

13 18. This action has been brought and may properly be maintained as a class action under
14 the provisions of § 382 of the Code of Civil Procedure because there is a well-defined community of
15 interest in the litigation and each proposed Class is easily ascertainable.

16 **A. Numerosity**

17 19. The potential members of the Class as defined are so numerous that joinder of all class
18 members is impracticable. While the precise number of members of the Class has not been
19 ascertained at this time, Plaintiff is informed and believes, and based thereon alleges, that Defendants
20 currently employ, and during the relevant time periods employed, over 50 persons in the State of
21 California who fall within the Class definition.

22 20. Accounting for employee turnover during the relevant period necessarily increases this
23 number. Plaintiff alleges Defendants' employment records would provide information as to the
24 number and location of members of the Class. Joinder of members of the Class is not practicable.

25 **B. Commonality**

26 21. There are questions of law and fact common to the Class that predominate over any
27 questions affecting only individual class members. These common questions of law and fact include,
28 without limitation:

- a. Whether Defendants failed to compensate Plaintiff and Class Members with all minimum wages and overtime wages, in violation of Labor Code §§ 510, 558, 1194, and 1194.2;
- b. Whether Defendants failed to properly provide rest periods, or compensation in lieu thereof to Plaintiff and Class Members, in violation of Labor Code §§ 226.7 and 558, and IWC Wage Order 4-2001;
- c. Whether Defendants failed to properly provide meal periods, or compensation in lieu thereof to Plaintiff and Class Members, in violation of Labor Code §§ 226.7, 512 and 558, and IWC Wage Order 4-2001;
- d. Whether Defendants failed to provide Plaintiff and Class Members with accurately itemized wage statements, in accordance with Labor Code § 226(a) and (e); and
- e. Whether Plaintiff and Class Members are entitled to equitable relief pursuant to Business & Professions Code § 17200 *et seq.*

C. Typicality

22. The claims of the named Plaintiff are typical of the claims of members of the Class. Plaintiff and members of the Class sustained injuries and damages arising out of and caused by Defendants' common course of conduct in violation of laws, regulations that have the force and effect of law, and statutes as alleged herein.

D. Adequacy of Representation

23. Plaintiff will fairly and adequately represent and protect the interests of members of the Class. Counsel who represents Plaintiff are competent and experienced in litigating large employment class actions.

E. Superiority of Class Action

24. A class action is superior to other available means for the fair and efficient adjudication of this controversy. Individual joinder of all proposed members of the Class is not practicable, and questions of law and fact common to the proposed Class predominate over any questions affecting

1 only individual members of the proposed Class. Each member of the proposed Class has been
2 damaged and is entitled to recovery by reason of Defendants' illegal policies and/or practices.

3 25. Class action treatment will allow those similarly situated persons to litigate their
4 claims in the manner that is most efficient and economical for the parties and the judicial system.
5 Plaintiff is unaware of any difficulties that are likely to be encountered in the management of this
6 action that would preclude its maintenance as a class action.

7 **IV.**

8 **CAUSES OF ACTION**

9 **FIRST CAUSE OF ACTION**

10 **PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS**

11 **FAILURE TO PAY ALL MINIMUM WAGES AND OVERTIME WAGES**

12 **(LABOR CODE §§ 510, 558, 1194, AND 1194.2)**

13 26. Plaintiff incorporates paragraphs 1 through 25 of this Complaint as though fully set
14 forth herein.

15 27. During the liability period, Defendants have failed to pay all minimum and overtime
16 wages earned during the course of employment, in violation of Labor Code §§ 510, 558, 1194 and
17 1194.2, when they rounded down and shaved off the hours reflected on Plaintiff's and Class
18 Members' time records to pay fewer hours than were actually worked. On a weekly basis, this
19 rounding and time shaving practice deprived Plaintiff and other Class Members of significant hours
20 worked and wages due. These failures to pay all minimum and overtime wages due constitute
21 violations of Labor Code §§ 510, 558, 1194 and 1194.2.

22 28. Defendants also adhere to an illegal policy of automatically deducting thirty minutes
23 of time from Plaintiff's and Class Members' daily shifts for meal periods, regardless of whether or
24 not they were actually taken, in violation of Labor Code §§ 510, 558, 1194 and 1194.2. Plaintiff and
25 Class Members must be paid for all hours worked. Automatic deductions of time for meal periods—
26 deducted regardless of whether meal periods were actually taken—contravenes California law. As
27 discussed in more detail herein, Plaintiff and Class Members were not always authorized to take a
28 timely, 30-minute meal period for each shift they worked. At times, they were too busy to take a meal

1 period and were told to take them during any down time. When they could take a meal period, they
2 were on-duty as Defendants required them to carry and respond to a two-way radio. Defendants'
3 unlawful automatic deduction policy violated Labor Code §§ 510, 558, 1194 and 1194.2 and Plaintiff
4 and Class Members are owed wages and liquidated damages as a result.

5 29. As a result of the unlawful acts of Defendants in willfully failing to pay all minimum
6 and overtime wages, Plaintiff and Class Members have been deprived of wages in amounts to be
7 determined at trial, and are entitled to restitution and recovery of such amounts, plus interest thereon,
8 attorneys' fees, and costs pursuant to Labor Code § 1194, and liquidated damages, pursuant to Labor
9 Code § 1194.2.

10 Wherefore, Plaintiff and the Class he seeks to represent request relief as described below.

11 **V.**

12 **SECOND CAUSE OF ACTION**

13 **PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS**

14 **FAILURE TO PROVIDE REST PERIODS OR COMPENSATION IN LIEU THEREOF**

15 **(LABOR CODE §§ 226.7 AND 558 AND IWC WAGE ORDER 4-2001)**

16 30. Plaintiff incorporates paragraphs 1 through 29 of this Complaint as though fully set
17 forth herein.

18 31. Plaintiff and Class Members are entitled to one hour of pay for each day that
19 Defendants failed to properly provide one or more rest periods as set forth in Labor Code §§ 226.7
20 and 558 and IWC Wage Order 4-2001.

21 32. Defendants failed to pay premium wages to Plaintiff and Class Members who were
22 denied rest periods, in violation of Labor Code § 226.7 and IWC Wage Order 4-2001. Plaintiff and
23 Class Members were routinely unable to take a 10-minute rest period for every four (4) hours of work
24 or major fraction thereof, but were not paid premium wages of one hour's pay for each missed rest
25 period. Defendants failed to schedule any rest periods, and Plaintiff and Class Members were told
26 they could only take them if there was down time during their shift, which frequently did not occur.
27 If they were able to take a rest period, Plaintiff and Class Members were not provided with duty-free
28 rest periods as they were limited as where they could go during their rest periods, and they were

1 required to carry, be alert to, and respond to a two-way radio, resulting in on-duty rest periods subject
2 to their employer's control, in violation of Code §§ 226.7 and 558 and IWC Wage Order No. 4-2001.

3 33. Pursuant to Labor Code §§ 226.7 and 558 and IWC Wage Order 4-2001, Plaintiff
4 seeks the payment of all rest period compensation which he and Class Members are owed for four
5 years preceding the filing of this Action, according to proof.

6 Wherefore, Plaintiff and the Class he seeks to represent request relief as described below.

7 **VI.**

8 **THIRD CAUSE OF ACTION**

9 **PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS**

10 **FAILURE TO PROVIDE MEAL PERIODS OR COMPENSATION IN LIEU THEREOF**

11 **(LABOR CODE §§ 226.7, 512 AND 558 AND IWC WAGE ORDER 4-2001)**

12 34. Plaintiff incorporates paragraphs 1 through 33 of this Complaint as though fully set
13 forth herein.

14 35. Plaintiff and Class Members are entitled to one hour of pay for each day that
15 Defendants failed to properly provide one or more meal periods as set forth in Labor Code §§ 226.7,
16 512 and IWC Wage Order 4-2001.

17 36. Defendants failed to pay premium wages to Plaintiff and Class Members who were
18 denied meal periods, in violation of Labor Code §§ 226.7, 512 and 558 and IWC Wage Order 4-2001.
19 Plaintiff and Class Members were routinely denied, and not authorized to take, an uninterrupted, 30-
20 minute meal period for every shift worked that exceeded five hours in duration, and a second meal
21 period when they worked shifts greater than ten hours, but were not paid premium wages of one
22 hour's pay for each missed meal period. This violates Labor Code §§ 226.7, 512 and 558.

23 37. Pursuant to Labor Code §§ 226.7, 512, and 558 and IWC Wage Order 4-2001, Plaintiff
24 seeks the payment of all meal period compensation which Class Members are owed for four years
25 preceding the filing of this Action, according to proof.

26 Wherefore, Plaintiff and the class he seeks to represent request relief as described below.

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VII.
FOURTH CAUSE OF ACTION
PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS
KNOWING AND INTENTIONAL FAILURE TO COMPLY WITH ITEMIZED
EMPLOYEE WAGE STATEMENT PROVISIONS
(LABOR CODE § 226(a), (e))

38. Plaintiff incorporates paragraphs 1 through 37 of this Complaint as though fully set forth herein.

39. Section 226(a) of the California Labor Code requires Defendants to provide wage statements to employees. In those wage statements, Defendants must provide an accurate itemized statement in writing showing (1) gross wages earned, (2) total hours worked by the employee..., (3) the number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all deductions, provided that all deductions made on written orders of the employee may be aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for which the employee is paid, (7) the name of the employee and only the last four digits of his or her social security number or an employee identification number other than a social security number, (8) the name and address of the legal entity that is the employer..., and (9) all applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee. Defendants have knowingly and intentionally failed to comply with Labor Code § 226(a).

40. Defendants failed to issue Plaintiff and Class Members wage statements that fully and accurately itemized the requirements set forth in Labor Code § 226(a). As stated above, Plaintiff and Class Members were not paid for all minimum wages, overtime wages and meal and rest period premium wages. As such, the wage statements provided by Defendants failed to accurately state all gross wages earned, in violation of Labor Code § 226(a)(1), and net wages earned, in violation of Labor Code §§ 226(a)(5). The wage statements also separately failed to properly list the total hours worked by employees, in violation of Labor Code § 226(a)(2), and all applicable hourly rates in effect

1 during the pay period and the corresponding number of hours worked at each hourly rate by the
2 employee, in violation of Labor Code § 226(a)(9).

3 41. As a consequence of Defendants' willful conduct in failing to provide Class Members
4 with accurate itemized wage statements Plaintiff and Class Members have been injured because they
5 have not been paid all wages due and were issued wage statements which do not reflect, and fail to
6 state, all information required by Labor Code § 226(a). The missing information cannot be discerned
7 at all from the face of the wage statements themselves. As a result, Plaintiff and Class Members are
8 entitled to penalties pursuant to Labor Code § 226(e) to recover the greater of all actual damages or
9 \$50 for the initial pay period in which a violation occurs and \$100 per employee for each violation in
10 a subsequent pay period, not exceeding an aggregate penalty of \$4,000 per employee, and are entitled
11 to an award of costs and reasonable attorneys' fees pursuant to Labor Code § 226(h).

12 Wherefore, Plaintiff and the class he seeks to represent request relief as described below.

13 **VIII.**

14 **FIFTH CAUSE OF ACTION**

15 **PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS**

16 **UNFAIR COMPETITION PURSUANT TO**

17 **BUSINESS & PROFESSIONS CODE § 17200 ET SEQ.**

18 42. Plaintiff incorporates paragraphs 1 through 41 of this Complaint as though fully set
19 forth herein.

20 43. This is a Class Action for Unfair Business Practices. Plaintiff, on his own behalf and
21 on behalf of the general public, and on behalf of others similarly situated, brings this claim pursuant
22 to Business & Professions Code § 17200 *et seq.* The conduct of all Defendants as alleged in this
23 Complaint has been and continues to be unfair, unlawful, and harmful to Plaintiff, the general public,
24 and members of the Class. Plaintiff seeks to enforce important rights affecting the public interest
25 within the meaning of Code of Civil Procedure § 1021.5.

26 44. Plaintiff is a "person" within the meaning of Business & Professions Code § 17204,
27 and therefore has standing to bring this cause of action for injunctive relief, restitution, and other
28 appropriate equitable relief.

1 45. Business & Professions Code § 17200 *et seq.* prohibits unlawful and unfair business
2 practices.

3 46. Wage and hour laws express fundamental public policies. Properly providing
4 employees with all wages due is a fundamental public policy of this State and of the United States.
5 Labor Code § 90.5(a) articulates the public policies of this State to enforce vigorously minimum labor
6 standards, to ensure that employees are not required or permitted to work under substandard and
7 unlawful conditions, and to protect law-abiding employers and its employees from competitors who
8 lower their costs by failing to comply with minimum labor standards.

9 47. Defendants have violated statutes and public policies. Through the conduct alleged
10 in this Complaint, Defendants, and each of them, have acted contrary to these public policies, have
11 violated specific provisions of the Labor Code, and have engaged in other unlawful and unfair
12 business practices in violation of Business & Professions Code § 17200 *et seq.* depriving Plaintiff,
13 and all persons similarly situated, and all interested persons of rights, benefits, and privileges
14 guaranteed to all employees under law.

15 48. Defendants' conduct, as alleged herein, constitutes unfair competition in violation of
16 §17200 *et seq.* of the Business & Professions Code.

17 49. Defendants, by engaging in the conduct herein alleged, either knew or in the exercise
18 of reasonable care should have known that the conduct was unlawful. As such, it is a violation of §
19 17200 *et seq.* of the Business & Professions Code.

20 50. As a proximate result of the above-mentioned acts of Defendants, Plaintiff and others
21 similarly situated have been damaged in a sum as may be proven.

22 51. Unless restrained by this Court, Defendants will continue to engage in the unlawful
23 conduct, as alleged above. Pursuant to Business & Professions Code § 17200 *et seq.*, this Court
24 should make such orders or judgments, including the appointment of a receiver, as may be necessary
25 to prevent the use or employment, by Defendants, its agents, or employees, of any unlawful or
26 deceptive practice prohibited by the Business & Professions Code, and/or, including but not limited
27 to, disgorgement of profits which may be necessary to restore Plaintiff and members of the Class to
28 the money Defendants have unlawfully failed to pay.

IX.

SIXTH CAUSE OF ACTION

PLAINTIFF AND ALL AGGRIEVED EMPLOYEES AGAINST ALL DEFENDANTS
PENALTIES PURSUANT TO LABOR CODE § 2699(f) FOR VIOLATIONS OF
LABOR CODE §§ 201-202, 226(a), 226.7, 510, 512, AND 1194 AND PURSUANT TO LABOR
CODE § 2699(a) FOR VIOLATIONS OF LABOR CODE §§ 226.3, 558, AND 558.1

52. Plaintiff incorporates paragraphs 1 through 51 of this Complaint as though fully set forth herein.

53. As a result of the acts alleged above, including the Labor Code violations set forth herein, Plaintiff seeks civil penalties pursuant to Labor Code § 2698 *et seq.*

54. For each such violation, Plaintiff and all other aggrieved employees are entitled to penalties in an amount to be shown at the time of trial subject to the following formula:

a. Pursuant to Labor Code § 2699(f), \$100 for each initial violation and \$200 for each subsequent violation of Labor Code §§ 201-202, 226(a), 226.7, 510, 512, and 1194.

b. Pursuant to Labor Code § 2699(a), the civil penalties as authorized by Labor Code §§ 226.3, 558, and 558.1.

55. Penalties recovered will be allocated 75% to the Labor and Workforce Development Agency, and 25% to the affected employees.

56. On July 31, 2020, Plaintiff sent a letter, by online submission to the LWDA and by certified mail, return receipt requested, to Defendants setting forth the facts and theories of the violations alleged against Defendants, as prescribed by Labor Code § 2698 *et seq.* Pursuant to Labor Code § 2699.3(a)(2)(A), no notice was received by Plaintiff from the LWDA within sixty-five (65) calendar days of July 31, 2020. Plaintiff may therefore commence this action to seek civil penalties pursuant to Labor Code § 2698 *et seq.*

Wherefore, Plaintiff and the Aggrieved Employees he seeks to represent request relief as described below.

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RELIEF REQUESTED

WHEREFORE, Plaintiff prays for the following relief:

1. For compensatory damages pursuant to Labor Code §§ 510 and 1194 in the amount of all unpaid minimum and overtime wages due to Plaintiff and Class Members;
2. For liquidated damages pursuant to Labor Code § 1194.2 in the amount of all unpaid minimum wages due to Plaintiff and Class Members;
3. For compensatory damages in the amount of one hour of wages for each day on which a meal and/or rest period was not properly provided to Plaintiff and Class Members, pursuant to Labor Code § 226.7;
4. For penalties pursuant to Labor Code § 226(e) for Plaintiff and Class Members;
5. For restitution for unfair competition pursuant to Business & Professions Code § 17200 *et seq.* for Plaintiff and Class Members;
6. For civil penalties pursuant to Labor Code § 2698 *et seq.* for Plaintiff and all Aggrieved Employees;
7. An award providing for payment of costs of suit pursuant to Labor Code § 2699(g)(1) and other applicable law;
8. An award of attorneys' fees pursuant to Labor Code § 2699(g)(1) and other applicable law;
9. An award of prejudgment and post-judgment interest; and
10. Such other and further relief as this Court may deem just and proper.

Dated: November 24, 2020

Respectfully submitted,

GAINES & GAINES
A Professional Law Corporation

By: Daniel F. Gaines
DANIEL F. GAINES
EVAN S. GAINES
Attorney for Plaintiff

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Dated: November 24, 2020

GAINES & GAINES
A Professional Law Corporation

By: Daniel F. Gaines
DANIEL F. GAINES
EVAN S. GAINES
Attorney for Plaintiff