

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

Attorney for Plaintiff
Laura Godoy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CRUZ

LAURA GODOY,	) NO. 25CV01276
	)
Plaintiff,	) COMPLAINT
	)
v.	) 1. Minimum Wage Violations
	) 2. Overtime Violations
JAY SIYARAM HOTELS, LLC, and DOES 1 to	) 3. Meal Period Violations
100,	) 4. Rest Period Violations
	) 5. Wage Statement Penalties
Defendants.	) 6. Waiting Time Penalties
	) 7. Violation of Unfair Competition Law
	) 8. PAGA Penalties

PRELIMINARY ALLEGATIONS

1. Plaintiff Laura Godoy ("Plaintiff") is a resident of Santa Cruz County.
2. Defendant Jay Siyaram Hotels, LLC is a limited liability company based in Santa Cruz County.
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 employed Plaintiff as a nonexempt worker. Therefore, Wage Order 4 applies.

7. Plaintiff worked for Defendants from April 2022 to September 2024; the job duties primarily included hotel-like aspects such as checking people in and out.

8. Plaintiff was not exempt since she did not customarily and regularly exercise discretion and independent judgment.

9. Throughout Plaintiff's employment, she did not receive compliant meal and rest periods, did not receive overtime and premium pay at the correct regular rate, did not receive at least the minimum wage for work off the clock, did not receive accurate wage statements, and did not receive applicable waiting time penalty.

10. On February 3, 2025 Plaintiff sent a letter by certified mail to H Code Media, Inc. and uploaded the letter to the LWDA portal. Since it has been more than 65 days since the letter was sent, Plaintiff may now request PAGA penalties.

FIRST CAUSE OF ACTION

Minimum Wage Violations

Against All Defendants

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

12. Plaintiff was required to work off the clock including when she was switched from an hourly rate to a per campaign rate; this time should have been paid at least the minimum wage.

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

SECOND CAUSE OF ACTION

Overtime Violations

Against All Defendants

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

15. 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.

18. Examples of unpaid overtime include work off the clock and not receiving overtime at the

1 correct regular rate of pay. The reason for the violations is that Plaintiff and the class members
2 were not paid overtime at the correct regular rate of pay.

3 19. The remedy for the overtime violations is payment of the unpaid overtime at the correct
4 regular rate of pay, plus interest and attorney fees, pursuant to Labor Code section 1194.

5
6 THIRD CAUSE OF ACTION

7 Meal Period Violations

8 Against All Defendants

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

10 21. Pursuant to Wage Order 4 every employer shall authorize and permit employees to take
11 meal periods of thirty minutes for every five hours worked.

12 22. Pursuant to Labor Code section 226.7(c) and IWC Wage Order 4, when the employer does
13 not provide an employee with the required meal period, the employer shall pay the employee one
14 hour of pay at the employee's regular rate of compensation for each workday that a rest period is
15 not provided.

16 23. Plaintiff was denied meal periods as rest periods were routinely not provided.

17 24. As a result of Defendants' rest period violations, Plaintiff is entitled to premium pay which
18 is one additional hour of compensation for each missed break at the regular rate of pay.

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20 FOURTH CAUSE OF ACTION

21 Rest Period Violations

22 Against All Defendants

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

24 26. Pursuant to Wage Order 4 every employer shall authorize and permit employees to take rest
25 periods of ten minutes for every four hours worked.

26 27. Pursuant to Labor Code section 226.7(c) and IWC Wage Order 4, when the employer does
27 not provide the required rest period, the employer shall pay the employee one hour of pay at the
28 employee's regular rate of compensation for each workday that a rest period is not provided.

28. As a result of Defendants' rest period violations, Plaintiff is entitled to premium pay which is one additional hour of compensation for each missed break at the regular rate of pay.

FIFTH CAUSE OF ACTION

Wage Statement Penalties

Against All Defendants

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

30. Defendants' wage statements violated Labor Code section 226 since if they were issued they intentionally did not list the work performed off the clock, the correct regular rates of pay for overtime, and did not list premium pay for missed breaks at the correct regular rate of pay.

31. The remedy is wage statement penalties up to \$4,000 and attorney fees.

SIXTH CAUSE OF ACTION

Waiting Time Penalties

Against All Defendants

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

33. Plaintiff was still owed wages when he stopped working for Defendants.

34. Therefore, Plaintiff is owed the waiting time penalty, which is 30 days of wages.

SEVENTH CAUSE OF ACTION

Violation of Unfair Competition Law

Against All Defendants

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

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

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

38. Defendants violated the Labor Code and IWC Wage Order by not paying all wages due, including minimum wage, and overtime and premium pay at the correct regular rate.

39. Plaintiff is entitled to restitution.

1 40. Under Code of Civil Procedure section 1021.5, Plaintiff is entitled to attorney fees.

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3 EIGHTH CAUSE OF ACTION

4 PAGA Penalties

5 Against All Defendants

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

7 42. PAGA authorizes an aggrieved employee to pursue a case for Labor Code violations on
8 behalf of aggrieved employees and the Labor and Workforce Development Agency.

9 43. The PAGA penalties discussed in the PAGA letter relate to the following: 1) minimum
10 wage violations, 2) overtime violations, 3) meal break violations, 4) rest break violations, 5) wage
11 statement violations, and 6) waiting time violations.

12 44. The PAGA penalties for the minimum wage violations are in Labor Code 1197.1.

13 45. The PAGA penalties for the overtime violations are contained in Labor Code 558.

14 46. The PAGA penalties for the meal break violations are contained in Labor Code 558.

15 47. The PAGA penalties for the rest break violations are contained in Labor Code 2699.

16 48. The PAGA penalties for the wage statement violations are contained in Labor Code 226.3.

17 49. The PAGA penalties for the waiting time violations are contained in Labor Code 210.

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

19
20 PRAYER

21 First Cause of Action

22 1. Payment of all unpaid wages

23 2. Interest

24 3. Attorney fees

25 4. Other relief the court deems proper

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27 Second Cause of Action

28 1. Payment of overtime at the correct regular rate

- 1 2. Interest
- 2 3. Attorney fees
- 3 4. Other relief the court deems proper

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5 Third Cause of Action

- 6 1. Premium pay at the correct regular rate of pay
- 7 2. Interest
- 8 3. Other relief the court deems proper

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10 Fourth Cause of Action

- 11 1. Premium pay at the correct regular rate of pay
- 12 2. Interest
- 13 3. Other relief the court deems proper

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15 Fifth Cause of Action

- 16 1. Wage statement penalties
- 17 2. Attorney fees and costs
- 18 3. Other relief the court deems proper

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20 Sixth Cause of Action

- 21 1. Waiting time penalties

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23 Seventh Cause of Action

- 24 1. Restitution
- 25 2. Attorney fees
- 26 3. Other relief the court deems proper

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- 1 Eighth Cause of Action
2 1. All applicable PAGA penalties
3 2. Attorney fees and costs
4 3. Other relief the court deems proper
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6 Date: April 25, 2025

FRONTIER LAW CENTER

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8 /s/ Adam Rose
9 Attorney for Plaintiff
10 Laura Godoy
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