

CENTURION TRIAL ATTORNEYS, APC

Ryan Stygar (SBN 332764)

ryan@centurionta.com

8880 Rio San Diego Dr., 8th Floor

San Diego, CA 92108

Telephone: (858) 206-8833 / Facsimile:(760) 753-3206

LAW OFFICE OF ROBERT A. WALLER, JR.

Robert A. Waller, Jr. (SBN 169604)

robert@robertwallerlaw.com

P.O. Box 999

Cardiff-by-the-Sea, California 92007

Telephone:(760) 753-3118 / Facsimile:(760) 753-3206

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

ROBERT SOREY, ANTONIO GERLI,
GISELLE RODRIGUEZ CATALAN,
individually and on behalf of all others
similarly situated; SPENCER JAECKEL,
individually and on behalf of all others
similarly situated and as Representative
Plaintiff for the State of California,

Plaintiffs

vs.

THE RITZ-CARLTON HOTEL COMPANY
LLC, a California limited liability company;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: 22CV02853

**CLASS ACTION AND PAGA
COMPLAINT:**

- 1. Violation of California Labor Code §226 (Failure to Provide Accurate Itemized Wage Statements);**
- 2. Violation of California Labor Code §226 (Failure to Maintain Accurate Records)**
- 3. Violation of California Labor Code §2698, et seq (PAGA Claims);**
- 4. Violation of California Business & Professions Code §§ 17200, et seq. (Unlawful Business Practices);**

DEMAND FOR JURY TRIAL

ELECTRONICALLY FILED
Superior Court of California
County of Santa Barbara
Darrel E. Parker, Executive Officer
7/25/2022 9:00 AM
By: Narzralli Baksh, Deputy

1 Plaintiffs ROBERT SOREY, ANTONIO GERLI, GISELLE RODRIGUEZ CATALAN,
2 individually and on behalf of all others similarly situated, and SPENCER JAECKEL, individually
3 and on behalf of all others similarly situated and as Representative Plaintiff for the State of
4 California for all other aggrieved employees (collectively “Plaintiffs”), allege as follows against
5 Defendant THE RITZ-CARLTON HOTEL COMPANY LLC:

6 **INTRODUCTION**

7 1. This is a class and Private Attorney General Act (“PAGA”) action brought against
8 Defendant THE RITZ-CARLTON HOTEL COMPANY LLC, a California limited liability
9 company and DOES 1-50 (collectively “Defendant” or “RITZ-CARLTON”).

10 2. Plaintiffs bring this action individually and on behalf of all other similarly situated
11 and aggrieved employees of Defendant RITZ-CARLTON who were employed in California
12 during the putative and/or certified class period and/or from in or about October 2021 through the
13 time of trial (“Class Period”).

14 3. During the Class Period, RITZ-CARLTON experienced a shutdown of its Kronos
15 timekeeping and payroll system. During the Kronos shutdown, RITZ-CARLTON failed to
16 prepare and/or maintain accurate records of Plaintiffs’ total hours worked, gross wages earned,
17 net wages earned, shift differential compensation earned, and/or credit card tip compensation
18 earned during each applicable pay period. As a consequence of its failure to prepare and/or
19 maintain accurate earnings records RITZ-CARLTON issued to Plaintiffs and all its California-
20 based employees “duplicate” or “cloned” wage statements which mirrored the earnings and wage
21 statements which had been issued to the employees prior to the Kronos shutdown. The duplicate
22 or cloned wage statements contained inaccurate hours and earnings information because they
23 were based, not on the hours worked and/or gross and/or net wages earned, or the credit card tip
24 earnings received during the applicable pay period, but rather on hours Plaintiffs had worked,
25 wages they had earned, and/or credit card tips they had earned during pay periods prior to the
26 Kronos shutdown.

27 4. Plaintiffs on behalf of themselves and all similarly situated and aggrieved
28 employees, and as a representative of the State of California pursuant to the California Private
Attorney General Act (PAGA), bring this action for violations of California Labor Code §226,
§226.3, and §2699, and seek recovery of all damages, penalties, equitable relief, interest and
reasonable attorneys’ fees and costs.

1 5. Plaintiffs also bring this action for Defendant RITZ-CARLTON's unlawful
2 business practice as herein alleged in violation of California Business & Professions Code §17200,
3 *et seq.*, and seek restitution of any unjust gains realized by Defendant from its unlawful business
4 practice.

5 **JURISDICTION AND VENUE**

6 6. This is a class and State of California enforcement action brought pursuant to
7 California Code of Civil Procedure §382, and the California Private Attorney General Act
8 (“PAGA”) pursuant to California Labor Code §§2698, *et seq.*, to recover damages, penalties,
9 restitution and any other available relief available to Plaintiffs, the State of California, and all
10 other current and former similarly situated and aggrieved employees who worked for Defendant
11 RITZ-CARLTON in California.

12 7. The monetary damages, penalties and/or restitution sought by Plaintiffs are within
13 the unlimited jurisdiction limits of the Superior Court and will be established according to proof
14 at trial. This Court has jurisdiction over this action pursuant to the California Constitution, Art.
15 VI, sec. 10. The statutes under which this action is brought do not specify any other basis for
16 jurisdiction.

17 8. This Court has jurisdiction over Defendant RITZ-CARLTON because it has
18 sufficient minimum contacts in California, maintains and operates multiple locations throughout
19 the State of California and otherwise intentionally and purposely avails themselves of the
20 California market so as to render the exercise of jurisdiction over them by the California courts
21 consistent with traditional notions of fair play and substantial justice.

22 9. Plaintiffs allege there is no basis for federal diversity jurisdiction in this action
23 because there is not complete diversity of the parties, and this case falls within the statutory
24 exceptions to “minimal diversity” jurisdiction under the Class Action Fairness Act (CAFA), 28
25 U.S.C. §1332(d)(4). Plaintiff seeks to recover only for those employees of Defendant who are
26 and/or were employed in California and Plaintiffs thereon allege (a) that two-thirds (2/3) or more
27 of the putative class members and/or aggrieved employees are citizens of California and the action
28 is therefore not subject to federal CAFA jurisdiction under the “local controversy” exception; (b)
the alleged wage and hour violations occurred in California; (c) significant relief is being sought
against Defendants whose violations of California wage and hour laws form a significant basis
for Plaintiffs’ claims; and (d) no other class action has been filed within the past three (3) years

on behalf of the same proposed class against Defendants asserting the same or similar factual allegations.

10. Venue is proper in this Court as at least one of the named plaintiffs worked at Defendant's RITZ-CARLTON Bacara Santa Barbara location and thus a substantial portion of the transactions and/or occurrences related to this action occurred in this county pursuant to C.C.P. §395.

11. The PAGA representative actions and claims plead in this matter are not subject to removal. See, 28 U.S.C. §§1332(a)-(d).

THE PARTIES

12. Plaintiff ROBERT SOREY is an individual and resident of Santa Barbara County. Plaintiff SOREY is and/or was employed by Defendant RITZ-CARLTON at the Ritz-Carlton Bacara Santa Barbara location. Plaintiff SOREY received the "duplicate" or "cloned" earnings statements from RITZ-CARLTON as herein alleged during the applicable Class Period.

13. Plaintiff ANTONIO GERLI is an individual and resident of Santa Barbara County. Plaintiff GERLI is and/or was employed by Defendant RITZ-CARLTON at the Ritz-Carlton Bacara Santa Barbara location. Plaintiff GERLI received the "duplicate" or "cloned" earnings statements from RITZ-CARLTON as herein alleged during the applicable Class Period.

14. Plaintiff GISELLE RODRIGUEZ CATALAN is an individual and resident of Santa Barbara County. Plaintiff CATALAN is and/or was employed by Defendant RITZ-CARLTON at the Ritz-Carlton Bacara Santa Barbara location. Plaintiff CATALAN received the "duplicate" or "cloned" earnings statements from RITZ-CARLTON as herein alleged during the applicable Class Period.

15. Plaintiff SPENCER JAECKEL is an individual and resident of Henderson, Nevada. Plaintiff JAECKEL is and/or was employed by Defendant RITZ-CARLTON at the Ritz-Carlton Lake Tahoe located in Truckee, California. Plaintiff JAECKEL received the "duplicate" or "cloned" earnings statements from RITZ-CARLTON as herein alleged during the applicable Class Period. On or about March 15, 2022, Plaintiff JAECKEL filed with the State of California Labor Workforce Development Agency (LWDA), and served RITZ-CARLTON via certified return receipt, a notice of claims pursuant to PAGA which included the claims asserted herein. The PAGA claim was assigned number LWDA-CM-873624-22. Sixty-five (65) days have elapsed with the LWDA taking no action on Plaintiff JAECKEL's claims and he therefore brings

the Private Attorney General Act (PAGA) claims asserted herein as an agent or proxy of the State of California who is the real party in interest for PAGA claims asserted herein.

16. Defendant THE RITZ-CARLTON HOTEL COMPANY LLC (“Defendant” or “RITZ-CARLTON”) was, and at all times mentioned is, a California limited liability company registered with the California Secretary of State (Secretary of State Entity Number 199510110006), which is duly organized, existing, and conducting business throughout the State of California under and by virtue of the laws of the State of California. At all times herein mentioned RITZ-CARLTON was the employer of Plaintiffs and all other similarly situated and aggrieved persons employed throughout the State of California.

17. Plaintiffs are unaware of the true names or capacities of the defendants sued herein under the fictitious names DOES 1 through 50 but will seek leave of this Court to amend the complaint and serve such fictitiously named defendants once their names and capacities become known.

18. Plaintiffs are informed and believe, and thereon allege, that DOES 1 through 50 are the partners, agents, owners, shareholders, officers, directors, managing agents, managers, and/or employees of RITZ-CARLTON at all relevant times.

19. Plaintiffs are informed and believe and thereon allege that each and all of the acts and omissions alleged herein was performed by or is attributable to Defendant RITZ-CARLTON and/or DOES 1 through 50 and that each was acting as the real or ostensible agent, employee, alter ego and/or joint venturer of and/or working in concert with each of the other co-defendants and was acting within the course and scope of such agency, employment, joint venture, or concerted activity with legal authority to act on the others’ behalf. The acts of any and all defendants were in accordance with, and represent, the official policy of the defendants and each of them.

20. At all relevant times, the defendants and each of them ratified each and every act or omission complained of herein. At all relevant times, the defendants and each of them aided and abetted the acts and omissions of each and all the other defendants in proximately causing the damages herein alleged.

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1 21. Plaintiffs are informed and believe and thereon allege that each of said defendants
2 is in some manner intentionally, negligently, and/or otherwise responsible for the acts, omissions,
3 occurrences, and/or transactions alleged herein and are thus jointly and severally liable for the
4 acts of each defendant.

GENERAL ALLEGATIONS

5 22. Defendant RITZ-CARLTON is an owner and/or operator of luxury resorts located
6 throughout California including the Ritz-Carlton, Lake Tahoe located in Truckee, California, and
7 the Ritz-Carlton Bacara, Santa Barbara located in Santa Barbara, California.

8 23. Upon information and belief, at all times herein referenced RITZ-CARLTON
9 maintained a single, centralized payroll and/or human resources department which is and was
10 responsible for preparing, tracking, maintaining and/or preserving records of the hours worked
11 by employees, the gross and net wages earned by employees, and credit card tip compensation
12 earned by employees all of which are to be included in employees' earnings statements for a given
13 pay period. Plaintiffs and all other employees were all paid on a weekly basis and issued earnings
14 statements on a weekly basis.

15 24. Upon information and belief, during the applicable statutory period RITZ-
16 CARLTON contracted with and/or utilized the Kronos timekeeping/payroll system to perform its
17 record keeping and/or payroll responsibilities as herein alleged.

18 25. Plaintiffs allege at all times herein mentioned Defendant RITZ-CARLTON was
19 advised by highly-knowlegeable and highly-skilled lawyers and other professionals, employees
20 and/or advisors who were and are intimately knowledgeable about California labor and wage law,
21 employment and personnel practices, and about the requirements of California law for preparing,
22 tracking, maintaining and/or preserving records of the hours worked by employees, the gross and
23 net wages earned by employees, and credit card tip compensation earned, all of which are to be
24 accurately included in Plaintiffs' and all other California-based employees' earnings statements
25 for each pay period.

26 26. Plaintiffs allege Defendant RITZ-CARLTON knew, or in the exercise of
27 reasonable care should have known, Plaintiffs and all other California-based employees were
28 statutorily entitled to receive accurate earnings statements each pay period which included
accurate information of the hours worked by employees during the pay period, the gross and net

1 wages earned by employees, and credit card tip compensation earned all of which are to be
2 accurately included in Plaintiffs' earnings statements pursuant to California Labor Code §226.

3 27. Plaintiffs allege Defendant RITZ-CARLTON knowingly, intentionally, and
4 purposely issued to Plaintiffs and all California-based employees "duplicate" or "cloned"
5 earnings statements which did not provide accurate hour and earnings information for the pay
6 period notwithstanding the statutory obligations imposed by California Labor Code §226 as
7 herein alleged.

8 28. Plaintiffs allege Defendant RITZ-CARLTON knowingly, intentionally, and
9 purposely failed to prepare and/or maintain accurate records of the hours worked and earnings
10 during the applicable pay period for Plaintiffs and all California-based employees
11 notwithstanding the statutory obligations imposed by California Labor Code §226 as herein
12 alleged.

13 **CLASS ACTION ALLEGATIONS**

14 29. Plaintiffs bring this action individually and for all other employees of Defendant
15 RITZ-CARLTON who were employed in California during the Class Period and thus seek class
16 certification under California Code of Civil Procedure §382.

17 30. All claims alleged herein arise under California law for which Plaintiffs seek relief
18 authorized by California law.

19 31. Plaintiffs' proposed class consists of and is defined as follows:

20 All current or former employees of Defendant THE RITZ-CARLTON HOTEL
21 COMPANY LLC who were issued inaccurate earnings statements from on or
22 about October 1, 2021, until the date of trial.

23 32. Members of the Class are referred to herein as "class members."

24 33. Plaintiffs reserve the right to redefine the Class and to add subclasses as
25 appropriate based on further investigation, discovery, and specific theories of liability.

26 34. There are common questions of law and fact as to class members that predominate
27 over questions affecting only individual members, including, but not limited to:

28 (a) Whether Defendant failed to prepare, track, maintain and/or preserve records
of the hours worked by employees, the gross and net wages earned by
employees, and credit card tip compensation earned by Plaintiffs and other
employees;

- 1 (b) Whether Defendant issued inaccurate earnings statements to Plaintiffs and
2 other employees;
3 (c) Whether Defendant engaged in unlawful business practices in violation of
4 California Business & Professions Code §17200, *et seq.*; and
5 (d) The appropriate amounts of damages, penalties, and/or restitution resulting
6 from Defendant's alleged violations of California law.

7 35. There is a well-defined community of interest in the litigation and the class
8 members are readily ascertainable:

- 9 (a) Numerosity: The class members are so numerous that joinder of all members
10 would be unfeasible and impractical. The membership of the entire class is
11 unknown to Plaintiffs at this time; however, the class is estimated to be greater
12 than one thousand (1,000) individuals and the identity of such membership is
13 readily ascertainable by inspection of Defendant's employment records.
14 (b) Typicality: Plaintiffs are qualified to, and will, fairly and adequately protect
15 the interests of each class member with whom they have a well-defined
16 community of interest and Plaintiffs' claims are typical of all class members
17 as demonstrated herein.
18 (c) Adequacy: Plaintiffs are qualified to and will fairly and adequately protect the
19 interests of each class member with whom they have a well-defined
20 community of interest and typicality of claims, as demonstrated herein.
21 Plaintiffs acknowledge they have an obligation to make known to the Court
22 any relationship, conflicts, or differences with any class member. Plaintiffs'
23 attorneys, the proposed class counsel, are versed in the rules governing class
24 action discovery, certification, and settlement. Plaintiffs have incurred and
25 throughout the duration of this action will continue to incur costs and attorneys'
26 fees that have been, are, and will be necessarily expended for the prosecution
27 of this action for the substantial benefit of each class member.
28 (d) Superiority: The nature of this action makes the use of class action adjudication
superior to other methods. A class action will achieve economies of time,
effort, and expense as compared with separate lawsuits, and will avoid

inconsistent outcomes because the same issues can be adjudicated in the same manner and at the same time for the entire class.

(e) Public Policy Considerations: Employers in the State of California violate employment and labor laws every day. Current employees are often afraid to assert their rights out of fear of direct or indirect retaliation. Former employees are fearful of bringing actions because they believe their former employers might damage their future endeavors through negative references and/or other means. Class actions provide the class members who are not named in the complaint with a type of anonymity that allows for the vindication of their rights while simultaneously protecting their privacy.

FIRST CAUSE OF ACTION

Violation of California Labor Code §226

[Failure to Provide Accurate Itemized Wage Statements]

(Against All Defendants)

36. Plaintiffs incorporate by reference and re-allege as if fully stated herein each and every allegation set forth above.

37. As a result of the Kronos shutdown as herein alleged Defendant RITZ-CARLTON issued to Plaintiffs and all other employees inaccurate wages statements which failed to accurately identify for the applicable pay period the hours worked, gross wages and net wages earned, and/or credit card tip earnings during the pay period. Instead of issuing accurate earnings statements as required by California Labor Code §226, Defendant RITZ-CARLTON knowingly and purposely issued “duplicate” or “cloned” earnings statements as alleged. Defendant RITZ-CARLTON’s conduct violated California Labor Code §226.

38. As a direct and proximate result of Defendant RITZ-CARLTON’s actions and conduct as alleged Plaintiffs and all other employees were not able to promptly and easily determine from the earnings statements alone their actual hours worked, the gross wages and net wages earned, and credit card tips earned during the applicable pay period.

39. Defendant RITZ-CARLTON’s conduct was intentional, knowing, and willful.

40. As a proximate result of Defendant RITZ-CARLTON’s actions and conduct Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are

entitled to recover the penalties enumerated in California Labor Code §226 for each inaccurate earnings statement issued in an amount according to proof at trial.

41. As a proximate result of Defendant RITZ-CARLTON's actions and conduct Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are entitled to recover the penalties enumerated in California Labor Code §226.3 for each inaccurate earnings statement issued in an amount according to proof at trial.

42. As a proximate result of Defendant RITZ-CARLTON's actions and conduct Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are entitled to recover the penalties enumerated in California Labor Code §2699(f)(2) for each inaccurate earnings statement issued in an amount according to proof at trial.

43. As a proximate result of Defendant RITZ-CARLTON's actions and conduct Plaintiffs have hired attorneys and other legal professional to prosecute this action. Plaintiffs are therefore entitled to recovery of reasonable attorney fees in an amount according to proof pursuant to California Labor Code §226(e)(1).

SECOND CAUSE OF ACTION

Violation of California Labor Code §226

[Failure to Maintain Records]

(Against All Defendants)

44. Plaintiff incorporates by reference and re-allege as if fully stated herein each and every allegation set forth above.

45. As a result of the Kronos shutdown as herein alleged Defendant RITZ-CARLTON failed to prepare, track, maintain and/or preserve records of the hours worked by employees, the gross and net wages earned by employees, and credit card tip compensation earned by Plaintiffs and other employees during the applicable pay period.

46. Defendant RITZ-CARLTON 's conduct was intentional, knowing, and willful.

47. As a proximate result of Defendant RITZ-CARLTON's actions and conduct Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are entitled to recover the penalties enumerated in California Labor Code §226 for Defendant RITZ-CARLTON's failure to maintain records required by California Labor Code §226 in an amount according to proof at trial.

1 48. As a proximate result of Defendant RITZ-CARLTON's actions and conduct
2 Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are
3 entitled to recover the penalties enumerated in California Labor Code §226.3 failure to maintain
4 records required by California Labor Code §226 in an amount according to proof at trial.

5 49. As a proximate result of Defendant RITZ-CARLTON's actions and conduct
6 Plaintiffs, all other similarly situated and aggrieved employees, and the State of California are
7 entitled to recover the penalties enumerated in California Labor Code §2699(f)(2) failure to
8 maintain records required by California Labor Code §226 in an amount according to proof at trial.

9 50. As a proximate result of Defendant RITZ-CARLTON's actions and conduct
10 Plaintiffs have hired attorneys and other legal professional to prosecute this action. Plaintiffs are
11 therefore entitled to recovery of reasonable attorney fees in an amount according to proof pursuant
12 to California Labor Code §226(e)(1).

13 **THIRD CAUSE OF ACTION**

14 **Violation of California Labor Code §2698, *et seq.***

15 **[California Private Attorney General Act Claims]**

16 **(Against All Defendants)**

17 51. Plaintiffs incorporate by reference and re-allege as if fully stated herein each and
18 every allegation set forth above.

19 52. Plaintiff JAECKEL brings this cause of action for violation of the California Private
20 Attorney General Act (PAGA) as an agent or proxy for the State of California who is the real party
21 in interest when prosecuting PAGA actions.

22 53. Plaintiff JACEKEL complied with and exhausted the pre-filing administrative
23 process required to bring this claim as herein alleged.

24 54. Plaintiff JAECKEL brings this PAGA claim for Defendant RITZ-CARLTON's
25 violations of California Labor Code §226 for failure to provide accurate earnings statements and
26 failure to maintain records as herein alleged.

27 55. Plaintiff JAECKEL seeks to recover the penalties enumerated in California Labor
28 Code §226, §226.3, and §2699 for the State of California, himself, and all other aggrieved
employees in an amount according to proof at trial.

56. As a proximate result of Defendant RITZ-CARLTON's actions and conduct
Plaintiffs have hired attorneys and other legal professional to prosecute this action. Plaintiffs are

1 therefore entitled to recovery of reasonable attorney fees in an amount according to proof pursuant
2 to California Labor Code §2699(g)(1).

3 **FOURTH CAUSE OF ACTION**

4 **Violation of California Business & Professions Code §§ 17200, et seq.**

5 **[Unlawful Business Practices]**

6 **(Against All Defendants)**

7 57. Plaintiff incorporates by reference and re-allege as if fully stated herein each and
8 every allegation set forth above.

9 58. Defendant RITZ-CARLTON's failure to provide Plaintiffs and all other similarly
10 situated employees with accurate earnings statements in violation of California Labor Code §226
11 as herein alleged constitutes unlawful activity prohibited by Business and Professions Code §§
12 17200, *et seq.*

13 59. Defendant RITZ-CARLTON's failure to prepare, track, maintain and/or preserve
14 records of the hours worked by employees, the gross and net wages earned by employees, and
15 credit card tip compensation earned by Plaintiffs and other employees in violation of California
16 Labor Code §226 as herein alleged constitutes unlawful activity prohibited by Business and
17 Professions Code §§ 17200, *et seq.*

18 60. Plaintiffs allege they have suffered actual injury in an amount according to proof
19 from Defendant RITZ-CARLTON's unlawful business practice as herein alleged by virtue of their
20 having not been paid for all hours they worked and/or having not been paid the actual gross
21 earnings and net earnings, and credit card tip earnings they earned for each pay period Defendant
22 RITZ-CARLTON issued duplicate or cloned and inaccurate earnings statements and/or failed to
23 keep records as required by California Labor Code §226.

24 61. Plaintiffs are entitled restitution of any benefits received by Defendant RITZ-
25 CARLTON from its unlawful business activity as herein alleged in an amount according to proof
26 at trial.

27 62. Plaintiffs are entitled to an injunction or such other equitable relief against such
28 unlawful practices to prevent future loss for which there is no adequate remedy at law and to avoid
a multiplicity of lawsuits.

63. This cause of action is brought as a cumulative remedy and is intended as an
alternative remedy of restitution to Plaintiffs and all others similarly situated and harmed for up to

1 the four-year statutory period before the filing of this Complaint, and as the primary remedy for
2 the Plaintiff Class and Subclasses during the fourth year before the filing of this Complaint.
3 Business and Professions Code §17205.

4 64. As a proximate result of Defendant RITZ-CARLTON's unlawful business practice
5 as herein alleged Plaintiffs have hired attorneys and other legal professional to prosecute this action
6 for themselves and a substantial number of other harmed employees. Plaintiffs are therefore
7 entitled to recovery of reasonable attorney fees in an amount according to proof pursuant to C.C.P.
8 §1021.5.

9 **PRAYER FOR RELIEF**

10 Plaintiffs pray for relief and judgment against Defendants, jointly and severally, as follows:

- 11 1. For economic damages in an amount according to proof at trial;
- 12 2. For penalties enumerated in California Labor Code §226 in an amount according to
13 proof at trial.
- 14 3. For penalties enumerated in California Labor Code §226.3 in an amount according to
15 proof at trial.
- 16 4. For penalties enumerated in California Labor Code §2699 in an amount according to
17 proof at trial.
- 18 5. For restitution in an amount according to proof at trial;
- 19 6. For injunctive relief afforded by California Business & Professions Code §17200, *et*
20 *seq.*;
- 21 7. A determination that this action may be maintained as a class action with Plaintiffs
22 appointed the class representatives and Plaintiffs' counsel of record herein appointed
23 as counsel for the class or sub-classes;
- 24 8. A determination that this action be maintained as a representative action pursuant to
25 the California Private Attorney General Act (PAGA);
- 26 9. For an award of reasonable attorney fees pursuant to California Labor Code §226(e)(1)
27 and/or California Labor Code §2699(g)(1), and/or C.C.P. §1021.5 in an amount
28 according to proof;
10. For costs of suit;
11. For prejudgment interest on any damages or restitution awarded; and

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12. Any and all such other relief as this court deems fair, just and proper.

By,

Dated: July 22, 2022

/s/ Robert A. Waller, Jr.

Attorneys for Plaintiffs

DEMAND FOR JURY TRIAL

Plaintiffs and each of them hereby demand a trial by jury for each and every cause of action for which a jury trial is available.

By,

Dated: July 22, 2022

/s/ Robert A. Waller, Jr.

Attorneys for Plaintiffs