

Thomas D. Rutledge
Attorney-at-Law
16956 Via de Santa Fe, Suite 1847
Rancho Santa Fe, California 92091-4606
Telephone (619) 886-7224
thomasrutledgelaw@gmail.com

February 18, 2025

File No. 731.03

VIA INTERNET UPLOAD

Director
Labor and Workforce Development Agency
Attn. PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, California 94612

VIA CERTIFIED MAIL (HAND RECEIPT REQUESTED)(9589071052701973068186)

President/HR
Allstate Insurance Company
Signature Motor Club of California, Inc.
Allstate Motor Club, Inc.
3100 Sanders Road, Suite 201
Northbrook, Illinois 60062

Re: *Felix, et al. v. Allstate Insurance Company, et al.*
Sup. Court of Cal., San Diego County Case No.: 37-2024-00029722-
CU-OE-CTL
LWDA Case No. LWDA-CM-1036069-24

Dear Sir or Madam:

A. LWDA Case No. LWDA-CM-1036069-24.

As to LWDA Case No. LWDA-CM-1036069-24, this letter shall serve as an amended notice pursuant to the California Private Attorney General Act (PAGA), California Labor Code Section 2699, *et seq.*, regarding Jose Felix notice sent on June 24, 2024. This amendment generally adds new Plaintiffs: LYDIA BELTRAN-SAUCEDO (FORMERLY LINDSTROM) and PAULA BAXTER.

The foregoing Plaintiffs worked for the Defendants during the PAGA period from June 24, 2023 to the present and suffered at least one Labor Code violation as alleged in the operative complaint on file with the Superior Court of California for the County of

San Diego (accessed at <https://odyroa.sdcourt.ca.gov>) under SDSC case number 37-2024-00029722- CU-OE-CTL, the allegations of which are incorporated by reference as though set forth herein. Thus, these Plaintiffs have standing under the relation back doctrine.

B. Notice of New PAGA Complainants.

This letter shall also serve as new notice (i.e., a new PAGA filing with a new case number) pursuant to the PAGA regarding claims for LYDIA BELTRAN-SAUCEDO (FORMERLY LINDSTROM) and PAULA BAXTER. These aggrieved employees seek the same remedies as the foregoing Plaintiffs based on the facts and circumstances identified below.

I. FACTS & NATURE OF THE DISPUTE.

This is a representative action seeking penalties for Defendants' violations of various California Labor Code provisions. The details of our client's claims are discussed in the operative complaint on file with the Superior Court of California for the County of San Diego (accessed at <https://odyroa.sdcourt.ca.gov>) under SDSC case number 37-2024-00029722- CU-OE-CTL.

II. § 2699, et seq., LABOR CODE VIOLATIONS.

Our client has numerous legal claims against the abovementioned parties. In summary, Defendants issued confusing wage and earning statements to the Plaintiff, unlawfully underpaid paid overtime compensation, failed to reimburse employee work related expenses, failed to pay meal break premiums, failed to pay regular minimum wages, among other claims.

The details of our client's Labor Code § 2699 claims are discussed in the operative complaint on file with the Superior Court of California for the County of San Diego (accessed at <https://odyroa.sdcourt.ca.gov>) under SDSC case number 37-2024-00029722- CU-OE-CTL, the allegations of which are incorporated by reference as though set forth herein. These violations include all California Labor Code provisions in California including but not limited to violations of Labor Code subdivision (k) of Section 96, Sections 98.6, 201, 201.3, 201.5, 201.7, 202, 203, 203.1, 203.5, 204, 204a, 204b, 204.1, 204.2, 205, 205.5, 206, 206.5, 208, 209, and 212, subdivision (d) of Section 213, Sections 221, 222, 222.5, 223, and 224, paragraphs (1) to (5), inclusive, (7), and (9) of subdivision (a) of Section 226, Sections 226.7, 227, 227.3, 230, 230.1, 230.2, 230.3, 230.4, 230.7, 230.8, and 231, subdivision (c) of Section 232, subdivision (c) of Section 232.5, Sections 233, 234, 245-251, 351, 353, and 403, subdivision (b) of Section 404, Sections 432, 432.2, 432.5, 432.7, 435, 450, 510, 511, 512, 513, 551, 552, 601, 602, 603, 604, 750, 751.8, 800, 850, 851, 851.5, 852, 921, 922, 923, 970, 973, 976, 1021, 1021.5, 1025, 1026, 1101, 1102, 1102.5, and 1153, subdivisions (c) and (d) of Section 1174, Sections 1194, 1197, 1197.1, 1197.5, and 1198, 1198.5, subdivision (b) of Section 1198.3, Sections 1199, 1199.5, 1290, 1292, 1293, 1293.1, 1294, 1294.1, 1294.5, 1296, 1297, 1298, 1301, 1308, 1308.1, 1308.7, 1309,

1309.5, 1391, 1391.1, 1391.2, 1392, 1683, and 1695, subdivision (a) of Section 1695.5, Sections 1695.55, 1695.6, 1695.7, 1695.8, 1695.9, 1696, 1696.5, 1696.6, 1697.1, 1700.25, 1700.26, 1700.31, 1700.32, 1700.40, and 1700.47, Sections 1735, 1771, 1774, 1776, 1777.5, 1811, 1815, 2651, and 2673, subdivision (a) of Section 2673.1, Sections 2695.2, 2800, 2801, 2802, 2806, and 2810, subdivision (b) of Section 2929, and Sections 3073.6, 6310, 6311, 6399.7, and the Labor Code provisions specified in the operative complaint on file with the Superior Court of California for the County of San Diego (accessed at <https://odyroa.sdcourt.ca.gov>) under SDSC case number 37-2024-00029722- CU-OE-CTL, the allegations of which are incorporated by reference as though set forth herein.

In addition to the foregoing, Plaintiffs LYDIA BELTRAN-SAUCEDO (FORMERLY LINDSTROM) and PAULA BAXTER are aggrieved employees because Defendants failed to provide their complete personnel file and payroll records. To date, for example, LYDIA BELTRAN-SAUCEDO (FORMERLY LINDSTROM) and PAULA BAXTER received no arbitration agreements and time records, among other things, despite their written request via counsel. Defendants' failure to act constitute violations of Labor Code §§ 226, 432, and 1198.5, among other things.

Please take notice, if any Defendant maintains that any of the named Plaintiffs' claims lack merit, provide all facts in support of your contention within 30 days of the date of this letter. Otherwise, Plaintiffs will presume the claims asserted herein have merit and will proceed accordingly.

III. CONCLUSION.

Please take notice this letter is intended to exhaust the pre-litigation requirements set forth under California Labor Code §§ 2699, *et seq.* By law, an employee alleging a violation of one of the above referenced sections must notify his or her employer and the Labor and Workforce Development Agency (LWDA) before he or she can invoke the provisions of § 2699, *et seq.*, by seeking redress in court. (Labor Code § 2699.3(a)(1).) The LWDA must then notify the employer and the employee within the time required by statute regarding whether it intends to investigate the alleged violation. (Labor Code § 2699.3(a)(2)(B).) If the LWDA advises it will not investigate, or if no notice is provided within the time required by statute, the employee may file a lawsuit invoking the provisions under Labor Code § 2699. (Labor Code §2699.3(a)(2)(A).) It is the intention of this office to file a civil complaint and to bring the appropriate claims under Labor Code § 2699 seeking the remedies for the Labor Code violations referenced in this letter and its enclosure should your office not address these matters within the proscribed time.

We write this letter subject to and without waiver of our client's rights and remedies, all of which we expressly reserve. This letter is not an express statement of all facts and circumstances concerning this matter.

Very truly yours,

/s/Thomas D. Rutledge
Thomas D. Rutledge

Cc: Joel Larabee, Esq. (via e-mail)
Jose Felix (via e-mail)
Lydia Beltran-Saucedo (Formerly Lindstrom) (via e-mail)
Paula Baxter (via e-mail)
David R. Ongaro, Esquire (via e-mail)