

Adam Rose (210880)
adam@frontierlawcenter.com
Frontier Law Center
23901 Calabasas Road, #1084
Calabasas, CA 91302
Telephone: (818) 914-3433
Facsimile: (818) 914-3433

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Superior Court of California,
County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By M. Hernandez, Deputy Clerk

Attorney for Plaintiff
Christopher Rodriguez

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

Jacqueline Garcia,	)	NO. 25NWCV00995
	)	CLASS ACTION
Plaintiff,	)	
v.	)	COMPLAINT
	)	
Marathon Petroleum Logistics Services, LLC, and	)	1. Sexual Harassment in Violation of FEHA
Does 1 to 100,	)	2. Unpaid Wages Violations
	)	3. Rest Period Violations
Defendants.	)	4. Work Expenditure Violations
	)	5. Wage Statement Penalties
	)	6. Violation of Unfair Competition Law
	)	7. PAGA Penalties

PRELIMINARY ALLEGATIONS

1. Plaintiff Jacqueline Garcia is a resident of Los Angeles County.
2. Defendant Marathon Petroleum Logistics Services, LLC is a Delaware limited liability company with its principal place of business in Ohio, and does business in the City of South Gate.
3. Plaintiff does not know the true names and capacities of Does 1 to 100 and therefore uses fictitious names. Plaintiff will amend the complaint pursuant to Code of Civil Procedure section 474 to allege the true names and capacities when ascertained.
4. The named and Doe defendants are collectively referred to as "Defendants."
5. Plaintiff is informed and believes that each of the Defendants was the agent or employee of the other defendants and acted in the scope of agency or employment.
6. Defendants has employed Plaintiff as a transport driver from August 2023 to present.

7. Throughout Plaintiff's employment, she was not able to take compliant meal and rest breaks, and was not paid for working through breaks.

8. Also, Plaintiff was systematically sexually harassed by co-worker "Patrick." Some of the harassment included getting into Plaintiff's truck while she was inside the truck without her assent, calling Plaintiff his work wife, rubbing her hand, and sending selfies, thereby creating a hostile work environment.

9. This was brought to Defendants' attention, but nothing was done in response.

10. Plaintiff obtained a right-to-sue letter from the Civil Rights Department on March 23, 2025.

11. Also, on November 5, 2025 Plaintiff sent PAGA letter to Defendants by certified mail and uploaded the letter to the LWDA website. Since it has been more than 65 days, Plaintiff may now request PAGA penalties.

FIRST CAUSE OF ACTION

Sexual Harassment in Violation of FEHA

Against All Defendants

12. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

13. Plaintiff was subjected to harassing conduct by co-worker Patrick based on her gender.

14. The sexual harassment was severe and pervasive and a reasonable person in Plaintiff's circumstances would have considered the conduct hostile, intimidating, and offensive.

16. Plaintiff considered the conduct hostile, intimidating, and offensive.

17. Plaintiff's supervisors knew or should have know about the sexual harassment.

18. Plaintiff was harmed, and the harassment was a substantial factor in causing the harm.

19. As a result, Plaintiff is entitled to general damages and attorney fees.

SECOND CAUSE OF ACTION

Unpaid Wages Violations

Against All Defendants

20. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

1 21. Plaintiff and the class members were required to work through meal and rest breaks without
2 payment for that time.

3 22. As a result, Plaintiff is entitled to reimbursement of unpaid wages, liquidated damages,
4 interest, and attorney fees under Labor Code sections 1194 and 1197.1.

5
6 THIRD CAUSE OF ACTION

7 Rest Period Violations

8 Against All Defendants

9 23. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

10 24. Pursuant to the Wage Orders, every employer shall authorize and permit employees to take
11 rest periods of ten minutes for every four hours worked.

12 25. Pursuant to Labor Code section 226.7(c) and the Wage Orders, when the employer does not
13 provide an employee with the required rest period, the employee should receive one hour of pay at
14 the regular rate of compensation for each workday that a rest period is not provided.

15 26. Plaintiff is entitled to premium pay for each missed break.

16
17 FOURTH CAUSE OF ACTION

18 Work Expenditure Violations

19 Against All Defendants

20 27. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

21 28. Pursuant to Labor Code section 2802, an employer must reimburse an employee for all
22 work-related expenses. Plaintiff paid to upkeep the truck she was driving but was not reimbursed.

23 29. Plaintiff is entitled to reimbursement of the expenses, and attorney fees.

24
25 FIFTH CAUSE OF ACTION

26 Wage Statement Penalties

27 Against All Defendants

28 30. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

1 31. Defendants' wage statements violated Labor Code section 226 since they did not list the
2 work performed off the clock during alleged breaks, and did not list premium pay for missed
3 breaks at the regular rates of pay.

4 32. Wage statement penalties up to \$4,000 apply, and attorney fees.
5

6 SIXTH CAUSE OF ACTION

7 Violation of Unfair Competition Law

8 Against All Defendants

9 33. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

10 34. The Unfair Competition Law prohibits unfair, unlawful, and fraudulent business practices.

11 35. This claim is being brought under the unlawful prong of the UCL.

12 36. Defendants violated the Labor Code and IWC Wage Order by not paying all wages due,
13 and premium pay at the correct regular rate.

14 37. Plaintiff is entitled to restitution of the wages, and attorney fees under Code of Civil
15 Procedure section 1021.5.
16

17 SEVENTH CAUSE OF ACTION

18 PAGA Penalties

19 Against All Defendants

20 38. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.

21 39. The PAGA penalties discussed in the PAGA letter relate to the following: 1) rest break
22 violations, 2) unreimbursed expenses, and 3) wage statement violations.

23 40. The PAGA penalties for the meal break violations are found in Labor Code 558.

24 41. The PAGA penalties for the rest break violations are contained in Labor Code 2699.

25 42. The PAGA penalties for the unreimbursed work expenses are contained in Labor Code
26 section 2699.

27 43. The PAGA penalties for the wage statement violations are contained in Labor Code 226.3.

28 44. Also, Plaintiff is entitled to attorney fees and costs under Labor Code section 2699.

1 PRAYER
2 First Cause of Action
3 1. General damages
4 2. Attorney fees
5 3. Other relief the court deems proper
6
7 Second Cause of Action
8 1. Payment of unpaid wages
9 2. Interest
10 3. Attorney fees
11 4. Other relief the court deems proper
12
13 Third Cause of Action
14 1. Premium pay at the correct regular rate of pay
15 2. Interest
16 3. Other relief the court deems proper
17
18 Fourth Cause of Action
19 1. Premium pay at the correct regular rate of pay
20 2. Interest
21 3. Other relief the court deems proper
22
23 Fifth Cause of Action
24 1. Reimbursement of work expenses
25 2. Attorney fees
26
27 Sixth Cause of Action
28 1. Wage statement penalties

- 1 2. Attorney fees and costs
2 3. Other relief the court deems proper
3

4 Seventh Cause of Action

- 5 1. Restitution
6 2. Attorney fees
7 3. Other relief the court deems proper
8

9 Eighth Cause of Action

- 10 1. All applicable PAGA penalties
11 2. Attorney fees and costs
12 3. Other relief the court deems proper
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14 Date: March 23, 2025

FRONTIER LAW CENTER

/s/ Adam Rose
Attorney for Plaintiff
Jacqueline Garcia

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