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CASSANDRA HALL-LEPREVOST

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CASSANDRA HALL-LEPREVOST, an
individual, and on behalf of all aggrieved
employees

Plaintiff,

vs.

CANNACO RESEARCH CORPORATION, a
California corporation; ANN LAWRENCE
ATHEY, an individual; and DOES 1 through
50 inclusive

Defendants.

Case No. 23STCV00756

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF;
ENFORCEMENT ACTION UNDER
THE PRIVATE ATTORNEYS
GENERAL ACT, CALIFORNIA
LABOR CODE § 2698, ET SEQ:**

1. **FAILURE TO PAY OVERTIME
COMPENSATION AND
LIQUIDATED DAMAGES (Lab.
Code, §§ 510, 111194, 1194.2, &
1198);**
2. **FAILURE TO PAY MINIMUM
WAGES AND LIQUIDATED
DAMAGES (Lab. Code, §§ 1182.12,
1194; 1194.2; 1197; 1197.1; & 1198
and Cal. Code Regs., tit 8, § 11040);**
3. **FAILURE TO PROVIDE MEAL
PERIODS (Lab. Code, § 226.7
& 512, and Cal. Code Regs., tit. 8, §
11040);**
4. **FAILURE TO PROVIDE REST
PERIODS (Lab. Code, §§ 226.7 &
512, and Cal. Code Regs. tit. 8, §
11040);**
5. **FAILURE TO PROVIDE
ACCURATE WAGE
STATEMENTS AND MAINTAIN
ACCURATE PAYROLL
RECORDS (Lab. Code, §§ 226,
subd. (a), 1174, subd. (d), & 1198);**
6. **FAILURE TO REIMBURSE**

- 1 BUSINESS EXPENSES (Lab.
2 Code, §§ 2800 & 2802);
3 7. FAILURE TO PROVIDE
4 ADEQUATE SEATING [CAL. LAB.
5 CODE § 1198; CAL. CODE REGS.,
6 TIT. 8, § 11040(14)];
7 8. CONVERSION - IMPROPER
8 RECEIPT AND DISTRIBUTION
9 OF GRATUITIES [CAL. LAB.
10 CODE § 351];
11 9. FAILURE TO PAY WAGES
12 UPON TERMINATION OF
13 EMPLOYMENT (Lab. Code, §
14 203);
15 10. VIOLATION OF LABOR CODE
16 SECTION 558;
17 11. UNFAIR COMPETITION (Bus. &
18 Prof. Code, § 17200 et seq.);
19 12. CIVIL PENALTIES FOR
20 VIOLATIONS OF THE
21 CALIFORNIA LABOR CODE,
22 PURSUANT TO THE PRIVATE
23 ATTORNEYS GENERAL ACT
24 [CAL. LAB. CODE § 2698, et seq.]

25 **DEMAND FOR A JURY TRIAL**

26 All allegations in this Complaint are based upon information and belief except for
27 those allegations which pertain to the named Plaintiff and her counsel. Each allegation has
28 evidentiary support, or is likely to have evidentiary support, after a reasonable opportunity
for further investigation and discovery.

I.

JURISDICTION AND VENUE

1. The Court has jurisdiction over this Complaint under Code of Civil
Procedure section 410.10. Plaintiff brings this complaint on her own behalf.

2. Venue is proper in the court under Code of Civil Procedure sections 395 and
395.5 because the claims made, and the Labor Code violations as against the persons
identified herein, occurred in the County of Los Angeles. Further, each of the Defendants
operated their businesses in the County of Los Angeles

3. The Private Attorney Generals Act (“PAGA”) authorizes aggrieved

employees to sue directly as the proxy of the State of California for civil penalties for violations of various provisions in the California Labor Code.

II.

THE PARTIES

PLAINTIFF

4. CASSANDRA HALL-LEPREVOST (referred to as PLAINTIFF) is, and at all material times mentioned was:

- (a) An female individual who resides in the County of Los Angeles, California;
- (b) Jointly employed as an employee by CANNACO RESEARCH CORPORATION, a California corporation; ANN LAWRENCE, an individual; and DOES 1 through 50 inclusive (“DEFENDANTS”), from on or about August 2020, to on or about July 2022, as a “budtender,” store stocker, and cashier;
- (c) Was not properly paid for overtime hours worked;
- (d) Was not properly paid minimum wages for hours worked;
- (e) Did not receive compliant meal periods or meal-period premiums;
- (f) Did not receive compliant rest periods or rest-period premiums;
- (g) Did not receive accurate itemized wage statements;
- (h) Was not reimbursed for business expenses that she paid;
- (i) Did not receive adequate seating while on and off duty;
- (j) Was not properly provided all gratuities received by DEFENDANTS;
- (k) When terminated from her employment, was not paid for overtime wages owed, minimum wages owed, meal period wages owed, and rest period wages owed within the time limits prescribed by Labor Code section 201; and,

DEFENDANTS

5. PLAINTIFF is informed and believes, and based upon that information and

1 belief alleges, that CANNACO RESEARCH CORPORATION, is, and at all times
2 mentioned was:

- 3 (a) A California corporation authorized to conduct business, and actually
4 conducting business, in Los Angeles County, California; and,
- 5 (b) The owner and operator of marijuana dispensaries known as Rose
6 Collective in Venice, CA and Farmacy Westwood in Los Angeles,
7 CA.

8 6. PLAINTIFF is informed and believes, and based upon that information and
9 belief alleges, that ANN LAWRENCE, is, and at all times mentioned was:

- 10 (a) A female individual who resides in the County of Los Angeles,
11 California; and,
- 12 (b) The owner and operator of marijuana dispensaries known as Rose
13 Collective in Venice, CA and Farmacy Westwood in Los Angeles,
14 CA.

15 7. CANNACO RESEARCH CORPORATION, ANN LAWRENCE, and DOES
16 1 through 50 are collectively referred to as “DEFENDANTS” throughout this Complaint.

17 8. The true names and capacities, whether individual, corporate, subsidiary,
18 partnership, associate or otherwise of Defendant DOES 1 through 50, inclusive, are
19 unknown to the PLAINTIFF, who therefore sues these Defendants by those fictitious names
20 under Code of Civil Procedure section 474. PLAINTIFF will seek leave to amend the
21 Complaint to allege the true names and capacities of DOES 1 through 50, inclusive, when
22 they are ascertained.

23 9. PLAINTIFF is informed and believes, and based upon that information and
24 belief alleges, that Defendant DOES 1 through 50 are persons, corporations or other entities
25 which reside in, or are otherwise doing business in the State of California. Each of the
26 Defendants DOES 1 through 50 was the managerial agent, employee, predecessor,
27 successor, joint-venturer, co-conspirator, alter ego and/or representative of one or more of
28 the other Defendants named herein, and acted with permission, authorization and/or

1 ratification and consent of other Defendants.

2 10. PLAINTIFF is informed and believes, and based upon that information and
3 belief alleges, that the Defendants named in this Complaint, including DOES 1 through 50,
4 inclusive, are responsible in some manner for one or more of the events and happenings
5 that proximately caused the injuries and damages hereinafter alleged.

6 11. PLAINTIFF is informed and believes, and based upon that information and
7 belief alleges, that the Defendants named in this Complaint, including DOES 1 through 50,
8 inclusive, are, and at all times mentioned herein were, the agents, servants, and/or
9 employees of each of the other Defendants, and that each Defendant was acting within the
10 course of scope of his, hers, or its authority as the agent, servant and/or employee of each
11 of the other Defendants. Consequently, all the Defendants are jointly and severally liable to
12 PLAINTIFF and all aggrieved employees for their damages sustained as a proximate result
13 of Defendants' conduct.

14 12. PLAINTIFF is informed and believes, and based upon that information and
15 belief alleges, that the Defendants named in this Complaint, including DOES 1 through 50,
16 inclusive, knowingly and willfully acted in concert, conspired and agreed together among
17 themselves and entered into a combination and systemized campaign of activity to inter alia
18 damage PLAINTIFF, and all aggrieved employees, and to otherwise consciously and/or
19 recklessly act in derogation of PLAINTIFF, and all aggrieved employees, and the trust
20 reposed by PLAINTIFF and all aggrieved employees in each of the Defendants, the acts
21 being negligently and/or intentionally inflicted. Their conspiracy, and Defendants'
22 concerted actions, were such that, to PLAINTIFF's information and belief, and to all
23 appearances, Defendants represented a unified body so that the actions of one Defendant
24 were accomplished in concert with, and with the knowledge, ratification, authorization and
25 approval of each of the other Defendants.

26 **III.**

27 **PAGA REPRESENTATIVE ALLEGATIONS**

28 13. At all times herein set forth, PAGA provides that any provision of law under

1 the Labor Code and applicable IWC Wage Order that provides for a civil penalty to be
2 assessed and collected by the LWDA for violations of the Labor Code and applicable IWC
3 Wage Order may, as an alternative, be recovered by aggrieved employees in a civil action
4 brought on behalf of themselves and other current or former employees pursuant to
5 procedures outlined in Labor Code section 2699.3.

6 14. PAGA defines an “aggrieved employee” in Labor Code section 2699,
7 subdivision (c) as “any person who was employed by the alleged violator and against whom
8 one or more of the alleged violations was committed.”

9 15. PLAINTIFF and other current and former employees of DEFENDANTS are
10 “aggrieved employees” as defined by Labor Code section 2699, subdivision (c) in that they
11 are all Defendants’ current or former employees and one or more of the alleged violations
12 were committed against them.

13 16. On October 27, 2022, PLAINTIFF provided written notice by online filing to
14 the LWDA, by Certified Mail to CANNACO RESEARCH CORPORATION’s agent for
15 service of process, and by Certified Mail to ANN LAWRENCE, of the specific provisions
16 of the California Labor Code alleged to have been violated, including facts and theories to
17 support the alleged violations, in accordance with Labor Code section 2699.3.
18 PLAINTIFF’s notice was accompanied with the applicable filing fee of seventy-five dollars
19 (\$75). The LWDA PAGA Administrator confirmed receipt of Plaintiff’s notice and
20 assigned Plaintiff PAGA Case Number LWDA-CM-916295-22.

21 17. PLAINTIFF has satisfied the administrative prerequisites under Labor Code
22 sections 2699.3, subdivision (a) and 2699.3, subdivision (c) to recover civil penalties
23 against DEFENDANTS for violations of Labor Code sections 201, 202, 203, 226, 226.7,
24 351 510, 512, 516, 558, 1182.12, 1174, 1194, 1194.2, 1197, 1197.1, 1198, 2800, and 2802.

25 18. Labor Code section 558, subdivision (a) provides, “Any employer or other
26 person acting on behalf of an employer who violates, or causes to be violated, a section of
27 this chapter or any provision regulating hours and days of work in any order of the
28 Industrial Welfare Commission shall be subject to a civil penalty as follows: (1) For any

1 initial violation, fifty dollars (\$50) for each underpaid employee for each pay period for
2 which the employee was underpaid....(2) For each subsequent violation, one hundred
3 dollars (\$100) for each underpaid employee for each pay period for which the employee
4 was underpaid....” Labor Code section 558, subdivision (d) provides, “The civil penalties
5 provided for in this section are in addition to any other civil or criminal penalty provided
6 by law.”

7 19. DEFENDANTS, at all times relevant to this complaint, were employers or
8 persons acting on behalf of an employer(s) who violated PLAINTIFF’S and other aggrieved
9 employees’ rights by violating various sections of the Labor Code as set forth above.

10 20. As set forth below, DEFENDANTS have violated numerous provisions of
11 both the Labor Code sections regulating hours and days of work as well as the applicable
12 IWC Wage Order.

13 21. Pursuant to PAGA, and in particular, Labor Code sections 2699, subdivision
14 (a), 2699.3, subdivision (a), 2699.3, subdivision (c), 2699.5, and section 558, PLAINTIFF,
15 acting in the public interest as a private attorney general, seeks assessment and collection
16 of civil penalties for himself, all other aggrieved employees, and the State of California
17 against DEFENDANTS for violations of Labor Code sections 201, 202, 203, 226, 226.7,
18 351 510, 512, 516, 558, 1182.12, 1174, 1194, 1194.2, 1197, 1197.1, 1198, 2800, and 2802.

19 IV.

20 THE CONDUCT

21 22. DEFENDANTS own and operate marijuana dispensaries including Rose
22 Collective in Venice, California and Farmacy Westwood in Los Angeles, California.

23 23. DEFENDANTS’ business requires the use of “non-exempt” employees as
24 defined by the California Labor Code and IWC Wage Order No. 4-2001 (as amended),
25 including but not limited to store stockers, cashiers, “bud tenders” receptionists, delivery
26 drivers, and security guards.

27 24. DEFENDANTS jointly employed PLAINTIFF from on or about August
28 2020, to on or about July 2022, as a “budtender,” store stocker, and cashier.

1 25. PLAINTIFF's job duties included, among other things, stocking products,
2 cashier duties, and customer service, at Rose Collective in Venice, California.

3 26. DEFENDANTS exercised complete and unfettered control over
4 PLAINTIFF's, and all aggrieved employees' work schedules; their hours worked; their
5 rates of pay and methods of payment; dictated how PLAINTIFF, and all aggrieved
6 employees, would actually perform their jobs; and dictated if and when PLAINTIFF and all
7 aggrieved employees could take lunch or rest breaks. PLAINTIFF and all aggrieved
8 employees could not exercise discretion and independent judgment regarding the tasks they
9 performed. PLAINTIFF and all aggrieved employees had to obtain approval on any action
10 taken in the course of working for DEFENDANTS. Therefore, under California Code of
11 Regulations, title 8, section 11040, subdivision (1)(A), the provisions of the applicable
12 California Wage Order apply to PLAINTIFF and all aggrieved employees. PLAINTIFF and
13 all aggrieved employees were not exempt employees.

14 27. PLAINTIFF typically worked from 2:30 p.m. to 11:00 p.m. on Wednesday
15 through Sunday. When PLAINTIFF'S employment with DEFENDANTS ended,
16 DEFENDANTS were paying PLAINTIFF \$17.00 per hour.

17 28. DEFENDANTS' timekeeping system would automatically clock PLAINTIFF
18 out at 10:30 p.m., despite DEFENDANTS requiring that PLAINTIFF continue to work
19 until approximately 11:00 p.m. during her scheduled shifts.

20 29. DEFENDANTS required that PLAINTIFF and all aggrieved employees work
21 more than 8 hours in a day or more than forty 40 hours per week without proper overtime
22 compensation.

23 30. DEFENDANTS required that PLAINTIFF and all aggrieved employees work
24 hours without paying compensation at the minimum wage.

25 31. DEFENDANTS did not provide PLAINTIFF and all aggrieved employees,
26 with code-compliant 10-minute rest periods or 30-minute meal periods. DEFENDANTS
27 failed to compensate PLAINTIFF and all aggrieved employees for the missed rest periods
28 or meal periods and, therefore, for the total hours worked. As a result, PLAINTIFF, and all

1 aggrieved employees did not receive accurate wage statements from DEFENDANTS.

2 32. DEFENDANTS failed to reimburse PLAINTIFF and all aggrieved employees
3 for all necessary expenditures incurred in their course and scope of employment, including
4 personal vehicle mileage.

5 33. DEFENDANTS did not provide PLAINTIFF and all aggrieved employees
6 with an adequate number of suitable seats in reasonable proximity to the work area that
7 could be used when the seats would not interfere with the performance of the duties.
8 PLAINTIFF, and all aggrieved employees, who were otherwise required to work standing
9 at all times, were forced to continue to stand during times when they were not engaged in
10 the active duties of their employment. DEFENDANTS' "break room" was a hallway with
11 inadequate seats and standing room only. Additionally, PLAINTIFF and all aggrieved
12 employees, spent a substantial portion of their day behind cash registers or Point of Sale
13 systems, regardless of their actual job titles or descriptions. The nature of the work of an
14 employee performing cashier duties can reasonably be accomplished from a seated
15 position. However, DEFENDANTS did not provide seats or stools at or near each cash
16 register or Point of Sale System forcing PLAINTIFF and all aggrieved employees, to stand
17 throughout their work shifts.

18 34. DEFENDANTS instituted a tip-pooling policy that allowed for managers to
19 take gratuities left by DEFENDANTS' customers for PLAINTIFF and all aggrieved
20 employees. Additionally, DEFENDANTS allowed morning shift employees to participate
21 in DEFENDANTS' tip pool without contributing to the tip pool.

22 35. DEFENDANTS failed to pay PLAINTIFF and all aggrieved employees all
23 wages due upon termination of employment.

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FIRST CAUSE OF ACTION
FOR FAILURE TO PAY OVERTIME COMPENSATION AND LIQUIDATED
DAMAGES

(Lab. Code, §§ 510, 1194, 1194.2 & 1198)

(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)

36. PLAINTIFF repeats and re-alleges paragraphs 1 through 35, inclusive, of this Complaint and they are incorporated herein by this reference.

37. Under the applicable IWC Wage Order 4-2001 (as amended), DEFENDANTS were the joint employers of PLAINTIFF.

38. Labor Code section 510 provides that employees in California shall not be employed more than 8 hours in any workday or 40 hours in a workweek unless they receive additional compensation beyond their regular wages in amounts specified by law.

39. California Code of Regulations, title 8, section 11040, subdivision (3)(A)(3) provides that overtime hours shall be compensated at: (a) One and one-half (1 ½) times the employee's regular rate of pay for all hours worked in excess of eight (8) hours up to and including 12 hours in any workday, and for the first eight (8) hours worked on the seventh (7th) consecutive day of work in a workweek; and (b) Double the employee's regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight (8) hours on the seventh (7th) consecutive day of work in a workweek.

40. Labor Code section 1194 establishes an employee's right to recover unpaid overtime compensation, interest thereon, together with the costs of suit, and attorneys' fees.

41. Labor Code Section 1198 states that the employment of an employee for longer hours than those fixed by the Industrial Welfare Commission is unlawful.

42. Labor Code section 1194.2 establishes an employee's right to recover liquidated damages in an amount equal to the wages unlawfully unpaid and interest thereon in an action for payment of a wage less than the minimum wage fixed by the Industrial Welfare Commission or by statute.

43. At all times relevant hereto, PLAINTIFF worked more than 8 hours in a

1 workday, and/or 40 hours in a workweek, and/or for hours worked on a seventh consecutive
2 workday as an employee of DEFENDANTS.

3 44. At all times relevant hereto, DEFENDANTS failed to pay overtime
4 compensation to PLAINTIFF for the hours she worked in excess of the maximum hours
5 permissible by law as required by Labor Code sections 510, 1194, and 1198.

6 45. DEFENDANTS acted intentionally, oppressively, and maliciously toward
7 PLAINTIFF, with a conscious disregard of her rights, or the consequences to her, with the
8 intent of depriving her of property and legal rights and otherwise causing her injury. By
9 virtue of DEFENDANTS' unlawful failure to pay overtime wages, PLAINTIFF has
10 suffered, and will continue to suffer, damages in the amounts which are presently unknown
11 to her, but which exceed the jurisdictional limits of the court, and which will be ascertained
12 according to proof at trial.

13 46. PLAINTIFF seeks to recover overtime wages according to proof, interest, as
14 well as the assessment of all applicable statutory penalties against DEFENDANTS, in a
15 sum as provided by the Labor Code and/or other statutes. PLAINTIFF also seeks to recover
16 liquidated damages as provided by Labor Code section 1194.2, and reasonable attorneys'
17 fees and costs.

18 **SECOND CAUSE OF ACTION**

19 **FOR FAILURE TO PAY MINIMUM WAGES AND LIQUIDATED DAMAGES**

20 **(Lab. Code, §§ 1182.12, 1194, 1194.2, 1197, 1197.1, & 1198, and Cal. Code Regs., tit. 8,**
21 **§ 11040)**

22 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

23 47. PLAINTIFF repeats and re-alleges paragraphs 1 through 46, inclusive, of this
24 Complaint and they are incorporated herein by this reference.

25 48. Labor Code sections 1182.12, 1197, and 1197.1 require employers to pay
26 employees the minimum wage fixed by the California Industrial Welfare Commission. The
27 payment of a lesser wage than the minimum so fixed is unlawful.

28 49. Compensable work time is defined in Industrial Wage Order No. 4 as "the

1 time during which an employee is subject to the control of an employer, and includes all
2 the time the employee is suffered or permitted to work, whether or not required to do so.”
3 (Cal. Code Regs., tit. 8, § 11040, subd. (2)(K) [defining “Hours Worked”].)

4 50. Labor Code section 1194 establishes an employee’s right to recover unpaid
5 wage compensation, interest thereon, together with the costs of suit, and attorneys’ fees.

6 51. Labor Code section 1194.2 establishes an employee’s right to recover
7 liquidated damages in an amount equal to the wages unlawfully unpaid and interest thereon
8 in an action for payment of a wage less than the minimum wage fixed by the Industrial
9 Welfare Commission or by statute.

10 52. At all times relevant hereto, PLAINTIFF did not reside at the place of
11 employment.

12 53. DEFENDANTS failed to properly pay PLAINTIFF for all hours worked at
13 the legal minimum wage.

14 54. DEFENDANTS acted intentionally, oppressively, and maliciously toward
15 PLAINTIFF, with a conscious disregard of her rights, or the consequences to her, with the
16 intent of depriving her of property and legal rights and otherwise causing her injury. By
17 virtue of DEFENDANTS’ unlawful failure to pay wages, PLAINTIFF has suffered, and
18 will continue to suffer damages in an amount that is presently unknown to her, but which
19 exceeds the jurisdictional limits of the court, and which will be ascertained according to
20 proof at trial.

21 55. PLAINTIFF seeks to recover minimum wages according to proof, interest,
22 and the assessment of all applicable statutory penalties against DEFENDANTS, in a sum as
23 provided by the Labor Code and/or other statutes. PLAINTIFF also seeks to recover
24 liquidated damages as provided by Labor Code section 1194.2, and reasonable attorneys’
25 fees and costs.

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(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)

62. By virtue of the DEFENDANTS' unlawful failure to provide meal periods to

1 PLAINTIFF, PLAINTIFF has suffered and will continue to suffer damages in amounts that
2 are presently unknown to PLAINTIFF, but which exceed the jurisdictional limits of the
3 court, and which will be ascertained according to proof at trial.

4 63. PLAINTIFF is informed and believes, and based upon that information and
5 belief alleges, that DEFENDANTS purposely elected not to provide meal periods to their
6 hourly paid employees. DEFENDANTS acted intentionally, oppressively, and maliciously
7 toward PLAINTIFF with a conscious disregard of her rights, or the consequences to
8 PLAINTIFF, with the intent of depriving PLAINTIFF of property and legal rights and
9 otherwise causing PLAINTIFF injury.

10 64. PLAINTIFF seeks to recover meal-period compensation according to proof,
11 interest, and all applicable statutory penalties against DEFENDANTS, in a sum as provided
12 by the Labor Code and/or other statutes, and reasonable attorneys' fees and costs.

13 **FOURTH CAUSE OF ACTION**

14 **FOR FAILURE TO PROVIDE REST PERIODS**

15 **(Lab. Code, §§ 226.7 & 512, and Cal. Code Regs., tit. 8, § 11040)**

16 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

17 65. PLAINTIFF repeats and re-alleges paragraphs 1 through 64, inclusive, of this
18 Complaint and they are incorporated herein by this reference.

19 66. Labor Code section 226.7 and California Code of Regulations, title 8, section
20 11040, subdivision (12)(A) provide that employers shall authorize and permit all employees
21 to take rest periods at the rate of 10 minutes net rest time per 4 hours or major fraction
22 thereof, of work.

23 67. Labor Code section 226.7 and California Code of Regulations, title 8, section
24 11040, subdivision (12)(B) provide that if an employer fails to provide an employee with
25 rest periods in accordance with those statutes, the employer shall pay the employee one
26 hour of pay at the employee's regular rate of compensation for each workday that the rest
27 period was not provided.

28 68. The Wage Order provides a separate remedy for violations of meal-period

1 requirements and violations of rest-period requirements. and section 226.7 allows recovery
2 of up to two premium payments per workday – one for each type of violation. (*United*
3 *Parcel Service, Inc. v. Superior Court* (2011) 196 Cal.App.4th 57, 69.)

4 69. At all times relevant hereto, PLAINTIFF worked more than four hours in a
5 workday for DEFENDANTS.

6 70. At all times relevant hereto, DEFENDANT failed to provide rest periods to
7 PLAINTIFF as required by Labor Code section 226.7 and California Code of Regulations,
8 title 8, section 11040, subdivision (12)(A).

9 71. DEFENDANTS did not provide PLAINTIFF with a 10-minute net rest period
10 for every 4 hours or major fraction thereof worked. Where rest periods were provided, they
11 were shorter in duration than 10 minutes, were interrupted, or were not provided every 4
12 hours or major fraction thereof worked. DEFENDANTS effectively maintained control
13 over PLAINTIFF during rest periods that were provided. On each day where compliant 10-
14 minute rest periods were not provided to PLAINTIFF, DEFENDANTS failed to pay
15 PLAINTIFF one additional hour of pay at her regular rate of pay.

16 72. DEFENDANTS have intentionally and improperly denied rest periods to
17 PLAINTIFF in violation of Labor Code sections 226.7 and 512 and California Code of
18 Regulations, title 8, section 11040, subdivision (12)(A).

19 73. By virtue of the DEFENDANTS' unlawful failure to provide rest periods to
20 the PLAINTIFF, PLAINTIFF has suffered and will continue to suffer damages in amounts
21 that are presently unknown to PLAINTIFF, but which exceed the jurisdictional limits of the
22 court, and which will be ascertained according to proof at trial.

23 74. PLAINTIFF is informed and believes, and based upon that information and
24 belief alleges, that DEFENDANTS knew or should have known that PLAINTIFF was
25 entitled to rest periods and purposely elected not to provide rest periods. DEFENDANTS
26 acted intentionally, oppressively, and maliciously toward PLAINTIFF, with a conscious
27 disregard of her rights or the consequences to PLAINTIFF, with the intent of depriving
28 PLAINTIFF of property and legal rights and otherwise causing PLAINTIFF injury.

1 75. PLAINTIFF seeks to recover rest-period compensation according to proof,
2 interest, and all applicable statutory penalties against DEFENDANTS, in a sum as provided
3 by the Labor Code and/or other statutes, and reasonable attorneys' fees and costs.

4 **FIFTH CAUSE OF ACTION**
5 **FOR FAILURE TO PROVIDE ACCURATE WAGE STATEMENTS AND**
6 **MAINTAIN ACCURATE PAYROLL RECORDS**

7 **(Lab. Code, 226, subd. (a), 1174, subd. (d), & 1198)**

8 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

9 76. PLAINTIFF repeats and re-alleges paragraphs 1 through 75, inclusive, of this
10 Complaint and they are incorporated herein by this reference.

11 77. Labor Code section 226, subdivision (a) requires employers to provide non-
12 exempt employees with detailed and accurate wage statements (*i.e.* "pay stubs").

13 Specifically, the statute provides:

14 Every employer shall, semimonthly or at the time of each payment of wages,
15 furnish each of his or her employees, either as a detachable part of the check,
16 draft, or voucher paying the employee's wages, or separately when wages are
17 paid by personal check or cash, an accurate itemized statement in writing
18 showing (1) gross wages earned, (2) total hours worked by the employee,
19 except for any employee whose compensation is solely based on a salary and
20 who is exempt from payment of overtime under subdivision (a) of Section
21 515 or any applicable order of the Industrial Welfare Commission, (3)) the
22 number of piece-rate units earned and any applicable piece rate if the
23 employee is paid on a piece-rate basis, (4) all deductions, provided that all
24 deductions made on written orders of the employee may be aggregated and
25 shown as one item, (5) net wages earned, (6) the inclusive dates of the period
26 for which the employee is paid, (7) the name of the employee and only the
27 last four digits of his or her social security number or an employee
28 identification number other than a social security number, (8) the name and

1 address of the legal entity that is the employer and, if the employer is a farm
2 labor contractor, as defined in subdivision (b) of Section 1682, the name and
3 address of the legal entity that secured the services of the employer, and (9)
4 all applicable hourly rates in effect during the pay period and the
5 corresponding number of hours worked at each hourly rate by the employee
6 and, beginning July 1, 2013, if the employer is a temporary services
7 employer as defined in Section 201.3, the rate of pay and total hours worked
8 for each temporary services assignment.

9 78. Labor Code section 226, subdivision (e) provides that for each violation of
10 subdivision (a), an employee is entitled to recover the greater of all actual damages or
11 minimum statutory damages of \$50 for the initial pay period in which a violation occurs
12 and \$100 for each subsequent violation, up to a maximum of \$4,000.

13 79. Labor Code section 1174, subdivision (d) provides, "Every person employing
14 labor in this state shall...[k]eep, at a central location in the state or at the plants or
15 establishments at which employees are employed, payroll records showing the hours
16 worked daily by and the wages paid to, and the number of piece-rate units earned by and
17 any applicable piece rate paid to, employees employed at the respective plants or
18 establishments. These records shall be kept in accordance with rules established for this
19 purpose by the commission, but in any case shall be kept on file for not less
20 than three years."

21 80. Labor Code section 1174.5 provides that employers are subject to a \$500
22 civil penalty if they fail to maintain accurate and complete records as required by section
23 1174, subdivision (d).

24 81. DEFENDANTS intentionally failed to furnish to PLAINTIFF, upon the
25 payment of wages, itemized wage statements in conformity with Labor Code section 226.
26 The wage statements failed to accurately reflect PLAINTIFF's hours worked, including
27 overtime wages, minimum wages, missed meal periods, missed rest periods. Additionally,
28 the wage statements failed to accurately list the name and address of the employer entity.

1 82. PLAINTIFF was damaged by these failures because, among other things, the
2 failures led PLAINTIFF to believe that she was not entitled to be paid for all hours worked
3 even though she was so entitled, and because these failures hindered PLAINTIFF from
4 determining the amounts of wages owed to them.

5 83. PLAINTIFF is also informed and believes, and based upon that information
6 and belief alleges, that DEFENDANTS willfully failed to maintain accurate payroll records
7 showing the daily hours PLAINTIFF worked and the wages that should have been paid as a
8 result of failing to record hours that PLAINTIFF worked, as well as PLAINTIFF's missed
9 meal periods and rest periods.

10 84. PLAINTIFF seeks to recover damages, penalties, and interest under Labor
11 Code sections 226, 1174, and 1198, and reasonable attorneys' fees and costs.

12 **SIXTH CAUSE OF ACTION**

13 **FOR FAILURE TO REIMBURSE BUSINESS EXPENSES**

14 **(Lab. Code, §§ 2800 & 2802)**

15 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

16 85. PLAINTIFF repeats and re-alleges paragraphs 1 through 84, inclusive, of this
17 Complaint and they are incorporated herein by this reference.

18 86. Labor Code sections 2800 and 2802 provide that an employer must reimburse
19 employees for all necessary expenditures incurred in an employee's course and scope of
20 employment.

21 87. PLAINTIFF incurred necessary business-related expenses and costs that were
22 not fully reimbursed by DEFENDANTS.

23 88. Necessary unreimbursed business-related expenses included but were not
24 limited to personal vehicle mileage. DEFENDANTS required PLAINTIFF to use her
25 personal vehicle to run errands and pick up supplies for DEFENDANTS' store.

26 89. DEFENDANTS intentionally and willfully failed to fully reimburse
27 PLAINTIFF for necessary business-related expenses and costs in violation of Labor Code
28 sections 2800 and 2802.

1 90. Under Labor Code sections 2800 and 2802, PLAINTIFF seeks to recover her
2 business-related expenses incurred during the course and scope of her employment with
3 DEFENDANTS, plus interest and penalties. PLAINTIFF also seeks reasonable attorneys'
4 fees and costs.

5 **SEVENTH CAUSE OF ACTION**

6 **FAILURE TO PROVIDE ADEQUATE SEATING**

7 **[CAL. LAB. CODE § 1198; CAL. CODE REGS., Tit. 8, § 11040(14)]**

8 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

9 91. PLAINTIFF repeats and re-alleges paragraphs 1 through 90, inclusive, of this
10 Complaint and they are incorporated herein by this reference.

11 92. CAL. LAB. CODE § 1198 makes it illegal to employ an employee under conditions
12 of labor that are prohibited by the applicable wage order.

13 93. CAL. LAB. CODE § 1198 provides in relevant part, "[T]he standard conditions of
14 labor fixed by the commission shall be the...standard conditions of labor for employees. The
15 employment of any employee...under conditions of labor prohibited by the order is unlawful."

16 94. CAL. CODE REGS., Tit. 8, § 11010(14)(A) provides, "All working employees
17 shall be provided with suitable seats when the nature of the work reasonably permits the use of
18 seats."

19 95. CAL. CODE REGS, Tit. 8, § 11010(14)(B) provides, "When employees are not
20 engaged in the active duties of their employment and the nature of the work requires standing,
21 an adequate number of suitable seats shall be placed in reasonable proximity to the work area
22 and employees shall be permitted to use such seats when it does not interfere with the
23 performance of their duties."

24 96. DEFENDANTS violated CAL. LAB. CODE § 1198 and CAL. CODE REGS, Tit. 8, §
25 11010(14) because DEFENDANTS did not provide PLAINTIFF with an adequate number of
26 suitable seats in reasonable proximity to the work area that could be used when the seats would
27 not interfere with the performance of her job duties. PLAINTIFF who was otherwise required to
28 work standing at all times, was forced to continue to stand during times when she was not

1 engaged in the active duties of her employment. DEFENDANTS' "break room" was a hallway
2 with inadequate seats and standing room only. Additionally, PLAINTIFF spent a substantial
3 portion of her days behind cash registers or Point of Sale systems, regardless of her actual job
4 title or description. The nature of the work of an employee performing cashier duties can
5 reasonably be accomplished from a seated position. However, DEFENDANTS did not provide
6 seats or stools at or near each cash register or Point of Sale System forcing PLAINTIFF to stand
7 throughout her work shifts.

8 97. PLAINTIFF seeks all remedies available for violations of CAL. LAB. CODE §
9 1198 and CAL. CODE REGS, Tit. 8, § 11010(14).

10 **EIGHTH CAUSE OF ACTION**
11 **CONVERSION - IMPROPER RECEIPT AND DISTRIBUTION OF GRATUITIES**

12 **[CAL. LAB. CODE § 351]**

13 **(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)**

14 98. PLAINTIFF repeats and re-alleges paragraphs 1 through 97, inclusive, of this
15 Complaint and they are incorporated herein by this reference.

16 99. CAL. LAB. CODE § 351 states, "No employer or agent shall collect, take, or
17 receive any gratuity or a part thereof that is paid, given to, or left for an employee by a patron,
18 or deduct any amount from wages due an employee on account of a gratuity, or require an
19 employee to credit the amount, or any part thereof, of a gratuity against and as a part of the
20 wages due the employee from the employer. Every gratuity is hereby declared to be the sole
21 property of the employee or employees to whom it was paid, given, or left for."

22 100. Upon information and belief, DEFENDANTS instituted a tip-pooling policy
23 that allowed for managers to take gratuities left by DEFENDANTS' customers for
24 PLAINTIFF, without PLAINTIFF's consent. Additionally, DEFENDANTS allowed
25 morning shift employees to participate in DEFENDANTS' tip pool without contributing to
26 the tip pool, and without PLAINTIFF's consent.

27 101. As such, DEFENDANTS' tip pooling policy was in direct violation of CAL. LAB.
28 CODE § 351.

102. Therefore, PLAINTIFF seeks all remedies available for violations of CAL. LAB. CODE § 351.

NINTH CAUSE OF ACTION

FOR FAILURE TO PAY WAGES UPON TERMINATION OF EMPLOYMENT

(Lab. Code, § 203)

(By PLAINTIFF, on her own behalf, and against all DEFENDANTS)

103. PLAINTIFF repeats and re-alleges paragraphs 1 through 102, inclusive, of this Complaint and they are incorporated herein by this reference.

104. Labor Code section 201, subdivision (a) provides that a discharged employee's unpaid wages are due and payable immediately.

105. Labor Code section 203, subdivision (a) provides, “If an employer willfully fails to pay, without abatement or reduction, in accordance with Sections [201 and 202], any wages of an employee who is discharged or who quits, the wages of the employee shall continue as a penalty from the due date thereof at the same rate until paid or until an action therefore is commenced; but the wages shall not continue for more than 30 days.”

106. DEFENDANTS discharged PLAINTIFF from her employment within the applicable statute of limitations.

107. DEFENDANTS willfully failed to pay PLAINTIFF the wages due to her—
without abatement or reduction.

108. Under Labor Code section 203, PLAINTIFF is entitled to one day's wages for each day she was not timely paid all wages due, up to a maximum of 30 days' wages.

109. Because DEFENDANTS failed to pay overtime wages owed, minimum wages owed, meal period wages owed, and rest period wages owed, PLAINTIFF seeks to recover 30 days' wages and applicable penalties. PLAINTIFF also seeks reasonable attorneys' fees and costs.

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1 115. Business and Professions Code section 17200 defines unfair competition as
2 any unlawful, unfair, or fraudulent business act or practice. At all relevant times, by and
3 through the conduct described herein, DEFENDANTS have engaged in unfair and unlawful
4 practices by, among other violations, failing to pay overtime wages to PLAINTIFF, failing
5 to pay minimum wages to PLAINTIFF, failing to provide compliant meal periods to
6 PLAINTIFF, failing to provide compliant rest periods to PLAINTIFF, failing to provide
7 accurate wage statements to PLAINTIFF, failing to provide reimbursement of necessary
8 business expenses to PLAINTIFF, failing to provide adequate seating to PLAINTIFF,
9 failing to properly receive and distribute gratuities left to PLAINTIFF by DEFENDANTS'
10 customers, and failing to provide wages due upon termination of employment to
11 PLAINTIFF, under the applicable Labor Code and Industrial Welfare Commission
12 requirements in violation of Business and Professions Code section 17200 et seq., and have
13 thereby deprived PLAINTIFF of fundamental rights and privileges.

14 116. By and through the unfair and unlawful business practices described herein,
15 DEFENDANTS have obtained valuable property, money, and services from PLAINTIFF
16 and have deprived her of valuable rights and benefits guaranteed by law, all to the
17 detriment of PLAINTIFF.

18 117. All the acts described herein are violations of, among other things, the Labor
19 Code and Industrial Welfare Commission Wage Order 4; are unlawful and in violation of
20 public policy; and in addition are immoral, unethical, oppressive, and unscrupulous, and
21 thereby constitute unfair and unlawful business practices in violation of Business and
22 Professions Code section 17200 et seq.

23 118. PLAINTIFF is entitled to and seeks such relief as may be necessary to
24 restore to them the money and property that DEFENDANTS have acquired, or of which
25 PLAINTIFF has been deprived by means of the above-described unfair and unlawful
26 business practices.

27 119. PLAINTIFF is further entitled to seek a declaration that the above-described
28 business practices are unfair and unlawful and that an injunctive relief should be issued

1 restraining DEFENDANTS from engaging in any of the above-described unfair and
2 unlawful business practices in the future.

3 120. PLAINTIFF has no plain, speedy, and/or adequate remedy at law to redress
4 the injuries that she has suffered as a consequence of DEFENDANTS' unfair and unlawful
5 business practices. As a result of the unfair and unlawful business practices described
6 above, PLAINTIFF has suffered and will continue to suffer irreparable harm unless
7 DEFENDANTS are restrained from continuing to engage in these unfair and unlawful
8 business practices. In addition, DEFENDANTS should be required to disgorge the unpaid
9 moneys to PLAINTIFF.

10 **TWELFTH CAUSE OF ACTION**
11 **FOR PENALTIES PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT**
12 **(Lab. Code, § 2698 et seq.)**

13 **(By PLAINTIFF, On Her Own Behalf, and As a Private Attorneys General for All**
14 **Aggrieved Employees, and Against All Defendants)**

15 121. PLAINTIFF repeats and re-alleges paragraphs 1 through 120, inclusive, of this
16 Complaint and they are incorporated herein by this reference.

17 122. Labor Code sections 2698-2699, the Private Attorneys General Act of 2004
18 expressly establishes that any provision of the Labor Code that provides for a civil penalty to be
19 assessed and collected by the Labor and Workforce Development Agency ("LWDA"), or any of
20 its departments, divisions, commissions, boards, agencies or employees for a violation of the
21 Labor Code, may be recovered through a civil action brought by an aggrieved employee on
22 behalf of himself or herself, and other current or former employees.

23 123. Whenever the LWDA, or any of its departments, divisions, commissions, boards,
24 agencies, or employees has discretion to assess a civil penalty, a court in a civil action is
25 authorized to exercise the same discretion, subject to the same limitations and conditions, to
26 assess a civil penalty.

27 124. PLAINTIFF and all persons employed by DEFENDANTS as hourly paid
28 employees, or misclassified employees, are "aggrieved employees" as defined by Labor Code

1 section 2699 in that they are all current or former employees of DEFENDANTS, and one or
2 more of the alleged violations was committed against them.

3 125. PLAINTIFF asserts all of her claims in this Complaint on her own behalf and on
4 behalf of all aggrieved employees in her capacity as a Private Attorney General and seeks all
5 statutory penalties available under Labor Code sections 2698-2699.

6 126. On October 27, 2022, PLAINTIFF gave written notice by certified mail to
7 CANNACO RESEARCH CORPORATION's agent for service of process, and by certified mail
8 to ANN LAWRENCE ATHEY of the specific code provisions alleged to have been violated, as
9 required by Labor Code section 2699.3. On the same date, PLAINTIFF submitted a "PAGA
10 Claim Notice" to the LWDA through its online portal. PLAINTIFF's PAGA Notice Letter and
11 LWDA Claim Submissions indicated that she, "as an aggrieved employee, on her own behalf
12 and on behalf of other employees of Cannaco Research Corporation, Ann Lawrence Athey, and
13 any other affiliated entity (collectively referred to herein as "**Cannaco**"), intends to avail herself
14 of the protections granted by the CALIFORNIA LABOR CODE PRIVATE ATTORNEY GENERAL ACT
15 OF 2004 ("the Act") (LAB. CODE, § 2698 et. seq.)." The statutory waiting period for PLAINTIFF
16 to add these allegations to the Complaint has expired. As a result, pursuant to Labor Code
17 section 2699.3, PLAINTIFF, on behalf of herself and all aggrieved employees, may now
18 commence a representative civil action under Labor Code section 2699 as the proxy of the State
19 of California.

20 127. DEFENDANTS' conduct, as alleged herein, violates numerous sections of the
21 CAL. LAB. CODE , including, but not limited to, the following:

22 128. Violations of Labor Code sections 510, 1194, 1194.2, and 1198 for
23 DEFENDANTS' failure to pay overtime compensation and liquidated damages to PLAINTIFF,
24 and other aggrieved employees;

25 129. Violations of Labor Code sections 1182.12, 1194, 1194.2, 1197, 1197.1, and
26 1198 and California Code of Regulations, title 8, section 11040 for DEFENDANTS' failure to
27 pay minimum wages and liquidated damages to PLAINTIFF, and other aggrieved employees;
28

130. Violations of Labor Code sections 226.7, 512, and 516, 1198, and California Code of Regulations, title 8, section 11040 for DEFENDANTS' failure to provide meal periods to PLAINTIFF, and other aggrieved employees;

131. Violations of Labor Code sections 226.7, 512, 516, and 1198, and California Code of Regulations, title 8, section 11040 for DEFENDANTS' failure to provide rest periods to PLAINTIFF, and other aggrieved employees;

132. Violations of Labor Code sections 226, subdivision (a), 1174, subdivision (d), and 1198 for DEFENDANTS' failure to provide accurate itemized wage statements to PLAINTIFF, and other aggrieved employees and to maintain accurate payroll records for PLAINTIFF and other aggrieved employees;

133. Violations of Labor Code sections 2800 and 2802 for DEFENDANTS' failure to reimburse business expenses to PLAINTIFF, and other aggrieved employees;

134. Violations of Labor Code section 351 for DEFENDANTS' failure to properly receive and distribute gratuities to PLAINTIFF, and other aggrieved employees;

135. Violations of Labor Code section 1198 and California Code of Regulations, title 8, section 11040 for DEFENDANTS' failure to provide adequate seating to PLAINTIFF, and other aggrieved employees; and,

136. Violations of Labor Code sections 201, 202, and 203 for DEFENDANTS' failure to timely pay wages to PLAINTIFF, and other aggrieved employees;

137. Therefore, PLAINTIFF, on her own behalf and on behalf of all aggrieved employees, can and hereby does seeks recovery of all civil penalties as prescribed by Labor Code sections the Private Attorneys General Act of 2004, as the representative of the State of California, for the illegal conduct perpetrated on PLAINTIFF, and all aggrieved employees by DEFENDANTS.

PRAYER

WHEREFORE, PLAINTIFF, individually, prays for judgment against each Defendant, jointly and severally, as follows:

1 **1. ON THE FIRST CAUSE OF ACTION:**

- 2 (a) For overtime wage compensation and liquidated damages;
- 3 (b) For an award of interest, including prejudgment interest at the legal rate;
- 4 and,
- 5 (c) For statutory penalties, interest, costs of suit and attorneys' fees.

6 **2. ON THE SECOND CAUSE OF ACTION:**

- 7 (a) For minimum wage compensation, split shift premium wage
- 8 compensation, and liquidated damages;
- 9 (b) For an award of interest, including prejudgment interest at the legal rate;
- 10 and,
- 11 (c) For statutory penalties, interest, costs of suit, and attorneys' fees.

12 **3. ON THE THIRD, FOURTH, FIFTH, SIXTH, SEVENTH, EIGHTH, AND**

13 **NINTH CAUSES OF ACTION:**

- 14 (a) For compensatory damages, including lost wages;
- 15 (b) For an award of interest, including prejudgment interest at the legal rate;
- 16 and,
- 17 (c) For statutory penalties, interest, costs of suit, and attorneys' fees.

18 **4. ON THE TENTH CAUSE OF ACTION:**

- 19 (a) For statutory penalties, interest, costs of suit and attorneys' fees.

20 **5. ON THE ELEVENTH CAUSE OF ACTION:**

- 21 (a) For restitution and disgorgement;
- 22 (b) For injunctive relief ordering the continuing unfair business acts and
- 23 practices to cease, or as the Court otherwise deems just and proper; and,
- 24 (c) For other injunctive relief ordering DEFENDANTS to notify Plaintiff that
- 25 she has not been paid the proper amounts required in accordance with
- 26 California law.
- 27
- 28

1 **6. ON THE TWELFTH CAUSE OF ACTION:**

2 (a) That the Court declare, adjudge and decree that DEFENDANTS
3 violated the following Labor Code provisions as to PLAINTIFF
4 and/or other aggrieved employees:

- 5 1. Labor Code sections 510, 1194, 1194.2, and 1198 for
6 DEFENDANTS' failure to pay overtime compensation and
7 liquidated damages to PLAINTIFF, and other aggrieved
8 employees;
- 9 2. Labor Code sections 1182.12, 1194; 1194.2; 1197; 1197.1; and
10 1198 and California Code of Regulations, title 8, section 11040
11 for DEFENDANTS' failure to pay minimum wages and
12 liquidated damages to PLAINTIFF, and other aggrieved
13 employees;
- 14 3. Labor Code sections 226.7 and 512, 516, and California Code
15 of Regulations, title 8, section 11040 for DEFENDANTS'
16 failure to provide meal periods to PLAINTIFF, and other
17 aggrieved employees;
- 18 4. Labor Code sections 226.7 and 512, 516, and California Code
19 of Regulations, title 8, section 11040 for DEFENDANTS'
20 failure to provide rest periods to PLAINTIFF, and other
21 aggrieved employees;
- 22 5. Labor Code sections 226, subdivision (a), 1174, subdivision
23 (d), and 1198 for DEFENDANTS' failure to provide accurate
24 itemized wage statements to PLAINTIFF, and other aggrieved
25 employees and to maintain accurate payroll records for
26 PLAINTIFF and other aggrieved employees;
- 27
28

6. Labor Code sections 2800 and 2802 for DEFENDANTS' failure to reimburse business expenses to PLAINTIFF and other aggrieved employees;
7. Labor Code section 351 for DEFENDANTS' failure to properly receive and distribute gratuities to PLAINTIFF, and other aggrieved employees;
8. Labor Code section 1198 and California Code of Regulations, title 8, section 11040 for DEFENDANTS' failure to provide adequate seating to PLAINTIFF, and other aggrieved employees; and,
9. Labor Code sections 201, 202, 203 for DEFENDANTS' failure to timely pay wages to PLAINTIFF, and other aggrieved employees,

(b) For civil penalties pursuant to Labor Code sections 210, 226.3, 256, 558, 1174.5, 1197.1, and/or 2699, subdivisions (a), (f) and (g), for violations of Labor Code sections 201, 202, 203, 226, 226.7, 351, 510, 512, 516, 558, 1182.12, 1174, 1194, 1194.2, 1197, 1197.1, 1198, 2800, and 2802;

(c) For attorneys' fees and costs pursuant to California Labor Code section 2699, subdivision (g)(1), and any and all other relevant statutes, for Defendant's violations of Labor Code sections 201, 202, 203, 226, 226.7, 351, 510, 512, 516, 558, 1182.12, 1174, 1194, 1194.2, 1197, 1197.1, 1198, 2800, and 2802;

(d) For pre-judgment and post-judgment interest as provided by law; and
For such other and further relief as the Court may deem equitable and appropriate.

7. ON ALL CAUSES OF ACTION:

(a) For reasonable attorneys' fees;

- 1 (b) For costs of suit;
2 (c) For prejudgment interest; and,
3 (d) For other and further relief their court deems just and proper.

4 Dated: January 13, 2023

LAW OFFICES OF DAVID R. GREIFINGER

6
7 By: 
8 DAVID R. GREIFINGER
9 CALVIN A. MARSHALL
10 *Attorneys for Plaintiff*

11 **DEMAND FOR JURY TRIAL**

12 PLAINTIFF demands a jury trial on issues triable to a jury.

13 Dated: January 13, 2023

LAW OFFICES OF DAVID R. GREIFINGER

14 By: 
15 DAVID R. GREIFINGER
16 CALVIN A. MARSHALL
17 *Attorneys for Plaintiff*