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3 Carlsbad, CA 92008
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5 Attorneys for Plaintiff TRACY ROBICHAU
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8 **SUPERIOR COURT OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SOLANO**
10

11 TRACY ROBICHAU, on behalf of all others
12 similarly aggrieved,

13 Plaintiff,

14 vs.

15 SIGNATURE RETAIL SERVICES, INC., an
16 Illinois Corporation, and DOES 1 through 10,
inclusive,

17 Defendants.
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CASE NO.

REPRESENTATIVE COMPLAINT FOR
VIOLATION OF PRIVATE ATTORNEYS
GENERAL ACT, CAL. LABOR CODE
SECTIONS 2698, *et seq.*

JURY TRIAL DEMANDED

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558, 1174.5, 1197.1 and 2699.

FIRST CAUSE OF ACTION

VIOLATION OF PRIVATE ATTORNEYS GENERAL ACT,

LABOR CODE SECTIONS 2698, ET SEQ.

7. Plaintiff incorporates paragraphs 1 through 6 of this complaint as if fully alleged herein.

8. California law provides employees in California must be paid for all hours worked, up to 40 per week or 8 per day, at a regular time rate no less than the mandated minimum wage. California law also provides employees in California must be paid overtime, equal to 1.5 times the employee's regular rate of pay, for all hours worked in excess of 40 per week or 8 per day. Plaintiff and other similarly aggrieved employees regularly worked hours, including overtime hours, for which they were not compensated by Defendant as required by California law, including hours worked, inter alia, driving to and from assigned work locations. Defendant also had policy of altering the amount of drive time reported by Plaintiff and other similarly aggrieved employees such that they were not paid for all hours worked. By requiring Plaintiff and other similarly aggrieved employees to perform "off the clock" work without counting such time as hours worked and without compensating Plaintiff and all similarly aggrieved employees for such "off the clock" work, Defendant violated Labor Code sections 1194-1199, and Wage Order 7-2001, section 7, as to Plaintiff and all other similarly aggrieved employees. These violations subject Defendant to civil penalties under the foregoing Labor Code sections and other applicable Labor Code sections, including without limitation Labor Code sections 558, 1197.1 and 2699. Each violation of each Labor Code section and Wage Order provision, for each aggrieved employee, results in a separate civil penalty.

9. Under the Labor Code and IWC Wage Orders, Defendant was required to provide Plaintiff and similarly aggrieved employees with one 30-minute meal period free from all duties for all shifts longer than 5 hours, and a second 30-minute meal period free from all duties for all shifts longer than 10 hours. Meal periods can be waived, but only under the following circumstances: (1) if an employee's total work period in a day is over five (5) hours but no more

1 than six (6) hours, the required meal period may be waived by mutual consent of the Defendant
2 and employee, and (2) if an employee's total work period in a day is over ten (10) hours but no
3 more than twelve (12) hours, the required second meal period may be waived by mutual consent
4 of the Defendant and employee, but only if the first meal period was not waived. Defendants
5 covered by the Wage Orders have an obligation to both (1) relieve their employees for at least one
6 meal period for shifts over five hours (see above), and (2) to record having done so. If the
7 Defendant fails to properly record a valid meal period, it is presumed no meal period was
8 provided.

9 10. Defendant failed to maintain a company meal period policy compliant with
10 California law and failed to provide Plaintiff and other aggrieved employees with proper meal
11 periods, and/or meal periods were not provided until after the start of the fifth hour work.
12 Because Defendant failed to maintain a compliant written meal period policy, failed to provide
13 Plaintiff and other aggrieved employees with all required meal periods, failed to provide Plaintiff
14 and other aggrieved employees with timely meal periods, fully and/or failed to accurately
15 calculate and record hour worked by Plaintiff and aggrieved employees traveling to and from
16 their assigned places of work, it also failed to provide Plaintiff and other aggrieved employees
17 with all meal breaks required under California law. Defendant also failed to pay them premiums
18 for such missed meal breaks in violation of California law. These violations subject Defendant to
19 civil penalties under the foregoing Labor Code sections and other applicable Labor Code sections,
20 including without limitation Labor Code sections 226.7 and 2699. Each violation of each Labor
21 Code section and Wage Order provision, for each aggrieved employee, results in a separate civil
22 penalty.

23 11. Under the Labor Code and IWC Wage Orders, Defendant was required to provide
24 Plaintiff and similarly aggrieved employees with one 10-minute paid rest period free from all
25 duties for each 3.5 hours worked, or major fraction thereof. Defendant did not maintain a
26 company rest period policy and/or practice compliant with California law, and Defendant
27 frequently did not provide Plaintiff and other aggrieved employees with appropriate rest periods.
28 Per Defendant's policy and/or practice, Plaintiff and other aggrieved employees were not

adequately informed and instructed about, and thereby were not afforded an adequate opportunity to take, proper rest breaks per California law. Further, Defendant failed to pay Plaintiff and other aggrieved employees with an additional hour of pay at their regular rates of pay for each missed or improper rest period. Because Defendant failed to fully and accurately calculate and record hours worked by Plaintiff and aggrieved employees traveling to and from their assigned places of work, it also failed to provide all required rest periods on a fully compliant basis. Defendant also failed to pay Plaintiff and the aggrieved employees with one hour of pay at the regular rate for each missed or non-compliant rest period. These violations subject Defendant to civil penalties under the foregoing Labor Code sections and other applicable Labor Code sections, including without limitation Labor Code sections 226.7 and 2699. Each violation of each Labor Code section and Wage Order provision, for each aggrieved employee, results in a separate civil penalty.

13. California law provides that, at the time of each payment of wages, an employer must provide each employee with an itemized statement showing, inter alia, gross wages earned, total hours worked, all deductions taken, net wages earned, the inclusive dates for which the employee is being paid, the employee's name and last four digits of their social security number, the name and address of the legal entity that it is the employer, and all applicable hourly rates in effect during the pay period and all hours worked at each rate. For the reasons alleged above, Defendant knowingly and intentionally failed to provide Plaintiff and other aggrieved employees with proper, itemized wage statements as the wage statements provided by Defendant do not accurately reflect, inter alia, gross wages earned, total hours worked, net wages earned, and all applicable hourly rates in effect during each pay period and all hours worked at each applicable hourly rate. Accordingly, Defendant has violated Labor Code section 226 as to Plaintiff and all similarly aggrieved employees. These violations subject Defendant to civil penalties under the Labor Code, including without limitation Labor Code sections 226 and 2699. Each violation of each Labor Code section and Wage Order provision, for each aggrieved employee, results in a separate civil penalty.

14. California law requires employers to keep "accurate and complete" payroll records

1 showing, among other things, the hours worked daily by all non-exempt employees. IWC Wage
2 Order 7-2001, section 7, similarly requires Defendants to keep time records showing, inter alia,
3 when the employees begin and end each work period. At all relevant times, Defendant has failed,
4 and continues to fail, to keep the required time records, as Defendant did not provide and/or
5 record all of Plaintiff's and other similarly aggrieved employees hours worked, as alleged herein.
6 Defendant's failure to keep "accurate and complete" payroll records for Plaintiff and other
7 similarly aggrieved employees violates Labor Code sections 1174, 1198-99, and Wage Order 7-
8 2001, section 7. These violations subject Defendant to civil penalties under the Labor Code,
9 including without limitation sections 1174.5 and 2699. Each violation of each Labor Code
10 section and Wage Order provision, for each aggrieved employee, results in a separate civil
11 penalty.

12 15. Together, Labor Code sections 1198 and 1199 make unlawful employment of any
13 individual under conditions of labor prohibited by the Wage Orders, and any violation, refusal, or
14 neglect to comply with any provision within Part 4, Chapter 1 of the Labor Code, including
15 sections 1174, 1197, and 1198, or other order or ruling of the IWC. Defendant's violations with
16 respect to minimum wages and/or overtime wages, as alleged herein, result in separate violations
17 of Labor Code sections 1198 and 1199, and subject Defendant to civil penalties under the Labor
18 Code, including without limitation Labor Code sections 1197.1 and 2699. Each violation of each
19 Labor Code section and Wage Order provision, for each aggrieved employee, results in a separate
20 civil penalty.

21 16. California Labor Code section 204 requires an employer to pay employees all
22 wages due and payable at least twice each calendar month. Defendant failed to comply with
23 Labor Code section 204 by failing to timely pay twice during each calendar month all wages due
24 and payable to Plaintiff and other similarly aggrieved employees. Defendant's violations of Labor
25 Code section 204 subject Defendant to civil penalties, including but not limited to the penalties
26 set forth in California Labor Code sections 210 and 2699. Each violation results in a separate civil
27 penalty, for each aggrieved employee for each pay period during which the statutory provisions
28 were violated

1 17. Labor Code section 201 requires employers to pay all wages earned and unpaid at
2 the time of discharge, immediately upon discharge. Labor Code section 202 states similar
3 provisions with respect to employees who resign. For all aggrieved employees no longer
4 employed by Defendant, Defendant still has not paid such aggrieved employees all wages earned
5 and unpaid at the time of discharge, in that Defendant has not paid for, inter alia, time spent
6 performing preparatory and administrative duties “off the clock.” These violations subject
7 Defendant to civil penalties under the Labor Code, including without limitation Labor Code
8 sections 203, 256 and 2699. Each violation results in a separate civil penalty, for each aggrieved
9 employee for each pay period during which the statutory provisions were violated.

10 18. Labor Code section 2802 requires an employer to reimburse employees for all
11 necessary expenditures or losses incurred by the employee in direct consequence of the discharge
12 of their duties. Accordingly, an employer must fully reimburse employees for, inter alia, all
13 expenses incurred by the employee for using his or her personal vehicle in furtherance of their job
14 duties, as well as all expenses incurred in using his or her personal mobile phone in furtherance of
15 their job duties. Defendant did not fully and accurately record and reimburse all of Plaintiff’s and
16 other aggrieved employees’ driving expenses incurred driving their personal vehicles to and from
17 assigned work locations, and/or reduced the amount of mileage reported by Plaintiff and other
18 aggrieved employees. To the extent certain driving mileage and expenses were reimbursed by
19 Defendant, it did not provide full reimbursement for such expenses as required by Labor Code
20 section 2802 and applicable law. Additionally, Defendant did not reimburse Plaintiff and the
21 aggrieved employees for use of their personal mobile phones for, inter alia, communicating with
22 Defendant, or taking and transmitting pictures of completed projects to Defendant.

23 19. Plaintiff complied with the procedures for bringing suit specified in Labor Code
24 sections 2699.3 and 2699.5. By letter dated and postmarked November 10, 2020, Plaintiff
25 gave written notice to the LWDA via electronic mail at PAGAfilings@dir.ca.gov, and via
26 certified mail to Defendant, of the specific provisions of the Labor Code and Wage Orders
27 allegedly violated, including the facts and theories to support the alleged violations.

28 20. Under Labor Code section 2699.3, the LWDA must give written notice by

1 certified mail to the parties it intends to investigate the alleged violations within 65 days of the
2 date of the Plaintiff's written notice. As of the filing of this complaint, the LWDA has not
3 provided the parties any notice of its intention to investigate Plaintiff s claims on behalf of
4 herself and other similarly aggrieved employees. As of the filing of this complaint, Defendant
5 has not responded to Plaintiff's PAGA notice in an attempt to cure. Accordingly, Plaintiff
6 has exhausted all administrative remedies required by law.

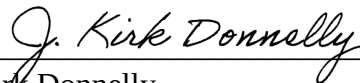
7 PRAYER

8 WHEREFORE, Plaintiff prays for judgment against each Defendant, jointly and severally,
9 as follows:

- 10 1. For civil penalties according to proof;
11 2 For reasonable attorney's fees and costs of suit; and
12 3. For such other and further relief as the Court deems just and proper.

13
14 Dated: February 16, 2021

LAW OFFICES OF J. KIRK DONNELLY, APC

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16 J. Kirk Donnelly
17 Attorneys for Plaintiff TRACY ROBICHAU
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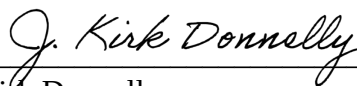
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims so triable.

Dated: February 16, 2021

LAW OFFICES OF J. KIRK DONNELLY, APC



J. Kirk Donnelly
Attorneys for Plaintiff TRACY ROBICHAU

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

SIGNATURE RETAIL SERVICES, INC., an Illinois Corporation and DOES 1-10, inclusive

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

TRACY ROBICHAU, on behalf of all others similarly aggrieved

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Solano County Superior Court, Hall of Justice, 600 Union Ave., Fairfield, CA 94533

CASE NUMBER: (Número del Caso):

FCS056091

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

J. Kirk Donnelly, Law Offices of J. Kirk Donnelly, 2173 Salk Ave., Ste. 250, Carlsbad CA 92008, 760-207-5894

DATE: MAR 15 2021

Clerk, by
(Secretario)

S. Mischke

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

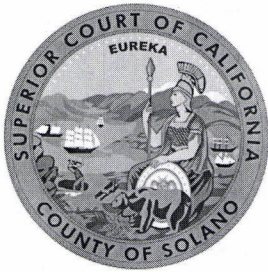
[SEAL]



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):
- ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):
- ☐ by personal delivery on (date)

Filed by fax



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO**

CIVIL DIVISION

☐ OLD SOLANO COURTHOUSE
580 Texas Street
Fairfield, CA 94533
(707) 207-7330

☐ HALL OF JUSTICE
600 Union Avenue
Fairfield, CA 94533
(707) 207-7330

Plaintiff(s): ROBICHAU, TRACY

Case No. FCS056091

Defendant(s): SIGNATURE RETAIL SERVICES, INC. AN
ILLINOIS CORPORATION

**NOTICE OF CASE MANAGEMENT
CONFERENCE ONE
AND
NOTICE OF ASSIGNMENT OF
JUDGE FOR ALL PURPOSES**

**PURSUANT TO LOCAL RULES AND BY ORDER OF THIS COURT, THIS MATTER HAS BEEN
CALENDARED FOR CASE MANAGEMENT CONFERENCE ONE:**

Date: 6/28/21

Time: 9:00 a.m.

THIS MATTER HAS BEEN ASSIGNED FOR ALL PURPOSES TO:

Judge Wendy G. Getty, Department 8

ALL HEARINGS WILL BE HELD AT: 580 Texas Street, Fairfield, California 94533

The obligations of counsel, or any party not represented by an attorney, in regard to Case Management Conference One and any Case Management Conference Two set by the court are as follows:

1. Service of the complaint must be within sixty (60) calendar days of the date of filing.
2. Service and filing of any responsive pleadings must be within thirty (30) days after service of the complaint. The time for filing responsive pleadings may not be extended except as authorized by law. Appearance at the Case Management Conference does not excuse a litigant from the requirement of filing and serving a responsive pleading within this deadline.
3. Plaintiff shall serve a copy of this *Notice of Case Management Conference One and Notice of Assignment of Judge for All Purposes* ("Notice of CMC One") on all defendants with the complaint.
4. Any party serving a cross-complaint shall serve a copy of this *Notice of CMC One* on each cross-defendant with the cross-complaint.
5. Any cross-complaint served after Case Management Conference One has been held shall have a *Notice of Case Management Conference Two* served with it.
6. At least thirty days before the date set for Case Management Conference One, all counsel and self-represented parties shall comply with the meet and confer obligations of California Rules of Court, rule 3.724.
7. A *Case Management Statement* (Judicial Council form CM-110) shall be filed with the court and served on all parties by each counsel by the 15th calendar day before the date set for Case Management Conference One.
8. At least one party demanding a jury on each side of a civil case must pay a nonrefundable fee of \$150.00 on or before the initial case management conference or as otherwise provided by statute.

9. At Case Management Conference One the court shall inform counsel and self-represented parties of the date, time and place for Case Management Conference Two and shall make any orders regarding what is expected that counsel and self-represented parties will accomplish in regard to the case before the filing of the Case Management Statement for Case Management Conference Two.
10. Each counsel shall complete, file, and serve on all parties a completed Case Management Statement by the 15th calendar day before the date set for Case Management Conference Two.
11. At any Case Management Conference, counsel shall be completely aware of all procedural, factual, and legal aspects of the case, and have full authority to discuss and resolve any issues that arise at the conference, including settlement of the case. This applies equally to both attorneys of record and specially-appearing counsel.
12. The court may impose sanctions pursuant to Solano County Local Rules, rule 4.6, in the event that a Case Management Statement is not timely filed and/or served, or is not fully completed, or the requirements of Rule 4.6 are not met.

COUNSEL AND SELF-REPRESENTED PARTIES ARE OBLIGATED TO REVIEW AND COMPLY WITH LOCAL AND STATEWIDE RULES REGARDING CIVIL LITIGATION. They are available at:

<http://www.courts.ca.gov/rules.htm>

<http://www.solano.courts.ca.gov/LocalRulesofCourt.html>

AFFIDAVIT OF SERVICE

I, the undersigned, declare under penalty of perjury that I am employed as a deputy clerk of the above-entitled court and not a party to the within-entitled action, and that I served this notice as follows:

☐ I personally served the person named below on (date): _____ at
(time) _____.

Name: _____

☐ Party

☐ Attorney of Record

☐ Representative

I, _____, acknowledge receipt of a copy of this *Notice of Case Management Conference One and Notice of Assignment of Judge for All Purposes*.

Date: _____ Signature _____

- ☒ I caused to be placed a true copy of this notice in an envelope which was then sealed and postage fully prepaid on the date shown below; that I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service; that the above stated document will be deposited in the Superior Court of California, County of Solano's outgoing mailbox for collection by county mail carriers on the date indicated. Said envelope was addressed to the attorneys for the parties, or the parties, as shown below:

ACE ATTORNEY SERVICE
901 F. STREET, SUITE 150
SACRAMENTO, CA 95814

☐ See attached for additional service addresses

Date: 2/25/21

Clerk of the Court
Superior Court of California, County of Solano

By: _____ **J. WOOD**

Deputy Clerk

1 J. KIRK DONNELLY (SBN 179401)
2 LAW OFFICES OF J. KIRK DONNELLY, APC
2173 Salk Avenue, Suite 250
3 Carlsbad, CA 92008
Tel. (760) 209-5894
4 kdonnelly@jkd-law.com

5 Attorneys for Plaintiff TRACY ROBICHAU

ENDORSED FILED
Clerk of the Superior Court

FEB 19 2021

By J. WOOD
DEPUTY CLERK

8 **SUPERIOR COURT OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SOLANO**

11 TRACY ROBICHAU, on behalf of all others
12 similarly aggrieved,

13 Plaintiff,

14 vs.

15 SIGNATURE RETAIL SERVICES, INC., an
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inclusive,

17 Defendants.

CASE NO. FCS056091

REPRESENTATIVE COMPLAINT FOR
VIOLATION OF PRIVATE ATTORNEYS
GENERAL ACT, CAL. LABOR CODE
SECTIONS 2698, *et seq.*

JURY TRIAL DEMANDED

ASSIGNED TO
JUDGE Getty
FOR ALL PURPOSES

Filed by fax

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

J. Kirk Donnelly (SBN 179401)

Law Offices of J. Kirk Donnelly, APC

2173 Salk Ave., Ste. 250, Carlsbad CA 92008

TELEPHONE NO.: 760-209-5894

FAX NO. (Optional):

ATTORNEY FOR (Name): Plaintiff Tracy Robichau

FOR COURT USE ONLY

ENDORSED FILED
Clerk of the Superior Court

FEB 19 2021

J. WOOD

By DEPUTY CLERK**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO**

STREET ADDRESS: 600 Union Ave.

MAILING ADDRESS:

CITY AND ZIP CODE: Fairfield CA 94533

BRANCH NAME: Hall of Justice

CASE NAME:

Robichau v. Signature Retail Service, Inc.

CIVIL CASE COVER SHEET

☒ **Unlimited** (Amount demanded exceeds \$25,000) ☐ **Limited** (Amount demanded is \$25,000)

Complex Case Designation☐ Counter ☐ Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:

FCS050091

JUDGE:

DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:**Auto Tort**☐ Auto (22)
☐ Uninsured motorist (46)**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)☐ Other PI/PD/WD (23)**Non-PI/PD/WD (Other) Tort**☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)**Employment**☐ Wrongful termination (36)
☒ Other employment (15)**Contract**☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)**Real Property**☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)**Unlawful Detainer**☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)**Judicial Review**☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)**Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)**☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)**Enforcement of Judgment**☐ Enforcement of judgment (20)**Miscellaneous Civil Complaint**☐ RICO (27)
☐ Other complaint (not specified above) (42)**Miscellaneous Civil Petition**☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): 1

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: February 26, 2021

J. Kirk Donnelly

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

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