

Adam Rose (210880)
adam@frontierlawcenter.com
FRONTIER LAW CENTER
6200 Canoga Ave., Suite 470
Woodland Hills, CA 91367
Telephone: (818) 914-3433
Facsimile: (818) 914-3433

Attorney for Plaintiff
Danny Castro

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

Danny Castro, on behalf of himself and all aggrieved employees,	) NO. CVRI 2504201
	)
Plaintiff,	) COMPLAINT
	)
v.	) 1. Minimum Wage Violations
	) 2. Overtime Violations
Desert Jack, LLC, and Does 1 to 100,	) 3. Meal Period Violations
	) 4. Rest Period Violations
Defendants.	) 5. Wage Statement Penalty
	) 6. Waiting Time Penalties
	) 7. Unfair Competition Law
	) 8. PAGA Penalties

PRELIMINARY ALLEGATIONS

1. Plaintiff Danny Castro is a resident of Riverside County.
2. Defendant Desert Jack, LLC is a limited liability company that is based in San Bernardino County, and it operates Jack-in-the-Box franchise locations.
3. 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.
4. Plaintiff worked at Defendants' location in Banning, thus venue is proper in Riverside.
5. Wage Order 5 applies for restaurant work.
6. Plaintiff was required to work off the clock; thus, Plaintiff is owed wages for this work.

7. Further, Plaintiff was not able to take meal and rest breaks.

8. Plaintiff sent a PAGA letter by certified mail to Desert Group, LLC on April 30, 2025 and uploaded the letter to the LWDA website; since it has been more than 65 days PAGA penalties may apply.

FIRST CAUSE OF ACTION

Minimum Wage Violations

Against All Defendants

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

10. Plaintiff worked off the clock, necessitating payment of at least the minimum wage.

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

SECOND CAUSE OF ACTION

Overtime Violations

Against All Defendants

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

13. 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.

14. 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 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

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

16. Pursuant to Labor Code section 512 and Wage Order 9, Plaintiff should have received thirty-minute meal periods for every five hours of work.

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

4
5 FOURTH CAUSE OF ACTION

6 Rest Period Violations

7 Against All Defendants

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

9 19. Pursuant to Wage Order 5, Plaintiff and should have received ten-minute meal periods for
10 every four hours of work.

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

13
14 FIFTH CAUSE OF ACTION

15 Wage Statement Penalties

16 Against All Defendants

17 21. Plaintiff incorporates by reference paragraphs 1 to 9 of the complaint.

18 22. The wage statements did not comply with Labor Code section 226.

19 23. There was non compliance since the wage statements did not list all hours worked.

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

21
22 SIXTH CAUSE OF ACTION

23 Waiting Time Penalties

24 Against All Defendants

25 25. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.

26 26. Plaintiff is still owed wages for work performed off the clock and break premiums.

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

28 ///

1 SEVENTH CAUSE OF ACTION

2 Unfair Competition Law

3 Against All Defendants

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

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

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

8
9 EIGHTH CAUSE OF ACTION

10 PAGA Penalties

11 Against Desert Jack, LLC

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

13 32. The PAGA penalties in Labor Code section 1197.1 apply to the minimum wage violations.

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

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

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

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

18 37. Plaintiff is also entitled to attorney fees under Labor Code section 2699.

19
20 PRAYER

21 First Cause of Action

22 1. Payment of all unpaid wages plus interest

23 2. Attorney fees and costs

24 3. Other relief the court deems proper

25
26 Second Cause of Action

27 1. Payment of all unpaid wages plus interest

28 2. Attorney fees and costs

1 3. Other relief the court deems proper

2

3 Third Cause of Action

4 1. Premium pay for each missed break

5 2. Interest

6 3. Other relief the court deems proper

7

8 Fourth Cause of Action

9 1. Premium pay for each missed break

10 2. Interest

11 3. Other relief the court deems proper

12

13 Fifth Cause of Action

14 1. Wage statement penalties

15 2. Injunctive relief

16 3. Attorney fees and costs

17

18 Sixth Cause of Action

19 1. Waiting time penalties

20 Seventh Cause of Action

21 1. Restitution of unpaid wages

22 2. Attorney fees under CCP 1021.5

23 3. Other relief the court deems proper

24

25 Eighth Cause of Action

26 1. All applicable PAGA penalties

27 2. Attorney fees and costs

28 3. Other relief the court deems proper

1 Date: July 19, 2025

FRONTIER LAW CENTER

2

/s/ Adam Rose

3

Attorney for Plaintiff

4

Danny Castro

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28