

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: NATIONAL TECHNICAL SYSTEMS, INC., a
(AVISO AL DEMANDADO): California corporation, and DOES 1 through 10,
inclusive

YOU ARE BEING SUED BY PLAINTIFF: DEREK DOWNEY, ADAM SARDONI,
(LO ESTÁ DEMANDANDO EL DEMANDANTE): individually and on behalf of all
similarly situated individuals, on behalf of the general public, and all "aggrieved employees"
pursuant to Labor Code § 2698 et seq.

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

E-FILED
5/4/2021 2:53 PM
Clerk of Court
Superior Court of CA,
County of Santa Clara
21CV381341
Reviewed By: R. Walker
Envelope: 6374436

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):

Superior Court of California, County of Santa Clara
191 North First Street
San Jose, California 95113

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: Alex P. Katofsky, Esq.

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Gaines & Gaines, APLC

27200 Agoura Road, Suite 101, Calabasas, CA 91301

818-703-8985

DATE: 5/4/2021 2:53 PM
(Fecha)

Clerk of Court

Clerk, by
(Secretario)

R. Walker

, 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)).

21CV381341

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

4. ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Alex P. Katofsky, Esq. SBN: 202754 Gaines & Gaines, APLC 27200 Agoura Road, Suite 101, Calabasas, CA 91301 TELEPHONE NO.: 818-703-8985 FAX NO.: 818-703-8984 ATTORNEY FOR (Name): Plaintiffs Derek Downey and Adam Sardoni		FOR COURT USE ONLY Electronically Filed by Superior Court of CA, County of Santa Clara, on 5/4/2021 2:53 PM Reviewed By: R. Walker Case #21CV381341 Envelope: 6374436							
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, 95113 BRANCH NAME: Downtown Superior Court									
CASE NAME: Downey, et al. v. National Technical Systems, Inc., et al.									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">CIVIL CASE COVER SHEET</td> <td style="text-align: center;">Complex Case Designation</td> <td style="text-align: center;">CASE NUMBER: 21CV381341</td> </tr> <tr> <td style="width: 33%; vertical-align: top;"> ☒ Unlimited (Amount demanded exceeds \$25,000) </td> <td style="width: 33%; vertical-align: top;"> ☐ Limited (Amount demanded is \$25,000 or less) </td> <td style="width: 33%; vertical-align: top;"> ☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402) </td> <td style="width: 33%; vertical-align: top;"> JUDGE: DEPT: </td> </tr> </table>			CIVIL CASE COVER SHEET		Complex Case Designation	CASE NUMBER: 21CV381341	☒ Unlimited (Amount demanded exceeds \$25,000)	☐ Limited (Amount demanded is \$25,000 or less)	☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
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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 (<i>not specified above</i>) (42) Miscellaneous Civil Petition ☐ Partnership and corporate governance (21) ☐ Other petition (<i>not specified above</i>) (43)
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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*): Six (6)
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: 5/4/21

Alex P. Katofsky, Esq.
(TYPE OR PRINT NAME)

▶ *Alex P. Katofsky*
(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.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

1 KENNETH S. GAINES, ESQ. SBN 049045
ken@gaineslawfirm.com
2 DANIEL F. GAINES, ESQ. SBN 251488
daniel@gaineslawfirm.com
3 ALEX P. KATOFISKY, ESQ. SBN 202754
alex@gaineslawfirm.com
4 EVAN S. GAINES, ESQ. SBN 287668
evan@gaineslawfirm.com
5 **GAINES & GAINES, APLC**
27200 Agoura Rd., Suite 101
6 Calabasas, CA 91301
Telephone: (818) 703-8985
7 Facsimile: (818) 703-8984

8 Attorneys for Plaintiffs
Derek Downey and Adam Sardoni

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SANTA CLARA**

11 DEREK DOWNEY, ADAM SARDONI,
12 individually and on behalf of all similarly
13 situated individuals, on behalf of the general
public, and all "aggrieved employees"
pursuant to Labor Code § 2698 *et seq.*

14 Plaintiffs,

15 v.

16 NATIONAL TECHNICAL SYSTEMS, INC.,
17 a California corporation, and DOES 1 through
18 10, inclusive,

19 Defendants.

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Reviewed By: R. Walker

Case No.: **21CV381341**

**CLASS AND REPRESENTATIVE
ACTION COMPLAINT FOR:**

**1. FAILURE TO PROVIDE REST
PERIODS OR COMPENSATION IN LIEU
THEREOF (LABOR CODE § 226.7; IWC
WAGE ORDER 4-2001)**

**2. FAILURE TO PROVIDE MEAL
PERIODS OR COMPENSATION IN LIEU
THEREOF (LABOR CODE §§ 226.7, 510,
512, AND 1194; IWC WAGE ORDER 4-
2001)**

**3. KNOWING AND INTENTIONAL
FAILURE TO COMPLY WITH
ITEMIZED EMPLOYEE WAGE
STATEMENT PROVISIONS (LABOR
CODE § 226(a), (e))**

**4. FAILURE TO PAY WAGES DUE AT
SEPARATION OF EMPLOYMENT
(LABOR CODE §§ 201-203)**

**5. VIOLATION OF BUSINESS AND
PROFESSIONS CODE § 17200**

**6. PENALTIES PURSUANT TO LABOR
CODE § 2699(f) FOR VIOLATIONS OF
LABOR CODE §§ 201-203, 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

Plaintiffs DEREK DOWNEY and ADAM SARDONI (collectively, “Plaintiffs”), individually and on behalf of all similarly situated individuals (the “Class” or “Plaintiff Class”), and on behalf of the general public, and 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 Plaintiffs and all other non-exempt employees who work or formerly worked for NATIONAL TECHNICAL SYSTEMS, INC., a California corporation, and 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 consistent policies of failing to provide legally compliant meal and rest periods or compensation in lieu thereof to Class Members (as defined below); provide accurately itemized wage statements to Class Members; and to timely pay wages upon separation of employment to Class Members.

3. Plaintiffs, on behalf of themselves and members of the Class, bring this action pursuant to Labor Code §§ 201-203, 226.3, 226(a), 226.7, 510, 512, 558, and 1194 seeking compensation for all unpaid wages, statutory penalties, injunctive and other equitable relief, and reasonable attorneys’ fees and costs.

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

5. Plaintiffs, on behalf of themselves and all aggrieved employees pursuant to Labor Code §§ 2698 *et seq.*, seek civil penalties 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 Plaintiffs and Class Members in Los Angeles County, California.

7. Pursuant to the Judicial Council’s Emergency Rule 9 of the California Rules of Court, Plaintiffs’ claims are subject to tolling from April 6, 2020 through October 1, 2020.

II.

PARTIES

A. Plaintiffs

8. Plaintiff DEREK DOWNEY was employed by Defendants through September 2019 as a non-exempt employee in Los Angeles County, California.

9. Plaintiff ADAM SARDONI was employed by Defendants through October 2020 as a non-exempt employee in Los Angeles County, California.

10. During their work with Defendants, Plaintiffs were:

- a. Willfully denied rest periods or compensation in lieu thereof;
- b. Willfully denied meal periods or compensation in lieu thereof;
- c. Willfully denied accurately itemized wage statements; and
- d. Denied the timely payment of wages upon separation of their employment.

B. Defendants

11. Defendant NATIONAL TECHNICAL SYSTEMS, INC. is a California corporation. Defendant NATIONAL TECHNICAL SYSTEMS, INC. employed Plaintiffs and Aggrieved Employees throughout the State of California, including Los Angeles County, California.

12. The true names and capacities, whether individual, corporate, associate, or otherwise, of Defendants sued herein as DOES 1 to 10, inclusive, are currently unknown to Plaintiffs, who therefore sues Defendants by such fictitious names under Code of Civil Procedure § 474. Plaintiffs are informed and believe, and based thereon allege, that each of the Defendants designated herein as a DOE is legally responsible in some manner for the unlawful acts referred to herein. Plaintiffs will

1 seek leave of court to amend this Complaint to reflect the true names and capacities of the Defendants
2 designated hereinafter as DOES when such identities become known.

3 13. Plaintiffs are informed and believe, and based thereon allege, that each Defendant
4 acted in all respects pertinent to this action as the agent of the other Defendants, carried out a joint
5 scheme, business plan or policy in all respects pertinent hereto, and the acts of each Defendant are
6 legally attributable to the other Defendants.

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

10 **III.**

11 **CLASS ACTION ALLEGATIONS**

12 15. Plaintiffs bring this action on behalf of themselves and all others similarly situated as
13 a Class Action pursuant to § 382 of the Code of Civil Procedure. Plaintiffs seek to represent the
14 following class composed of and defined as follows:

15 **THE CLASS**

16 All persons employed by Defendants in California as non-exempt
17 employees at any time since the date four years preceding the filing of
18 this Action, plus any additional time tolled by the California State
19 Judicial Council pursuant to Emergency Rule 9 in response to the
20 COVID-19 pandemic, and continuing through the present.

21 16. Plaintiffs reserve the right under Rule 3.765, California Rules of Court, to amend or
22 modify this class description with greater specificity or further division into subclasses or limitation
23 to particular issues.

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

27 **A. Numerosity**

1 18. The potential members of the Class as defined are so numerous that joinder of all the
2 members the Class is impracticable. While the precise number of members of the Class has not been
3 ascertained at this time, Plaintiffs are informed and believe, and based thereon allege, that Defendants
4 currently employ, and during the relevant time periods employed, over 50 persons in the State of
5 California who fall within the Class definition.

6 19. Accounting for employee turnover during the relevant period necessarily increases this
7 number. Plaintiffs allege Defendants' employment records would provide information as to the
8 number and location of members of the Class. Joinder of members of the Class is not practicable.

9 **B. Commonality**

10 20. There are questions of law and fact common to the Class that predominate over any
11 questions affecting only individual Class Members. These common questions of law and fact include,
12 without limitation:

- 13 a. Whether Defendants failed to properly provide rest periods or compensation in
14 lieu thereof to Plaintiffs and Class Members, in violation of Labor Code §
15 226.7 and IWC Wage Order 4-2001;
- 16 b. Whether Defendants failed to properly provide meal periods or compensation
17 in lieu thereof to Plaintiffs and Class Members, in violation of Labor Code §§
18 226.7, 510, 512, and 1194, and IWC Wage Order 4-2001;
- 19 c. Whether Defendants failed to provide Plaintiffs and Class Members with
20 accurately itemized wage statements, in accordance with Labor Code § 226(a)
21 and (e);
- 22 d. Whether Defendants failed to timely pay Plaintiffs and Class Members all
23 wages due and owing at the separation of their employment, in violation of
24 Labor Code §§ 201-203; and
- 25 e. Whether Plaintiffs and Class Members are entitled to equitable relief pursuant
26 to Business & Professions Code § 17200 *et seq.*

27 \\

28 **C. Typicality**

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

5 **D. Adequacy of Representation**

6 22. Plaintiffs will fairly and adequately represent and protect the interests of members of
7 the Class. Counsel who represents Plaintiffs are competent and experienced in litigating large
8 employment class actions.

9 **E. Superiority of Class Action**

10 23. A class action is superior to other available means for the fair and efficient adjudication
11 of this controversy. Individual joinder of all proposed members of the Class is not practicable, and
12 questions of law and fact common to the proposed Class predominate over any questions affecting
13 only individual members of the proposed Class. Each member of the proposed Class has been
14 damaged and is entitled to recovery by reason of Defendants' illegal policies and/or practices.

15 24. Class action treatment will allow those similarly situated persons to litigate their
16 claims in the manner that is most efficient and economical for the parties and the judicial system.
17 Plaintiffs are unaware of any difficulties that are likely to be encountered in the management of this
18 action that would preclude its maintenance as a class action.

19 \\\

20 \\\

21 \\\

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1 IV.

2 **CAUSES OF ACTION**

3 **FIRST CAUSE OF ACTION**

4 **PLAINTIFFS AND THE CLASS AGAINST ALL DEFENDANTS**

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

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

7 25. Plaintiffs incorporate paragraphs 1 through 24 of this Complaint as though fully set
8 forth herein.

9 26. Plaintiffs and Class Members are entitled to one hour of pay for each day that
10 Defendants failed to properly provide one or more rest periods as set forth in Labor Code § 226.7 and
11 IWC Wage Order 4-2001.

12 27. Defendants failed to pay premium wages to Plaintiffs and Class Members who were
13 denied rest periods, in violation of Labor Code § 226.7 and IWC Wage Order 4-2001. Plaintiffs and
14 Class Members were routinely unable, and not authorized, to take a 10-minute rest break for every
15 four (4) hours of work or major fraction thereof, but were not paid premium wages of one hour's pay
16 for each missed rest break. Plaintiffs and Class Members were simply too busy to take their rest
17 periods and would be required to work through them. Further, Plaintiffs and Class Members were
18 never provided with a second or third rest period for shift lengths that require them. This violates
19 Labor Code § 226.7 and IWC Wage Order 4-2001.

20 28. Pursuant to Labor Code § 226.7 and IWC Wage Order 4-2001, Plaintiffs seek the
21 payment of all rest period compensation which they and Class Members are owed, according to proof.

22 Wherefore, Plaintiffs and the Class they seek to represent request relief as described below.

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1 VI.

2 SECOND CAUSE OF ACTION

3 PLAINTIFFS AND THE CLASS AGAINST ALL DEFENDANTS

4 FAILURE TO PROVIDE MEAL PERIODS OR COMPENSATION IN LIEU THEREOF

5 (LABOR CODE §§ 226.7, 510, 512, AND 1194 AND IWC WAGE ORDER 4-2001)

6 29. Plaintiffs incorporate paragraphs 1 through 28 of this Complaint as though fully set
7 forth herein.

8 30. Plaintiffs and Class Members are entitled to one hour of pay for each day that
9 Defendants failed to properly provide one or more meal periods as set forth in Labor Code §§ 226.7,
10 512 and IWC Wage Order 4-2001.

11 31. Defendants failed to pay premium wages to Plaintiffs and Class Members who were
12 denied meal periods, in violation of Labor Code §§ 226.7, 510, 512, and 1194 and IWC Wage Order
13 4-2001. Plaintiffs and Class Members were routinely denied, and not authorized to take, a proper,
14 timely, uninterrupted, 30-minute meal period for every shift worked that exceeded five hours, or a
15 second proper, timely, uninterrupted, 30-minute meal period for every shift worked that exceeded ten
16 hours, but were not paid premium wages of one hour's pay for each missed first or second meal
17 period. When Plaintiffs and Class Members were provided with a meal period, they were late, cut
18 short or they would be required to work through them (off-the-clock and without compensation). This
19 violates Labor Code §§ 226.7, 510, 512, and 1194 and IWC Wage Order 4-2001.

20 32. Pursuant to Labor Code §§ 226.7, 510, 512, and 1194 and IWC Wage Order 4-2001,
21 Plaintiffs seek the payment of all meal period compensation and unpaid wages that they and Class
22 Members are owed for four years preceding the filing of this Action, according to proof.

23 Wherefore, Plaintiffs and the Class they seek to represent request relief as described below.

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

33. Plaintiffs incorporate paragraphs 1 through 32 of this Complaint as though fully set forth herein.

34. 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).

35. Defendants failed to issue Plaintiffs and members of the Class wage statements that fully and accurately itemized the requirements set forth in Labor Code § 226(a). Plaintiffs and Class Members were not paid all wages due, including all minimum and overtime wages due and premium wages for unauthorized and denied meal and rest periods, as stated above. As such, the wage statements provided by Defendants failed to accurately state all gross wages earned, in violation of Labor Code § 226(a)(1), total hours worked, in violation of Labor Code § 226(a)(2), and net wages earned, in violation of Labor Code § 226(a)(5). Further, and independent of the above allegations, the wage statements issued to Plaintiffs and other Aggrieved Employees failed to accurately set forth

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

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

12 Wherefore, Plaintiffs and the Class they seek to represent request relief as described below.

13 **VIII.**

14 **FOURTH CAUSE OF ACTION**

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

16 **FAILURE TO TIMELY PAY WAGES DUE AT**

17 **SEPARATION OF EMPLOYMENT (LABOR CODE §§ 201-203)**

18 37. Plaintiffs incorporate paragraphs 1 through 36 of this Complaint as though fully set
19 forth herein.

20 38. California Labor Code § 201 and § 202 require Defendants to pay employees all wages
21 due within 72 hours after resignation of employment or the day of termination of employment. Labor
22 Code § 203 provides that if an employer willfully fails to timely pay such wages, the employer must,
23 as a penalty, continue to pay the subject employee's daily wages until the back wages are paid in full
24 or an action is commenced. The penalty cannot exceed 30 days of wages.

25 39. More than 30 days have passed since Plaintiffs and certain Class Members have left
26 Defendants' employ.

27 40. As a consequence of Defendants' willful conduct in not paying wages owed timely
28 upon separation of employment, Plaintiffs and certain Class Members are entitled to up to 30 days'

1 wages as a penalty under Labor Code § 203 for Defendants' failure to timely pay legal wages at
2 separation of employment.

3 Wherefore, Plaintiffs and the Class they seek to represent request relief as described below.

4 **IX.**

5 **FIFTH CAUSE OF ACTION**

6 **PLAINTIFFS AND THE CLASS AGAINST ALL DEFENDANTS**

7 **UNFAIR COMPETITION PURSUANT TO**

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

9 41. Plaintiffs incorporates paragraphs 1 through 40 of this Complaint as though fully set
10 forth herein.

11 42. This is a Class Action for Unfair Business Practices. Plaintiffs, on their own behalf
12 and on behalf of the general public, and on behalf of others similarly situated, bring this claim
13 pursuant to Business & Professions Code § 17200 *et seq.* The conduct of all Defendants as alleged
14 in this Complaint has been and continues to be unfair, unlawful, and harmful to Plaintiffs, the general
15 public, and members of the Class. Plaintiffs seek to enforce important rights affecting the public
16 interest within the meaning of Code of Civil Procedure § 1021.5.

17 43. Plaintiffs are "persons" within the meaning of Business & Professions Code § 17204,
18 and therefore has standing to bring this cause of action for injunctive relief, restitution, and other
19 appropriate equitable relief.

20 44. Business & Professions Code § 17200 *et seq.* prohibits unlawful and unfair business
21 practices.

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

28 46. Defendants have violated statutes and public policies. Through the conduct alleged

1 in this Complaint, Defendants, and each of them, have acted contrary to these public policies, have
2 violated specific provisions of the Labor Code, and have engaged in other unlawful and unfair
3 business practices in violation of Business & Professions Code § 17200 *et seq.* depriving Plaintiffs,
4 and all persons similarly situated, and all interested persons of rights, benefits, and privileges
5 guaranteed to all employees under law.

6 47. Defendants' conduct, as alleged herein, constitutes unfair competition in violation of
7 §17200 *et seq.* of the Business & Professions Code.

8 48. Defendants, by engaging in the conduct herein alleged, either knew or in the exercise
9 of reasonable care should have known that the conduct was unlawful. As such, it is a violation of §
10 17200 *et seq.* of the Business & Professions Code.

11 49. As a proximate result of the above-mentioned acts of Defendants, Plaintiffs and others
12 similarly situated have been damaged in a sum as may be proven.

13 50. Unless restrained by this Court, Defendants will continue to engage in the unlawful
14 conduct, as alleged above. Pursuant to Business & Professions Code § 17200 *et seq.*, this Court
15 should make such orders or judgments, including the appointment of a receiver, as may be necessary
16 to prevent the use or employment, by Defendants, its agents, or employees, of any unlawful or
17 deceptive practice prohibited by the Business & Professions Code, and/or, including but not limited
18 to, disgorgement of profits which may be necessary to restore Plaintiffs and Class Members to the
19 money Defendants have unlawfully failed to pay.

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1 X.

2 SIXTH CAUSE OF ACTION

3 PLAINTIFFS AND ALL AGGRIEVED EMPLOYEES AGAINST ALL DEFENDANTS
4 PENALTIES PURSUANT TO LABOR CODE § 2699(f) FOR VIOLATIONS OF
5 LABOR CODE §§ 201-203, 226(a), 226.7, 510, 512, AND 1194 AND PURSUANT TO LABOR
6 CODE § 2699(a) FOR VIOLATIONS OF LABOR CODE §§ 226.3 AND 558

7 51. Plaintiffs incorporate paragraphs 1 through 50 of this Complaint as though fully set
8 forth herein.

9 52. As a result of the acts alleged above, including the Labor Code violations set forth
10 herein, Plaintiffs seek penalties pursuant to Labor Code § 2698 *et seq.*

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

- 13 a. Pursuant to Labor Code § 2699(f), \$100 for each initial violation and \$200 for
14 each subsequent violation of Labor Code §§ 201-203, 226(a), 226.7, 510, 512,
15 and 1194; and
16 b. Pursuant to Labor Code § 2699(a), the penalties set forth in Labor Code §§
17 226.3 and 558.

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

20 55. On February 24, 2021 and March 9, 2021, Plaintiffs sent letters, by online submission
21 to the LWDA and by certified mail, return receipt requested, to Defendants setting forth the facts and
22 theories of the violations alleged against Defendant, as prescribed by Labor Code § 2698 *et seq.*
23 Pursuant to Labor Code § 2699.3(a)(2)(A), no notice was received by Plaintiffs from the LWDA
24 within sixty-five (65) calendar days of February 24, 2021 or March 9, 2021. Plaintiffs may therefore
25 commence this action to seek civil penalties pursuant to Labor Code § 2698 *et seq.*

26 Wherefore, Plaintiffs and the Aggrieved Employees they seek to represent request relief as
27 described below.

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1 XII.

2 **RELIEF REQUESTED**

3 WHEREFORE, Plaintiffs pray for the following relief:

4 1. For compensatory damages in the amount of one hour of wages for each day on which
5 a meal and/or rest period was not properly provided to Plaintiffs and Class Members pursuant to
6 Labor Code § 226.7;

7 2. For penalties pursuant to Labor Code § 226(e) for Plaintiffs and Class Members;

8 3. For penalties pursuant to Labor Code § 203 for Plaintiffs and Class Members who are
9 no longer employed by Defendants;

10 4. For compensatory damages pursuant to Labor Code §§ 510 and 1194 in the amount of
11 all unpaid wages due to Plaintiffs and Class Members;

12 5. An award of prejudgment and post-judgment interest;

13 6. For restitution for unfair competition pursuant to Business & Professions Code §
14 17200 *et seq.* for Plaintiffs and Class Members;

15 7. For civil penalties pursuant to Labor Code § 2698 *et seq.* for Plaintiffs and all other
16 Aggrieved Employees;

17 8. An award providing for payment of costs of suit pursuant to Labor Code § 2699(g)(1)
18 and other applicable law;

19 9. An award of attorneys' fees pursuant to Labor Code § 2699(g)(1) and other applicable
20 law; and

21 10. Such other and further relief as this Court may deem just and proper.

22 Dated: May 4, 2021

Respectfully submitted,

23 GAINES & GAINES
24 A Professional Law Corporation

25
26 By: Evan S. Gaines
27 DANIEL F. GAINES
28 EVAN S. GAINES
Attorney for Plaintiffs

\\

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial of their claims by jury to the extent authorized by law.

Dated: May 4, 2021

Respectfully submitted,

GAINES & GAINES
A Professional Law Corporation

By: Evan S. Gaines
DANIEL F. GAINES
EVAN S. GAINES
Attorney for Plaintiffs

CIVIL LAWSUIT NOTICE

Superior Court of California, County of Santa Clara
191 North First St., San José, CA 95113

CASE NUMBER: 21CV381341

PLEASE READ THIS ENTIRE FORM

PLAINTIFF (the person suing): Within 60 days after filing the lawsuit, you must serve each Defendant with the *Complaint*, *Summons*, an *Alternative Dispute Resolution (ADR) Information Sheet*, and a copy of this *Civil Lawsuit Notice*, and you must file written proof of such service.

DEFENDANT (The person sued): You must do each of the following to protect your rights:

1. You must file a written response to the *Complaint*, *using the proper legal form or format*, in the Clerk's Office of the Court, within 30 days of the date you were served with the *Summons* and *Complaint*;
2. You must serve by mail a copy of your written response on the Plaintiff's attorney or on the Plaintiff if Plaintiff has no attorney (to "serve by mail" means to have an adult other than yourself mail a copy); and
3. You must attend the first Case Management Conference.

Warning: If you, as the Defendant, do not follow these instructions, you may automatically lose this case.

RULES AND FORMS: You must follow the California Rules of Court and the Superior Court of California, County of <_CountyName_> Local Civil Rules and use proper forms. You can obtain legal information, view the rules and receive forms, free of charge, from the Self-Help Center at 201 North First Street, San José (408-882-2900 x-2926).

- State Rules and Judicial Council Forms: www.courtinfo.ca.gov/forms and www.courtinfo.ca.gov/rules
- Local Rules and Forms: <http://www.sccsuperiorcourt.org/civil/rule1toc.htm>

CASE MANAGEMENT CONFERENCE (CMC): You must meet with the other parties and discuss the case, in person or by telephone at least 30 calendar days before the CMC. You must also fill out, file and serve a *Case Management Statement* (Judicial Council form CM-110) at least 15 calendar days before the CMC.

You or your attorney must appear at the CMC. You may ask to appear by telephone – see Local Civil Rule 8.

Your Case Management Judge is: Hon. Patricia M. Lucas Department: 3

The 1st CMC is scheduled for: (Completed by Clerk of Court)

Date: 09/01/21 Time: 2:30pm in Department: 3

The next CMC is scheduled for: (Completed by party if the 1st CMC was continued or has passed)

Date: _____ Time: _____ in Department: _____

ALTERNATIVE DISPUTE RESOLUTION (ADR): If all parties have appeared and filed a completed *ADR Stipulation Form* (local form CV-5008) at least 15 days before the CMC, the Court will cancel the CMC and mail notice of an ADR Status Conference. Visit the Court's website at www.sccsuperiorcourt.org/civil/ADR/ or call the ADR Administrator (408-882-2100 x-2530) for a list of ADR providers and their qualifications, services, and fees.

WARNING: Sanctions may be imposed if you do not follow the California Rules of Court or the Local Rules of Court.

Reset Form

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

191 N. FIRST STREET

SAN JOSE, CA 95113-1090

Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 5/5/2021 9:18 AM

Reviewed By: R. Walker

TO: FILE COPY

RE: Downey, et al. v. National Technical Systems, Inc. Case #21CV381341

CASE NUMBER: 21CV381341

Envelope: 6379409

**ORDER DEEMING CASE COMPLEX AND STAYING DISCOVERY
AND RESPONSIVE PLEADING DEADLINE**

WHEREAS, the Complaint was filed by Plaintiffs **DEREK DOWNEY** ("Plaintiff"), et al. in the Superior Court of California, County of Santa Clara, on **May 4, 2021** and assigned to Department 3 (Complex Civil Litigation), the **Honorable Patricia M. Lucas** presiding, pending a ruling on the complexity issue;

IT IS HEREBY ORDERED that:

The Court determines that the above-referenced case is **COMPLEX** within the meaning of California Rules of Court 3.400. The matter remains assigned, for all purposes, including discovery and trial, to Department 3 (Complex Civil Litigation), the **Honorable Patricia M. Lucas** presiding.

The parties are directed to the Court's local rules and guidelines regarding electronic filing and to the Complex Civil Guidelines, which are available on the Court's website.

Pursuant to California Rules of Court, Rule 3.254, the creation and maintenance of the Master Service List shall be under the auspices of (1) Plaintiff **DEREK DOWNEY**, as the first-named party in the Complaint, and (2) the first-named party in each Cross-Complaint, if any.

Pursuant to Government Code section 70616(c), each party's complex case fee is due within ten (10) calendar days of this date.

Plaintiff shall serve a copy of this Order on all parties forthwith and file a proof of service within seven (7) days of service.

Any party objecting to the complex designation must file an objection and proof of service within ten (10) days of service of this Order. Any response to the objection must be filed within seven (7) days of service of the objection. The Court will make its ruling on the submitted pleadings.

The Case Management Conference remains set for **September 1, 2021 at 2:30 p.m. in Department 3** and all counsel are ordered to attend by **CourtCall**.

Counsel for all parties are ordered to meet and confer in person at least 15 days prior to the First Case Management Conference and discuss the following issues:

1. Issues related to recusal or disqualification;
2. Issues of law that, if considered by the Court, may simplify or further resolution of the case, including issues regarding choice of law;
3. Appropriate alternative dispute resolution (ADR), for example, mediation, mandatory settlement conference, arbitration, mini-trial;
4. A plan for preservation of evidence and a uniform system for identification of documents throughout the course of this litigation;
5. A plan for document disclosure/production and additional discovery; which will generally be conducted under court supervision and by court order;

6. Whether it is advisable to address discovery in phases so that information needed to conduct meaningful ADR is obtained early in the case (counsel should consider whether they will stipulated to limited merits discovery in advance of certification proceedings), allowing the option to complete discovery if ADR efforts are unsuccessful;
7. Any issues involving the protection of evidence and confidentiality;
8. The handling of any potential publicity issues;

Counsel for Plaintiff is to take the lead in preparing a Joint Case Management Conference Statement to be filed 5 calendar days prior to the First Case Management Conference, and include the following:

1. a brief objective summary of the case;
2. a summary of any orders from prior case management conferences and the progress of the parties' compliance with said orders;
3. significant procedural and practical problems that may likely be encountered;
4. suggestions for efficient management, including a proposed timeline of key events; and
5. any other special consideration to assist the court in determining an effective case management plan.

To the extent the parties are unable to agree on the matters to be addressed in the Joint Case Management Conference Statement, the positions of each party or of various parties should be set forth separately and attached to this report as addenda. The parties are encouraged to propose, either jointly or separately, any approaches to case management they believe will promote the fair and efficient handling of this case. The Court is particularly interested in identifying potentially dispositive or significant threshold issues the early resolution of which may assist in moving the case toward effective ADR and/or a final disposition.

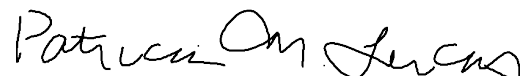
STAY ON DISCOVERY AND RESPONSIVE PLEADING DEADLINE Pending further order of this Court, the service of discovery and the obligation to respond to any outstanding discovery is stayed. However, Defendant(s) shall file a Notice of Appearance for purposes of identification of counsel and preparation of a service list. The filing of such a Notice of Appearance shall be without prejudice to the later filing of a motion to quash to contest jurisdiction. Parties shall not file or serve responsive pleadings, including answers to the complaint, motions to strike, demurrers, motions for change of venue and cross-complaints until a date is set at the First Case Management Conference for such filings and hearings.

This Order is issued to assist the Court and the parties in the management of this "Complex" case through the development of an orderly schedule for briefing and hearings. This Order shall not preclude the parties from continuing to informally exchange documents that may assist in their initial evaluation of the issues presented in this Case.

Plaintiff shall serve a copy of this Order on all the parties in this matter forthwith.

SO ORDERED.

Date: May 4, 2021



Hon. **Patricia M. Lucas**
Judge of the Superior Court

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408) 882-2700, or use the Court's TDD line, (408) 882-2690 or the Voice/TDD California Relay Service, (800) 735-2922.