

SAIRAH BUDHWANI
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March 25, 2025

VIA ONLINE SUBMISSION

California Labor & Workforce Development Agency
ATTN: PAGA Administrator
(<https://dir.govfa.net/310>)

Subject: *Keegan Flaherty v. DrinkPAK, LLC, et al.*
LWDA Case No. LWDA-CM-1088097-25 - AMENDED NOTICE

Dear PAGA Administrator:

This office represents Keegan Flaherty in connection with his claims under the California Labor Code. Mr. Flaherty was an employee of DRINKPAK, LLC; DRINKPAK I LLC; and/or DRINKPAK CONSOLIDATED HOLDINGS, LLC. For the purpose of this letter, Mr. Flaherty collectively refers to these entities as “DRINKPAK.” We previously provided notice of Mr. Flaherty’s claims to the California Labor and Workforce Development Agency (“LWDA”) on March 24, 2025, and submitted the applicable filing fee pursuant to Labor Code section 2699.3(a)(1)(B). This amended notice supplements Mr. Flaherty’s prior LWDA notice and adds an additional claim.

The employers may be contacted directly at the addresses below:

DRINKPAK, LLC
21375 NEEDHAM RANCH PKWY
SANTA CLARITA, CA 91321

DRINKPAK I LLC
21375 NEEDHAM RANCH PARKWAY
SANTA CLARITA, CA 91321

DRINKPAK CONSOLIDATED HOLDINGS, LLC
21375 NEEDHAM RANCH PARKWAY
SANTA CLARITA, CA 91321

Mr. Flaherty intends to seek civil penalties, attorneys’ fees, costs, and other available relief for violations of the California Labor Code, which are recoverable under sections 2698, *et seq.*, the Labor Code Private Attorneys General Act of 2004 (“PAGA”). Mr. Flaherty seeks relief on behalf of himself, the State of California, and other persons who are or were employed by DRINKPAK as a non-exempt, hourly paid employee in California and who received at least one wage statement (“aggrieved employees”). This letter is sent in compliance with the notice and reporting requirements of California Labor Code section 2699.3.

DRINKPAK employed Mr. Flaherty as an hourly paid, non-exempt employee from approximately January 2023 to November 2024 as a Forklift Operator. Mr. Flaherty worked for DRINKPAK out of its Santa Clarita facilities, located at 21375 Needham Ranch Pkwy, Santa Clarita, California 91321. During his employment, Mr. Flaherty typically worked twelve (12) hours per day and four (4) days per week. By the end of his employment, Mr. Flaherty was compensated approximately \$23.23 per hour. Mr. Flaherty's job duties included, without limitation, loading and unloading trucks.

DRINKPAK committed each of the following Labor Code violations against Mr. Flaherty, the facts and theories of which follow, making him an "aggrieved employee" pursuant to California Labor Code section 2699(c)(1):¹

Violation of California Labor Code §§ 6401 and 6403 – Failure to Provide Safety Devices and Safeguards

California Labor Code section 6401 provides that employers must furnish and use safety devices and safeguards, and adopt and use practices, means, methods, operations, and processes which are reasonably adequate to render the employment and place of employment safe and healthy. California Labor Code Section 6401 further provides that an employer must do everything reasonably necessary to protect the life, safety and health of its employees. California Labor Code section 6403(a) requires that employers provide and use safety devices and safeguards reasonably adequate to render the employment and place of employment safe.

During the relevant period, DRINKPAK failed to provide Mr. Flaherty and other aggrieved employees with personal protective equipment, such as safety shoes, to keep them safe in the workplace. Despite the fact that DRINKPAK required Mr. Flaherty and other aggrieved employees to wear certain personal protective equipment, including slip-resistant safety boots, while engaged in their work-related duties, DRINKPAK failed to provide such reasonably necessary equipment to Mr. Flaherty and other aggrieved employees to keep them safe. Thus, DRINKPAK's failure to provide Mr. Flaherty and other aggrieved employees with safety devices and safeguards for the workplace violates Labor Code sections 6401 and 6403.

Mr. Flaherty and other aggrieved employees are entitled to recover civil penalties, attorneys' fees, costs, and interest thereon, and seek injunctive relief to bring DRINKPAK into compliance with Labor Code sections 6401 and 6403, pursuant to Labor Code sections 2699(a), (f), and (k).

Accordingly, pursuant to PAGA, and in particular California Labor Code sections 1194.5, 2699(a), 2699(k), and 2699.3(b), Mr. Flaherty, acting in the public interest as a private attorney general, seeks assessment and collection of civil penalties for himself, all other aggrieved employees, and the State of California against DRINKPAK for violations of California Labor Code sections 6401 and 6403.

¹ These facts, theories, and claims are based on Mr. Flaherty's experience and counsel's review of those records currently available relating to Mr. Flaherty's employment. Discovery conducted in litigation of wage and hour claims such as these often reveals additional claims that the aggrieved employee was not initially aware of (because the aggrieved employee was not aware of the law's requirements, the employer misinformed its employee of the law's requirements, or because the employer effectively hid the violations). Thus, Mr. Flaherty reserves the right to supplement this letter with additional facts, theories, and claims if he becomes aware of them subsequent to the submission of this letter.

Thank you for your attention to this matter. If you have any questions, please contact me at the phone number or address below:

Sairah Budhwani
Capstone Law APC
1875 Century Park East, Suite 1000
Los Angeles, CA 90067
(310) 556-4811

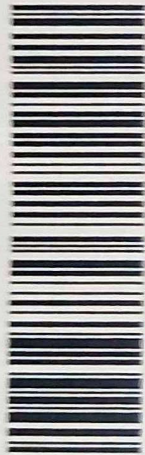
Best Regards,

A handwritten signature in black ink, reading "Sairah Budhwani". The signature is fluid and cursive, with a small dot at the end.

Sairah Budhwani

Copy: DRINKPAK, LLC (via U.S. Certified Mail); DRINKPAK I LLC (via U.S. Certified Mail);
DRINKPAK CONSOLIDATED HOLDINGS, LLC (via U.S. Certified Mail)

Capstone Law, APC
1875 Century Park, East, 1000
Los Angeles, CA. 90067



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SANTA CLARITA, CA 91321

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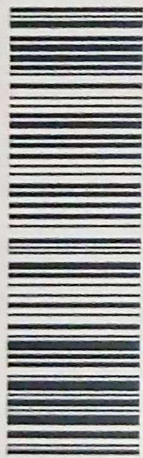
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