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Attorney for Plaintiff
Winston Moore

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

Case No. **CVRI 2502173**

Winston Moore, on behalf of himself and all
aggrieved employees,

Plaintiff,

v.

Solutions Group International, Inc., and Does 1 to
100,

Defendants.

) ~~NO~~
) CLASS ACTION
)
) COMPLAINT
) 1. Minimum Wage Violations
) 2. Overtime Violations
) 3. Meal Period Violations
) 4. Rest Period Violations
) 5. Wage Statement Penalty
) 6. Waiting Time Penalties
) 7. Unfair Competition Law
) 8. PAGA Penalties

PRELIMINARY ALLEGATIONS

1. Plaintiff Winston Moore is a resident of Los Angeles County.
2. Defendant Solutions Group International, Inc. ("SGI") is a corporation with its principal place of business in Riverside County.
3. SGI provides security services, with a focus on providing support to convoys of deliveries. As explained further below, Plaintiff and the class members were not fully paid for these trips.
4. Plaintiff does not know the names and capacities of Does 1 to 100 and therefore use fictitious names. Plaintiff will amend pursuant to Code of Civil Procedure section 474 when the names and capacities are known.
5. Wage Order 4 applies; although Plaintiff was involved in transportation, Defendants do not

operate a transportation-based industry.

6. During the many trips that Plaintiff and made for Defendants, they were not paid for all hours worked.

7. Even though Plaintiff and the class members traveled outside California, the Labor Code applies since Defendants are based in California. (*Oman v. Delta Air Lines* (2020) 9 Cal.5th 762.)

8. Thus, Plaintiff is owed wages for this work.

9. Further, Plaintiff and the class members were not able to take meal and rest breaks.

10. Plaintiff sent a PAGA letter by certified mail to SGI and uploaded the letter to the LWDA website on January 27, 2025; since it has been more than 65 days PAGA penalties may apply.

CLASS ACTION ALLEGATIONS

11. The class is defined as the following: “All non-exempt employees who worked for Defendants from four years before the filing of the complaint to class certification.”

12. The “Waiting Time Subclass” consists of all non-exempt employees within the past three years from the date of filing who no longer work for Defendants.

13. There is a well-defined community of interest in the litigation and the proposed class is ascertainable from Defendants’ employment records.

a. Numerosity: The members of the class as defined are so numerous that joinder of all class members is impracticable.

b. Commonality: This action involves common questions of law and fact to the class because the action focuses on Defendants’ course of conduct with respect to violating the Labor Code and IWC Wage Order.

c. Typicality: Plaintiff’s claims are typical of the claims of the class. Plaintiffs were subjected to the same violations and seeks the same types of damages, restitution, and other relief on the same as those of the members of the class.

d. Adequacy of Representation: Plaintiff will fairly and adequately represent and protect the interests of the class. Plaintiffs understands the obligations as a class representative and is willing and able to fulfill them. Plaintiff’s counsel is competent and experienced in

- 1 litigating large employment class actions and complex litigation matters, including wage
2 and hour cases like this.
- 3 e. Superiority of Class Action: A class action is superior to other available means for the
4 efficient adjudication of this controversy. Class action treatment will allow similarly
5 situated persons to pursue the claims in a manner that is most efficient and economical.
- 6 f. Public Policy Considerations: Employees are often afraid to assert their rights out of fear of
7 retaliation; thus, class actions provide the class members with anonymity that allows for
8 vindication of rights while protecting privacy.
- 9 14. There are common questions of law and fact including but not limited to:
- 10 a. Whether Defendants did not pay overtime and off the clock time in violation of Labor code
11 sections 510 and 1194;
- 12 b. Whether Defendants violated Labor Code section 512 and Wage Order 4 by not providing
13 meal and rest breaks;
- 14 c. Whether Defendants violated Labor Code section 226 by providing inaccurate wage
15 statements;
- 16 d. Whether Defendant violated Labor Code section 226.7 by not paying premium pay for
17 missed meal and rest breaks;
- 18 e. Whether Defendants violated Labor Code section 203 for waiting time penalties;
- 19 f. Whether Defendants violated Labor Code section 2802;
- 20 g. Whether Defendants engaged in unfair competition; and
- 21 h. The amount of damages, wages, and penalties owed to Plaintiff and the class.

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24 FIRST CAUSE OF ACTION

25 Minimum Wage Violations

26 Against All Defendants

- 27 15. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.
- 28 16. Plaintiff worked off the clock, necessitating payment of at least the minimum wage.

17. As a result, Plaintiff is owed reimbursement for unpaid wages, interest, and attorney fees.

SECOND CAUSE OF ACTION

Overtime Violations

Against All Defendants

18. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

19. Plaintiff was required to work over eight hours in a day and/or 40 hours in a week without being compensated for all overtime in violation of Labor Code 510.

20. Examples of unpaid overtime include work off the clock and not receiving overtime at the correct regular rate of pay. The remedy is payment of the unpaid overtime at the correct regular rate of pay, plus interest and attorney fees, pursuant to Labor Code section 1194.

THIRD CAUSE OF ACTION

Meal Period Violations

Against All Defendants

21. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

22. Pursuant to Labor Code section 512 and Wage Order 4, Plaintiff should have received thirty-minute meal periods for every five hours of work.

23. Plaintiff did not receive compliant meal periods, thus pursuant to Labor Code section 226.7, Plaintiff is entitled to an additional hour of compensation for each missed meal period at the regular rate of pay.

FOURTH CAUSE OF ACTION

Rest Period Violations

Against All Defendants

20. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

21. Pursuant to Wage Order 4, Plaintiff and should have received ten-minute meal periods for every four hours of work.

22. Plaintiff did not receive these rest periods, thus Plaintiff is entitled to additional hours of compensation for each time they missed a rest period at the regular rate of pay.

FIFTH CAUSE OF ACTION

Wage Statement Penalties

Against All Defendants

23. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

24. The wage statements did not comply with Labor Code section 226 since they did not list all hours worked.

25. As a result, Plaintiff is entitled to wage statement penalties, and attorney fees.

SIXTH CAUSE OF ACTION

Waiting Time Penalties

Against All Defendants

26. Plaintiffs incorporate by reference paragraphs 1 to 10 of the complaint.

27. Plaintiff is still owed wages for work performed off the clock.

28. Thus, waiting time penalties under Labor Code section 203 apply.

SEVENTH CAUSE OF ACTION

Unfair Competition Law

Against All Defendants

29. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

30. Defendants engaged in the unlawful prong of the Unfair Competition Law, which included taking not paying all wages and premium pay.

31. Pursuant to Business and Professions Code section 17203, restitution applies.

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EIGHTH CAUSE OF ACTION

PAGA Penalties

Against All Defendants

32. Plaintiff incorporates by reference paragraphs 1 to 10 of the complaint.

33. The PAGA penalties contained in Labor Code section 1197.1 apply to the minimum wage violations.

34. The PAGA penalties in Labor Code section 558 applies to the overtime violations.

35. The PAGA penalties in Labor code 558 and 2699 apply to the missed meal breaks.

36. The PAGA penalties in Labor Code section 2699 apply to the rest break violations

37. The PAGA penalties in Labor Code section 2699 apply to the wage statement violations.

38. The PAGA penalties in Labor Code section 2699 apply to the waiting time penalties.

39. Plaintiff complied with the procedure in Labor Code section 2699.3.

40. Thus Plaintiff is also entitled to attorney fees under Labor Code section 2699.

PRAYER

First Cause of Action

1. Payment of all unpaid wages plus interest

2. Attorney fees and costs

3. Other relief the court deems proper

Second Cause of Action

1. Payment of all unpaid wages plus interest

2. Attorney fees and costs

3. Other relief the court deems proper

Third Cause of Action

1. Premium pay for each missed break

2. Interest

1 3. Other relief the court deems proper

2

3 Fourth Cause of Action

4 1. Premium pay for each missed break

5 2. Interest

6 3. Other relief the court deems proper

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8 Fifth Cause of Action

9 1. Wage statement penalties

10 2. Injunctive relief

11 3. Attorney fees and costs

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13 Sixth Cause of Action

14 1. Waiting time penalties

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16 Seventh Cause of Action

17 1. Restitution of unpaid wages

18 2. Attorney fees under CCP 1021.5

19 3. Other relief the court deems proper

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21 Eighth Cause of Action

22 1. All applicable PAGA penalties

23 2. Attorney fees and costs

24 3. Other relief the court deems proper

25 Date: April 3, 2025

FRONTIER LAW CENTER

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/s/ Adam Rose

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Attorney for Plaintiff

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Winston Moore