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individually and as a proxy for the State of California

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
[UNLIMITED CIVIL]

WALTER CUEVAS, an individual, and as a
proxy for the State of California,

Plaintiff,

vs.

CENTURION PROTECTION SERVICES, a
corporation; RICHARD RAY DUDGEON, an
individual; TOM ROGERS, an individual; and
DOES 1 through 5, inclusive,

Defendants.

Case No.: 21STCV41627

COMPLAINT FOR:

1. Private Attorneys General Act
2. Failure to Pay Overtime Wages in Violation of Labor Code § 510
3. Failure to Reimburse and Indemnify for Expenditures
4. Failure to Provide Meal and Rest Periods or Compensation in Lieu Thereof in Violation of Labor Code § 226.7
5. Labor Code § 203 Waiting Time Penalties
6. Labor Code § 1198.5(k) Penalty
7. Labor Code § 226(f) Penalty
8. Intentional Infliction of Emotional Distress
9. Violation of Penal Code § 637.7
10. Negligent Infliction of Emotional Distress

DEMAND FOR JURY TRIAL

Plaintiff, WALTER CUEVAS, alleges as follows:

JURISDICTION AND VENUE

2. Venue is proper in any county in which an aggrieved employee worked and Labor Code violations allegedly occurred. Venue is proper in this Court because some of the violations of law and unlawful practices alleged herein occurred and are occurring in the County of Los Angeles

3. Plaintiff is an individual who, at all relevant times, has resided in the State of California.

4. Defendant CENTURION PROTECTION SERVICES (“CENTURION”) is a corporation that conducted, and is conducting, business in the State of California.

5. Defendant RICHARD RAY DUDGEON (“DUDGEON”) is an individual who, at all relevant times, has resided in the State of California.

6. Defendant TOM ROGERS (“ROGERS”) is an individual who, at all relevant times, has resided in the State of California.

7. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as DOES 1-5, inclusive, and therefore sues these defendants by such fictitious names and capacities. Plaintiff will seek leave to amend this Complaint to allege their true names and capacities when ascertained. Plaintiff is informed and believes and on that basis alleges that each fictitiously named Defendants are responsible in some manner for the occurrences herein alleged, and that Plaintiff's injuries were proximately caused by the conduct of such defendant.

8. All of the Defendants, including DOES 1-5, are alleged to be co-conspirators with each other, in that each agreed to participate, and participated in, the furtherance of the objective of civil wrongs as alleged in this Complaint.

9. Plaintiff is informed and believes and thereupon alleges that at all times material herein, each defendant was completely dominated and controlled by its, his or her co-Defendants, each was the agent, representative, and alter ego of the others, and all aided and abetted the wrongful acts of the others.

10. Plaintiff is informed and believes and thereupon alleges that at all times material herein,

each of the Defendants was the agent, employee and/or joint venturer of, or working in concert with, co-Defendants and was acting within the course and scope of such agency, employment, and/or joint venture or concerted activity. To the extent that said conduct and omissions were perpetrated by certain Defendants, Plaintiff is informed and believes and thereupon alleges that the remaining Defendant and/or Defendants confirmed and ratified said conduct and omissions.

11. Plaintiff is informed and believes and on that basis alleges that at all times relevant herein, the corporate Defendants, and each of them, had the right to control, and controlled, Plaintiff's wages, hours and working conditions, and has the right to control the manner in which Plaintiff performed work duties, including but not limited to supervision of work, engaged Plaintiff, suffered and permitted Plaintiff to work, and they were employers, joint employers, or co-employers of Plaintiff at all relevant times alleged herein.

12. Plaintiff is informed and believes and on that basis alleges that at all times relevant herein, the Defendant, and each of them, were an integrated enterprise in that they had an interrelation of operations, centralized control of labor relations, common management, and common ownership or financial control.

GENERAL ALLEGATIONS

13. Defendant CENTURION employed Plaintiff, as an hourly non-exempt worker, from at least around July 2019 to November 15, 2020. DUDGEON was the CEO and one of the Directors of CENTURION. ROGERS was the Secretary and one of the Directors of CENTURION.

14. Defendant assigned Plaintiff to work in Calabasas. At Calabasas, Plaintiff regularly worked 12-hour shifts. As a company-wide practice, Defendant regularly required Plaintiff and its other non-exempt employees to work more than 8 hours per day without being paid premium overtime compensation.

15. As a company-wide practice, Defendant regularly required Plaintiff and its other non-exempt employees to work more than 5 hours without being provided with an uninterrupted 30-minute meal break.

1 16. As a company-wide practice, Defendant regularly required Plaintiff and its other non-
2 exempt employees to work more than 10 hours without being provided with a second uninterrupted 30-
3 minute meal break.

4 17. As a company-wide practice, Defendant regularly required Plaintiff and its other non-
5 exempt employees to work more than 3.5 hours without being provided with an uninterrupted 10-minute
6 rest break.

7 18. As a company-wide practice, Defendant regularly required Plaintiff and its other non-
8 exempt employees to use WhatsApp on their personal cell phones for business purposes. As a company-
9 wide practice, Defendant did not pay Plaintiff and its other non-exempt employees for using their personal
10 cell phones for business purposes.

11 19. On or about February 3, 2021, Plaintiff complained of his unpaid wages and violations of
12 the California Labor Code. In response, an attorney for Defendant, Jeffrey Mayes, emailed Plaintiff on
13 February 17, 2021, on behalf of Defendants, threatening to sue Plaintiff. Shortly thereafter, on February
14 20, 2021, at around 3:00 a.m. DUDGEON illegally placed a GPS tracker on Plaintiff's vehicle.

15 20. When DUDGEON illegally placed an electronic tracker on Plaintiff's vehicle, he did so
16 under false pretenses. DUDGEON informed the security guard of the parking lot that he was a law
17 enforcement officer. DUDGEON also showed a Sherriff's Department ID card to the security guard.
18 DUDGEON, however, was not a peace officer, and violated Penal Code 538D(a) in his actions to place
19 an electronic tracker on Plaintiff's vehicle.

20 21. A couple days later, Mr. Mayes called Plaintiff and told him "I do agree my client owes
21 you money. But my clients would feel inclined to believe you broke the NDA and that would cost you up
22 towards tens of thousands of dollars per month to fight in court. I think it's in everyone's best interest to
23 let this go and go your separate way."

24 22. On July 15, 2021, Plaintiff requested from Defendants his personnel records and all
25 documents he had signed relating to his employment. To date Defendants have not provided the requested
26 records and documents.

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FIRST CAUSE OF ACTION

PRIVATE ATTORNEYS GENERAL ACT

(AGAINST CENTURION, DUDGEON AND DOES 1-5)

23. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

24. Pursuant to the California Labor Code Private Attorneys General Act (“PAGA”), “Notwithstanding any other provision of law, any provision of [the California Labor Code] that provides for a civil penalty to be assessed and collected by the Labor and Workforce Development Agency or any of its departments, divisions, commissions, boards, agencies, or employees, for a violation of this code, may, as an alternative, be recovered through a civil action brought by an aggrieved employee on behalf of himself or herself and other current or former employees pursuant to the procedures specified in Section 2699.3.” Lab. Code § 2699(a). “For all provisions of [the California Labor Code] except those for which a civil penalty is specifically provided, there is established a civil penalty for a violation of these provisions.” Lab. Code § 2699(f).

25. This PAGA suit “is fundamentally a law enforcement action.” *Arias v. Super. Ct.*, 46 Cal. 4th 969, 986 (2009); *Iskanian v. CLS Transportation Los Angeles, LLC*, 59 Cal.4th 348, 386-387 (2014) (“[E]very PAGA action, whether seeking penalties for Labor Code violations as to only one aggrieved employee—the plaintiff bringing the action—or as to other employees as well, is a representative action on behalf of the state.”); *Williams v. Super. Ct.*, 3 Cal. 5th 531, 538 (2017) (“a PAGA suit, essentially a qui tam action filed on behalf of the state to assist it with labor law enforcement”). An employee who brings such an action is acting as an agent of state enforcement agencies. *Kim v. Reins Intl. Cal., Inc.*, 9 Cal.5th 73, 81 (2020).

26. A PAGA “violation” includes, and is used in these allegations to mean, a failure to comply with any requirement of the Labor Code. Lab. Code § 22. Under the PAGA, an “aggrieved employee” means any person who was employed by the alleged violator and against whom only one of the alleged violations was committed. Lab. Code § 2699(c). Plaintiff is an “aggrieved employee.”

27. This PAGA action is intended to “remediate present violations and deter future ones.” *Williams*, 3 Cal. 5th at 546. The relevant period for the following PAGA allegations in this cause of action is from September 17, 2020, to present and ongoing.

Labor Code Violations §§ 432, 1198.5

§ 432

28. Labor Code section 432 provides that “If an employee or applicant signs any instrument relating to the obtaining or holding of employment, he shall be given a copy of the instrument upon request.”

29. Defendant failed to provide Plaintiff with the instruments he signed relating to her employment, in violation of section 432. Labor Code section 432 does not provide for its own self-contained “civil” penalty within the statute. Thus, Labor Code Section 2699(f)(2) applies to provide a civil penalty of \$100 for each aggrieved employee per pay period for the initial violation and \$200 for each aggrieved employee per pay period for each subsequent violation.

30. Other aggrieved employees are any current or former California employees who were not provided with the instruments they signed relating to their employment.

§ 1198.5

31. Labor Code section 1198.5 provides that an employer shall make personnel records available for inspection to the former employee, or his or her representative, at reasonable intervals and at reasonable times, but “not later than 30 calendar days from the date the employer receives a written request.” Lab. Code § 1198.5(b). “Upon a written request from a current or former employee, or his or her representative, the employer shall also provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction.” *Id.*

32. Defendants failed to provide the personnel records that Plaintiff requested within 30 days from the date of the request. This practice violates Labor Code section 1198.5. Labor Code section 1198.5 does not provide for its own self-contained “civil” penalty within the statute. Thus, Labor Code Section 2699(f)(2) applies to provide a civil penalty of \$100 for each aggrieved employee per pay period for the initial violation and \$200 for each aggrieved employee per pay period for each subsequent violation.

33. Other aggrieved employees are any current or former California employees who were not provided with their personnel records within 30 days from their requests.

Exhaustion of Administrative Remedies

34. On September 17, 2021, Plaintiff provided notice to the California Labor and Workforce Development Agency (“LWDA”), pursuant to Labor Code § 2699.3, detailing the specific provisions of the foregoing Labor Code sections that have been violated, including the facts and theories to support the violations. The LWDA file number is LWDA-CM-844966. The notice was sent by certified mail on or about September 17, 2021, to DUDGEON and CENTURION, certified mail no. 7021 1970 0000 0044 0591. Plaintiff submitted a fee waiver to the LWDA.

35. The LWDA has not, within 33 days of Plaintiff’s Notice of violations of the Labor Code, sent Plaintiff notice that it intends to investigate the violations. Defendant has not sent any notice to the LWDA attempting to cure the alleged violations of Labor Code statutes not enumerated in Labor Code section 2699.5. Thus, Plaintiff has exhausted Plaintiff’s administrative remedies, pursuant to Labor Code section 2699.3(c), as a prerequisite to assert a civil action, for civil penalties pursuant to Labor Code section 2699.

SECOND CAUSE OF ACTION

**FAILURE TO PAY OVERTIME WAGES IN VIOLATION OF LABOR CODE § 510
(AGAINST CENTURION, DUDGEON AND DOES 1-5)**

36. Plaintiff incorporates each allegation set forth in all the preceding paragraphs as though set forth herein in full again.

37. Any employee receiving less than the California legal overtime compensation applicable to the employee is entitled to recover in a civil action the unpaid balance of the full amount of overtime compensation including interest and reasonable attorney’s fees. Lab. Code § 1194(a).

38. “Any work in excess of eight hours in one workday and any work in excess of 40 hours in any one workweek and the first eight hours worked on the seventh day of work in any one workweek shall be compensated at the rate of no less than one and one-half times the regular rate of pay for an employee.” Lab. Code § 510(a).

39. On numerous occasions during Plaintiff's employment, he worked more than eight hours per workday and was not compensated for those overtime hours worked more than eight per day. As such, Defendant violated Labor Code Sections 510 and 1198 because it violated the above-referenced as Industrial Welfare Commission Orders, as applicable.

40. Any "person acting on behalf of an employer, who violates, or causes to be violated, any provision regulating minimum wages or hours and days of work in any order of the Industrial Welfare Commission, or violates, or causes to be violated, Sections . . . 1194 . . . may be held liable as the employer for such violation." Lab. Code § 558.1(a).

41. If the defendant does not keep accurate records of the hours worked by the plaintiff, then the plaintiff may prove the number of overtime hours worked by making a reasonable estimate of those hours. CACI 2703. As a direct and proximate result of the violations of law by Defendant, Plaintiff has worked a substantial number of hours without receiving overtime compensation, at the applicable rate, from Defendants, in accordance with California law.

42. Plaintiff has been damaged in an amount equal to the compensation to which he was entitled but was unlawfully deprived by Defendants, subject to proof at trial.

43. Pursuant to California Labor Code section 1194(a) Plaintiff is entitled to interest at the legal rate on the overtime wages owed to Plaintiff by Defendants.

44. Pursuant to California Labor Code section 1194(a), Plaintiff is entitled to an award of attorneys' fees, and costs.

THIRD CAUSE OF ACTION

FAILURE TO REIMBURSE AND INDEMNIFY FOR EXPENDITURES

(AGAINST ALL DEFENDANTS AND DOES 1-5)

45. Plaintiff incorporates each allegation set forth in all the preceding paragraphs as though set forth herein in full again.

46. California Labor Code § 2802(a) provides that "An employer shall indemnify his or her employee for all necessary expenditures or losses incurred by the employee in direct consequence of the discharge of his or her duties"

47. Labor Code “Section 2802 is designed to prevent employers from passing their operating expenses on to their employees.” *Gattuso v. Harte-Hanks Shoppers, Inc.*, 42 Cal. 4th 554, 562 (2007).

48. Defendants violated Labor Code Section 2802 by passing on their operating expenses to Plaintiff, in violation of Labor Code § 2802(a).

49. Plaintiff has been damaged by Defendant’s failure to pay or reimburse work expenses in an amount according to proof at trial.

50. Pursuant to California Labor Code § 2802, and other applicable statutes, Plaintiff is entitled to payment or reimbursement of expenditures, in an amount according to proof at trial, interest thereon, and an award of attorneys’ fees, and costs.

FOURTH CAUSE OF ACTION

FAILURE TO PROVIDE MEAL AND REST PERIODS OR COMPENSATION IN LIEU THEREOF IN VIOLATION OF LABOR CODE § 226.7 (AGAINST CENTURION, DUDGEON AND DOES 1-5)

51. Plaintiff incorporates each allegation set forth in all the preceding paragraphs as though set forth herein in full again.

52. California Labor Code section 226.7 provides that “An employer shall not require an employee to work during a meal or rest or recovery period mandated pursuant to an applicable statute, or applicable regulation, standard, or order of the Industrial Welfare Commission, the Occupational Safety and Health Standards Board, or the Division of Occupational Safety and Health.” Lab. Code § 226.7(b).

53. “If an employer fails to provide an employee a meal or rest or recovery period in accordance with a state law, including, but not limited to, an applicable statute or applicable regulation, standard, or order of the Industrial Welfare Commission, the Occupational Safety and Health Standards Board, or the Division of Occupational Safety and Health, the employer shall pay the employee one additional hour of pay at the employee’s regular rate of compensation for each workday that the meal or rest or recovery period is not provided.” Lab. Code § 226.7(c).

54. Relevant Wage Orders of the Industrial Welfare Commission (“IWC”), applicable to Defendant, such as Wage Order No. 4-2001 section 12, provide that “Every employer shall authorize and permit all employees to take rest periods, which insofar as practicable shall be in the middle of each

work period. The authorized rest period time shall be based on the total hours worked daily at the rate of ten (10) minutes net rest time per four (4) hours or major fraction thereof.”

55. Relevant Wage Orders of the IWC, applicable to Defendant, such as Wage Order No. 4-2001 section 11, provide that “No employer shall employ any person for a work period of more than five (5) hours without a meal period of not less than 30 minutes, except that when a work period of not more than six (6) hours will complete the day’s work the meal period may be waived by mutual consent of the employer and the employee.”

56. California Labor Code section 512(a) provides that an employer may not employ an employee for a work period of more than five hours per day without providing the employee with a meal period of not less than 30 minutes, except that if the total work period per day of the employee is no more than six hours, the meal period may be waived by mutual consent of both the employer and employee.

57. Defendants regularly required Plaintiff to work without being provided the opportunity to have uninterrupted rest breaks. Defendants regularly did not allow him the opportunity to be relieved of his duties to take a rest break. Defendant did not compensate Plaintiff in lieu of providing him with rest breaks.

58. Defendants regularly required Plaintiff to work more than 5 hours without being provided with a duty-free meal period with relief of all duties. Defendants did not compensate Plaintiff in lieu of providing him with meal breaks.

59. Pursuant to Labor Code section 512, Plaintiff is entitled to compensation of one additional hour of pay at his regular rate of compensation for each workday that the meal period was not provided. Pursuant to Labor Code section 226.7, Plaintiff is entitled to compensation of one additional hour of pay at his regular rate of compensation for each workday that the meal period was not provided, *and* one additional hour of pay for each workday that the rest period was not provided pursuant to *United Parcel Serv., Inc. v. Superior Court*, 196 Cal. App. 4th 57, 70 (2011).

FIFTH CAUSE OF ACTION

LABOR CODE § 203 WAITING TIME PENALTIES (AGAINST CENTURION, DUDGEON AND DOES 1-5)

60. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

61. “If an employer willfully fails to pay, without abatement or reduction, in accordance with Sections 201, 201.3, 201.5, 201.9, 202, and 205.5, any wages of an employee who is discharged or who quits, the wages of the employee shall continue as a penalty from the due date thereof at the same rate until paid or until an action therefor is commenced.” Lab. Code § 203(a).

62. Defendant failed to timely pay Plaintiff’s overtime wages within 72 hours of Plaintiff’s last date of work, in violation of Labor Code § 202, and failed to pay Plaintiff the additional continuing wages as a penalty from the original due date, in violation of Labor Code § 203.

63. Plaintiff has been harmed by Defendant’s conduct and is entitled to a statutory waiting time penalty, in an amount according to proof at trial, interest thereon, and an award of attorneys’ fees, and costs.

64. “Any employer or other person acting on behalf of an employer, who violates, or causes to be violated, any provision regulating minimum wages or hours and days of work in any order of the IWC, or violates, or causes to be violated, Sections 203, 226, 226.7, 1193.6, 1194, or 2802, may be held liable as the employer for such violation.” Lab. Code § 558.1(a). CASE BARNETT is an owner and corporate officer of Defendant that caused it to violate Labor Code § 203.

SIXTH CAUSE OF ACTION

LABOR CODE § 1198.5(k) PENALTY (AGAINST CENTURION AND DOES 1-5)

65. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

66. The employer shall make personnel records available for inspection to the former employee, or his or her representative, at reasonable intervals and at reasonable times, but “not later than 30 calendar days from the date the employer receives a written request.” Lab. Code § 1198.5(b).

67. Defendants did not timely provide Plaintiff’s personnel records.

68. “If an employer fails to permit a current or former employee, or his or her representative, to inspect or copy personnel records within the times specified in this section, or times agreed to by

mutual agreement as provided in this section, the current or former employee or the Labor Commissioner may recover a penalty of seven hundred fifty dollars (\$750) from the employer.” Lab. Code § 1198.5(k).

69. Because Defendant failed to timely provide the personnel records, Plaintiff is entitled to injunctive relief, for an order that Defendants turn over the records, and for an award of attorneys’ fees pursuant to Lab. Code § 1198.5(l).

SEVENTH CAUSE OF ACTION

LABOR CODE § 226(f) PENALTY

(AGAINST CENTURION AND DOES 1-5)

70. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

71. An employer that is required to keep the information required by Labor Code § 226(a) shall afford current and former employees the right to inspect or copy records pertaining to their employment. Lab. Code § 226(b). An employer who receives a written or oral request to inspect or copy records pursuant to Labor Code § 226(b) shall comply with the request as soon as practicable, but no later than 21 calendar days from the date of the request. Lab. Code § 226(c). Defendant violated Labor Code § 226(b)(c) by failing to timely provide Plaintiff with the complete Lab Code § 226(a) records pertaining to her employment.

72. A failure by an employer to permit a current or former employee to inspect or copy records within the time set forth in Labor Code § 226(c) entitles the current or former employee to recover a seven-hundred-fifty-dollar (\$750) penalty from the employer. Lab. Code § 226(f).

73. An employee may also bring an action for injunctive relief to ensure compliance with section 226, and is entitled to an award of costs and reasonable attorney’s fees. Lab. Code § 226(h).

EIGHTH CAUSE OF ACTION

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

(AGAINST DUDGEON AND DOES 1-5)

74. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

75. Defendant's conduct placing an electronic tracker on Plaintiff's vehicle conduct was outrageous.

76. Defendant intended to cause Plaintiff emotional distress.

77. Plaintiff suffered severe emotional distress.

78. Defendant's conduct was a substantial factor in causing Plaintiff's severe emotional distress.

NINTH CAUSE OF ACTION

VIOLATION OF PENAL CODE § 637.7

(AGAINST DUDGEON AND DOES 1-5)

79. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

80. No person or entity in this state shall use a device attached to a vehicle that reveals its location or movement by the transmission of electronic signals, to determine the location or movement of a person. Pen. Code § 637.7(a)(b).

81. Defendant attached a device to Plaintiff's vehicle while parked at Plaintiff's residence that reveals its location or movement by the transmission of electronic signals, to determine the location or movement of a person.

82. Defendant used the device he attached to Plaintiff's vehicle while parked at Plaintiff's residence that reveals its location or movement by the transmission of electronic signals, to determine the location or movement of a person.

83. Plaintiff suffered harm.

84. Defendant's conduct was a substantial factor in causing Plaintiff's harm.

85. Any person who has been injured by a violation of Penal Code section 637.7 may bring an action against the person who committed the violation for five thousand dollars (\$5,000) per violation. Pen. Code § 637.2(a)(1).

TENTH CAUSE OF ACTION

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

(AGAINST DUDGEON AND DOES 1-5)

86. Plaintiff incorporates each allegation set forth in all of the preceding paragraphs as though set forth herein in full again.

87. Defendant owed Plaintiff a duty of care to not place an electronic tracker on Plaintiff's vehicle without his consent.

88. Defendant owed Plaintiff a duty of care to not impersonate a peace officer in order to secure placement of an electronic tracker on Plaintiff's vehicle without his consent.

89. Defendant negligently breached the standard duty of care when he impersonated a peace officer and placed an electronic tracker on Plaintiff's vehicle without his consent.

90. Plaintiff suffered serious emotional distress.

91. Defendant's negligence was a substantial factor in causing Plaintiff's serious emotional distress.

PRAYER

WHEREFORE, Plaintiff prays:

1. For civil penalties pursuant to the California Labor Code §§ 2698 *et seq.*
2. For a \$750 statutory penalty pursuant to Labor Code section 1198.5.
3. For a \$750 statutory penalty pursuant to Labor Code section 226.
4. For compensatory special damages, in an amount according to proof at the time of trial.
5. For compensatory general damages, in an amount according to proof at the time of trial.
6. For reimbursement and indemnification for all work-related expenditures, in an amount according to proof at the time of trial.
7. For statutory penalties pursuant to the California Labor Code.
8. For liquidated damages pursuant to the California Labor Code.
9. For exemplary and punitive damages in an amount deemed sufficient by trier or fact to punish, deter, and make an example of Defendant in an amount according to proof at the time of trial.
10. For injunctive relief in the form of an order enjoining the Defendant from continuing violations of the Penal Code.
11. For injunctive relief in the form of an order ordering Defendant to comply with Labor Code sections 1198.5(b) and 226(c).

12. For reasonable attorneys' fees pursuant to the California Labor Code.
13. For costs of suit including expert witness fees.
14. For prejudgment interest.
15. For such other and further relief as the Court may deem proper.

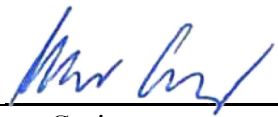
DEMAND FOR JURY TRIAL

Plaintiff WALTER CUEVAS hereby demands a trial by jury.

Dated: November 12, 2021

GUTIERREZ DERHAM LAW FIRM LLP

By: _____


Matthew Gutierrez
Attorneys for Plaintiff, WALTER CUEVAS,
individually and as a proxy for the State of
California