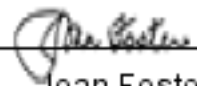


12/22/2025

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SUPERIOR COURT OF CALIFORNIA

COUNTY OF VENTURA

FRANCISCA VELASQUEZ, individually
and on behalf of the State of California and
Aggrieved Employees,

Plaintiff,

vs.

OAKMONT MANAGEMENT GROUP,
LLC, a California Limited Liability Company;
and DOES 1 through 10, Inclusive,

Defendants.

Case No. 2025CUOE056678

**PRIVATE ATTORNEYS GENERAL ACT
OF 2004 COMPLAINT FOR:**

1. Civil Penalties Pursuant to Labor Code § 2699(a); and
2. Civil Penalties Pursuant to Labor Code § 2699(f).

[UNLIMITED JURISDICTION]

COMES NOW Plaintiff FRANCISCA VELASQUEZ (“Velasquez” or “Plaintiff”) on behalf of herself, the State of California, and all other Aggrieved Employees, hereby brings this Representative Action Complaint against Defendant OAKMONT MANAGEMENT GROUP, LLC, and DOES 1 through 10 (“OMG” or “Defendants”), inclusive, and alleges as follows:

SUMMARY

1. Velasquez, and the Aggrieved Employees, on behalf of the State of California and the other Aggrieved Employees brings this enforcement action pursuant to the California Labor Code Private Attorneys General Act of 2004, as amended (“PAGA”), against Oakmont Management Group, LLC (“OMG”) on behalf of individuals who work for or have worked for OMG who have been denied overtime wages, have not received compliant meal and/or rest breaks, have not received premium compensation for such missed meal and rest breaks, have been required to exceed maximum hours of work fixed by relevant Industrial Welfare Commission (“IWC”) Wage Orders, have been denied accurate and/or compliant itemized wage statements, have not been paid all wages owed in a timely manner, and/or have not been provided access to required payroll and wage-statement records upon request, at any time since one year and 65 days before the filing of this Complaint until final resolution of this Action (the “Aggrieved Employees”).

2. OMG pays Velasquez and the Aggrieved Employees on an hourly basis.

3. The Aggrieved Employees regularly work more than 8 hours in a day and more than 40 hours in a workweek, within the meaning of Lab. Code §§ 510, 1194 and IWC Wage Order No. 5-2001.

4. The Aggrieved Employees also frequently work extended and consecutive shifts, including shifts exceeding ten and up to sixteen hours in a single workday.

5. But OMG does not pay Velasquez and the Aggrieved Employees for all hours worked at the legally required rates, including overtime wages owed under Lab. Code §§ 510, 1194.

6. Instead, OMG maintains and enforces unlawful payroll practices that reset overtime calculations at midnight, such that when Velasquez and the Aggrieved Employees work continuous shifts spanning midnight, OMG pays regular rates for hours that should be compensated at overtime rates, in violation of Lab. Code §§ 510, 1194.

1 7. As a result of OMG's conduct, OMG fails to pay Velasquez and the Aggrieved
2 Employees all straight-time wages and all overtime wages owed for all hours worked.

3 8. Nevertheless, to meet OMG's staffing demands and operational requirements,
4 Velasquez and the Aggrieved Employees are required to continue performing essential caregiving
5 and resident-care duties for OMG's benefit and subject to OMG's control.

6 9. Furthermore, OMG frequently fails to authorize, permit, and make available
7 compliant meal and/or rest periods to Velasquez and the Aggrieved Employees, as required by
8 Lab. Code §§ 226.7, 512 and IWC Wage Order No. 5-2001.

9 10. Thus, OMG fails to authorize, permit, and/or make available required meal and rest
10 periods to the Aggrieved Employees.

11 11. Further, OMG fails to provide premium compensation to Velasquez and the
12 Aggrieved Employees for missed, late, or denied meal and/or rest periods, in violation of Lab. Code
13 § 226.7.

14 12. OMG's unlawful wage-and-hour practices further result in non-compliant itemized
15 wage statements.

16 13. Among other things, the wage statements OMG provides to Velasquez and the
17 Aggrieved Employees fail to accurately reflect total hours worked, applicable overtime rates,
18 overtime wages earned, premium pay owed, and/or all wages earned, in violation of Lab. Code §
19 226(a).

20 14. Because of OMG's failure to pay all wages owed, including straight-time wages,
21 overtime wages, and premium wages, Velasquez and the Aggrieved Employees do not receive all
22 wages owed during employment, in violation of Lab. Code § 204.

23 15. Accordingly, OMG fails to timely pay all wages owed to Velasquez and the
24 Aggrieved Employees on regular paydays, in violation of Lab. Code § 204.

25 16. Finally, Velasquez and the Aggrieved Employees submitted requests for access to
26 and copies of wage statements and payroll records pursuant to Lab. Code § 226(b)-(c).
27
28

17. Despite the passage of more than 21 days, OMG failed to provide Velasquez and the Aggrieved Employees with the requested wage-statement records, in violation of Lab. Code § 226(b)–(c).

18. OMG has also failed to maintain complete and accurate payroll records reflecting all hours worked and wages earned by Velasquez and the Aggrieved Employees, in violation of Lab. Code §§ 1174, 1174.5.

19. Velasquez, and the Aggrieved Employees, brings these claims pursuant to PAGA to challenge OMG’s policies and practices of: (1) failing to pay all wages owed, including overtime wages; (2) failing to provide compliant meal and rest periods and failing to provide required premium compensation for missed meal and rest periods; (3) exceeding maximum hours of work under applicable IWC Wage Orders; (4) failing to provide accurate, itemized wage statements; (5) failing to pay all wages owed timely; and (6) failing to maintain and provide required payroll and wage-statement records.

20. Velasquez and the Aggrieved Employees bring this Action to recover all civil penalties and other relief available under PAGA on behalf of the State of California and the other Aggrieved Employees.

21. Velasquez and the Aggrieved Employees seek to remedy the unlawful practices OMG has imposed and continues to impose on its workers in California, which deprive the Aggrieved Employees of their lawfully earned wages and statutory protections.

THE PARTIES

22. Velasquez and the Aggrieved Employees were employed by OMG as Care Providers/Caregivers at its assisted living and memory care facility in Simi Valley, California, from approximately December 27, 2023, through the present.

23. Throughout her employment, OMG classified Velasquez and the Aggrieved Employees as non-exempt and paid them on an hourly basis.

24. Velasquez, and the Aggrieved Employees, bring this action on behalf of the State of California and on behalf of all of OMG’s current and former non-exempt employees employed in California who suffered one or more of the Labor Code violations that Velasquez and the Aggrieved

Employees suffered, which are enumerated in Lab. Code §§ 2698, *et seq.*, and who worked for OMG at any time since one year and 65 days before the filing of this Complaint until final resolution of this Action.

25. These employees are referred to as the “Aggrieved Employees.”

26. Velasquez, and the Aggrieved Employees, is an “Aggrieved Employee” within the meaning of Lab. Code § 2699(c) because OMG employed her, and she suffered one or more of the alleged Labor Code and/or IWC Wage Order violations committed by OMG within the relevant limitations period.

27. Velasquez, and the Aggrieved Employees, and the other Aggrieved Employees were employees of OMG at all relevant times, as defined by the California Labor Code and the applicable IWC Wage Order(s), including IWC Wage Order No. 5-2001.

28. OMG is a California limited liability company. OMG may be served through its registered agent, **CSC – Lawyers Incorporating Service, located at 2710 Gateway Oaks Drive, Sacramento, California 95833.**

29. OMG was Velasquez’s, and the Aggrieved Employees’, employer and/or a person acting on behalf of the employer, either directly or indirectly, within the meaning of the California Labor Code, including Lab. Code § 1197.1, that paid or caused to be paid wages to Velasquez, and the Aggrieved Employees, at rates less than those required by California law, failed to pay overtime compensation, failed to provide legally compliant meal and rest periods, failed to provide required premium wages, failed to timely pay all wages owed, failed to maintain and provide accurate payroll records, and failed to provide compliant wage statements, and is therefore subject to civil penalties under PAGA.

JURISDICTION & VENUE

30. This Court has jurisdiction over the State of California’s claims for civil penalties, by and through Velasquez, and the Aggrieved Employees, as the deputized PAGA representative, pursuant to the California Constitution, Article VI, § 10, which grants the Superior Court original jurisdiction over all causes except those given by statute to other courts. The statute under which this Action is brought does not specify any other basis for jurisdiction.

31. Velasquez, and the Aggrieved Employees, electronically filed a written PAGA Notice with the California Labor and Workforce Development Agency (“LWDA”) on October 14, 2025, and satisfied all prerequisites to filing this Action pursuant to Lab. Code § 2699.3.

32. This Court has personal jurisdiction over OMG because OMG is registered to do business in California and has purposefully availed itself of the benefits of the State by conducting business in California and employing workers in California, including Velasquez, and the Aggrieved Employees.

33. Venue is proper in this judicial district pursuant to Code of Civil Procedure §§ 393 and/or 395.5.

34. OMG has employed Aggrieved Employees within Ventura County.

35. OMG conducts business in Ventura County, employs Aggrieved Employees in Ventura County, and the unlawful acts and practices giving rise to liability under PAGA occurred in Ventura County.

FACTUAL ALLEGATIONS

36. OMG operates assisted living and memory care facilities in California and holds itself out as providing residential care and related services to elderly residents.

37. To meet its business and operational needs, OMG employs non-exempt hourly employees, including Velasquez and the Aggrieved Employees, to perform caregiving and resident-care services at its facilities.

38. OMG classifies Velasquez and the Aggrieved Employees as non-exempt and pays them on an hourly basis.

39. While job titles and specific assignments may vary, Velasquez and the Aggrieved Employees are subjected to the same or similar unlawful payroll policies and practices while performing similar non-exempt work.

40. For example, Velasquez and the Aggrieved Employees worked for OMG from approximately December 27, 2023, through the present as Care Providers/Caregivers at OMG’s assisted living and memory care facility in Simi Valley, California.

41. As a Care Provider/Caregiver, Velasquez and the Aggrieved Employees' primary job duties included providing direct care to residents, assisting with activities of daily living, monitoring resident safety, and performing other essential caregiving tasks required for OMG's operations.

42. OMG required Velasquez and the Aggrieved Employees to record their work time through OMG's designated electronic timekeeping system.

43. Throughout their employment, Velasquez and the Aggrieved Employees regularly worked more than eight hours in a workday and more than forty hours in a workweek.

44. Indeed, Velasquez and the Aggrieved Employees commonly worked shifts exceeding eight hours per day and extended, consecutive shifts, including shifts spanning late-night and overnight hours.

45. However, OMG maintained and enforced an unlawful payroll practice whereby overtime calculations were reset at midnight, such that when Velasquez and the Aggrieved Employees worked continuous shifts crossing midnight, OMG failed to pay overtime wages for all overtime hours worked, in violation of the Lab. Code §§ 510, 1194 and IWC Wage Order No. 5-2001.

46. Thus, throughout their employment, OMG failed to pay Velasquez and the Aggrieved Employees all overtime wages owed for hours worked in excess of eight hours in a day and forty hours in a workweek.

47. As a result, OMG failed to pay Velasquez and the Aggrieved Employees all wages earned, including overtime wages, in violation of California law.

48. Further, throughout their employment, OMG failed to authorize, permit, and make available compliant, uninterrupted meal periods to Velasquez and the Aggrieved Employees, as required by Lab. Code § 512 and IWC Wage Order No. 5-2001.

49. OMG's understaffing practices and operational demands required Velasquez and the Aggrieved Employees to continue working through meal periods or to remain on duty and responsible for resident care during purported meal breaks.

50. OMG also failed to authorize and permit Velasquez and the Aggrieved Employees to take compliant ten-minute rest periods for every four hours worked or major fraction thereof, in violation of Lab. Code § 226.7 and IWC Wage Order No. 5-2001.

51. Instead, OMG required Velasquez and the Aggrieved Employees to work continuously throughout their shifts without being fully relieved of all duties during rest periods.

52. OMG further failed to pay Velasquez and the Aggrieved Employees one hour of premium pay for each workday in which a compliant meal period or rest period was not provided, as required by Lab. Code § 226.7.

53. OMG's unlawful wage-and-hour practices resulted in Velasquez and the Aggrieved Employees not receiving all wages owed during employment, in violation of Lab. Code § 204.

54. OMG's failure to properly pay overtime wages and premium wages also resulted in inaccurate and non-compliant itemized wage statements.

55. The wage statements provided by OMG to Velasquez and the Aggrieved Employees failed to accurately reflect all hours worked, applicable overtime rates, overtime wages earned, premium wages earned, and total wages owed, in violation of Lab. Code § 226(a).

56. OMG further failed to maintain complete and accurate payroll records reflecting all hours worked and all wages earned by Velasquez and the Aggrieved Employees, in violation of Lab. Code §§ 1174, 1174.5.

57. Additionally, Velasquez and the Aggrieved Employees requested access to and copies of their wage statements and payroll records pursuant to Lab. Code § 226(b)-(c).

58. More than twenty-one days elapsed after such requests, and OMG failed to timely provide the requested records, in violation of Lab. Code § 226(b)-(c).

59. OMG subjected the other Aggrieved Employees to the same unlawful payroll policies and practices imposed on Velasquez and the Aggrieved Employees.

60. Like Velasquez, and the Aggrieved Employees, OMG classified the other Aggrieved Employees as non-exempt, paid them hourly, required them to record time through the same timekeeping system, and failed to pay all overtime wages, failed to provide compliant meal

and rest periods, failed to pay premium wages, failed to timely pay all wages owed, failed to maintain accurate payroll records, and failed to provide accurate wage statements.

61. OMG's violations of the California Labor Code and applicable IWC Wage Orders were willful, knowing, and systematic, and caused substantial harm to Velasquez, the Aggrieved Employees, and the other Aggrieved Employees.

PAGA NOTICE REQUIREMENT

62. Velasquez exhausted the notice requirement by filing a notice with the LWDA, as required under the PAGA, as stated in their letter dated October 14, 2025. A true and correct copy of Velasquez's letter is attached hereto as **Exhibit A** and is incorporated herein by reference.

63. As of the filing of this complaint, the LWDA has not provided notice of its intent to investigate the alleged violations, nor has it assumed jurisdiction over the applicable penalty claims alleged. Therefore, Velasquez has exhausted the procedural requirements under PAGA to pursue all civil penalty claims.

64. Throughout the relevant time period, OMG employed numerous other non-exempt employees in California, who, on information and belief, were subjected to the same unlawful policies and practices described herein. As a direct result of OMG's unlawful policies and practices, Velasquez and Aggrieved Employees have suffered harm. They are entitled to recover civil penalties pursuant to Labor Code §§ 2698, *et seq.*

COUNT I

PENALTIES PURSUANT TO LABOR CODE § 2699(a)

65. Velasquez incorporates all other paragraphs by reference.

66. Labor Code § 2699(a) provides:

Notwithstanding any other provision of law, any provision of this code that provides for a civil penalty to be assessed and collected by the Labor and Workforce Development Agency or any of its departments, divisions, commissions, boards, agencies or employees, for a violation of this code, may, as an alternative, be recovered through a civil action brought by an aggrieved employee on behalf of himself or herself and other current or former employees.

67. Labor Code § 203 provides, in relevant part:

If an employer willfully fails to pay, without abatement or reduction, in accordance with Sections 201, 201.5, 202, and 205.5, 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.

68. Labor Code § 226(a) provides:

Every employer shall, semimonthly or at the time of each payment of wages, furnish each of his or her employees, either as a detachable part of the check, draft, or voucher paying the employee's wages, or separately when wages are paid by personal check or cash, an accurate itemized statement in writing showing (1) gross wages earned, (2) total hours worked by the employee, except for any employee whose compensation is solely based on a salary and who is exempt from payment of overtime under subdivision (a) of Section 515 or any applicable order of the Industrial Welfare Commission, (3) the number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all deductions, provided that all deductions made on written orders of the employee may be aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for which the employee is paid, (7) the name of the employee and his or her social security number, (8) the name and address of the legal entity that is the employer, and (9) all applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee.

69. Labor Code § 226(e)(1) provides:

An employee suffering injury as a result of a knowing and intentional failure by an employer to comply with subdivision (a) is entitled to recover the greater of all actual damages or fifty dollars (\$50) for the initial pay period in which a violation occurs and one hundred dollars (\$100) per employee for each violation in a subsequent pay period, not to exceed an aggregate penalty of four thousand dollars (\$4,000), and is entitled to an award of costs and reasonable attorney's fees.

70. Labor Code § 226.3 provides:

Any employer who violates subdivision (a) of Section 226 shall be subject to a civil penalty in the amount of two hundred fifty dollars (\$250) per employee per violation in an initial citation

and one thousand dollars (\$1,000) per employee for each violation in a subsequent citation, for which the employer fails to provide the employee a wage deduction statement or fails to keep the records required in subdivision (a) of Section 226. The civil penalties provided for in this section are in addition to any other penalty provided by law. In enforcing this section, the Labor Commissioner shall take into consideration whether the violation was inadvertent, and in his or her discretion, may decide not to penalize an employer for a first violation when that violation was due to a clerical error or inadvertent mistake.

71. Labor Code § 558(a) and (c) provide:

(a) Any employer [] who violates, or causes to be violated, a section of this chapter or any provisions regulating hours and days of work in any order of the Industrial Welfare Commission shall be subject to a civil penalty as follows: (1) For any initial violation, fifty dollars (\$50) for each underpaid employee for each pay period for which the employee was underpaid in addition to an amount sufficient to recover underpaid wages. (2) For each subsequent violation, one hundred dollars (\$100) for each underpaid employee for each pay period for which the employee was underpaid in addition to an amount sufficient to recover underpaid wages.... (c) The civil penalties provided for in this section are in addition to any other civil or criminal penalty provided by law.

72. Labor Code § 1174(d) requires every person employing labor in California to, among other things:

Keep at a central location in the state or at the plants or establishments at which employees are employed, payroll records showing the hours worked daily by and the wages paid to, and the number of piece-rate units earned by and any applicable piece rate paid to, employees employed at the respective plants or establishments.

73. Labor Code § 1174.5 subjects any person who willfully fails to maintain records required by Labor Code § 1174 to a civil penalty of \$500.

74. Velasquez and the Aggrieved Employees seek civil penalties pursuant to Lab. Code § 2699(a) for each failure by OMG, as alleged in this Complaint, to pay all overtime wages owed to the Aggrieved Employees in compliance with Lab. Code §§ 510, 1194 and IWC Wage Order No. 5-2001, in the amounts established by Lab. Code § 558.

1 75. Velasquez and the Aggrieved Employees also seek civil penalties pursuant to Lab.
2 Code § 2699(a) for each failure by OMG, as alleged in this Complaint, to provide the Aggrieved
3 Employees with compliant meal periods and rest periods, and to pay required premium wages for
4 missed, late, or denied meal and rest periods, in violation of Lab. Code §§ 226.7, 512 and IWC
5 Wage Order No. 5-2001, in the amounts established by Lab. Code § 558.

6 76. Velasquez and the Aggrieved Employees further seek civil penalties pursuant to
7 Lab. Code § 2699(a) for each failure by OMG, as alleged in this Complaint, to timely pay all wages
8 owed during employment, including overtime wages and premium wages, in violation of Lab. Code
9 § 204.

10 77. Velasquez and the Aggrieved Employees also seek civil penalties pursuant to Lab.
11 Code § 2699(a) for each failure by OMG, as alleged in this Complaint, to provide accurate,
12 itemized wage statements in compliance with Lab. Code § 226(a), and for each failure to provide
13 access to or copies of wage-statement records upon request, in violation of Lab. Code § 226(b)–
14 (c).

15 78. Velasquez and the Aggrieved Employees further seek civil penalties pursuant to
16 Lab. Code § 2699(a) for each failure by OMG, as alleged in this Complaint, to maintain complete
17 and accurate payroll records as required by Lab. Code §§ 1174, 1174.5.

18 79. Pursuant to Lab. Code § 2699.3(a)(1), Velasquez, and the Aggrieved Employees,
19 provided the California Labor and Workforce Development Agency (“LWDA”) with written
20 notice of the Labor Code violations alleged herein on October 14, 2025.

21 80. More than sixty-five (65) calendar days have elapsed since the LWDA received
22 notice, and the LWDA has not elected to investigate or issue a citation with respect to the
23 violations alleged herein.

24 81. Accordingly, Velasquez and the Aggrieved Employees have satisfied all
25 administrative prerequisites to commence this civil action pursuant to Lab. Code § 2699.3(a).

26 82. Velasquez and the Aggrieved Employees seek the foregoing civil penalties on behalf
27 of the State of California and the other Aggrieved Employees as provided by Lab. Code § 2699(a),
28 (g), and (i), together with interest thereon.

83. OMG is liable to the State of California and the Aggrieved Employees for the civil penalties alleged herein.

84. Velasquez and the Aggrieved Employees are also entitled to an award of reasonable attorneys' fees and costs as provided by Lab. Code § 2699(g).

85. Wherefore, Velasquez and the Aggrieved Employees request relief as hereinafter provided.

COUNT II

PENALTIES PURSUANT TO LABOR CODE § 2699(f)

86. Velasquez incorporates all other paragraphs by reference.

87. Labor Code § 2699(f) provides:

For all provisions of this code except those for which a civil penalty is specifically provided, there is established a civil penalty for a violation of these provisions, as follows: ... (2) If, at the time of the alleged violation, the person employs one or more employees, the civil penalty is one hundred dollars (\$100) for each aggrieved employee per pay period for the initial violation and two hundred dollars (\$200) for each aggrieved employee per pay period for each subsequent violation.

88. Labor Code § 200 defines wages as "all amounts for labor performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, commission basis, or other method of calculation." All such wages are subject to California's overtime and double time requirements, including those set forth above.

89. Labor Code § 204(a) provides that "[a]ll wages . . . earned by any person in any employment are due and payable twice during each calendar month[.]"

90. Labor Code § 510(a) provides as follows:

Eight hours of labor constitutes a day's work. Any work in excess of eight hours in one workday and any work in excess of 40 hours in any one workweek and the first eight hours worked on the seventh day of work in any one workweek shall be compensated at the rate of no less than one and one-half times the regular rate of pay for an employee. Any work in excess of 12 hours in one day shall be compensated at the rate of no less than twice the regular rate of pay for an employee.

91. IWC Wage Order 5-2001(3)(A)(1) states that employees:

...shall not be employed more than eight (8) hours in any workday or more than 40 hours in any workweek unless the employee receives one and one-half (1 ½) times such employee's regular rate of pay for all hours worked over 40 hours in the workweek. Employment beyond eight (8) hours in any workday or more than six (6) days in any workweek is permissible provided the employee is compensated for such overtime at not less than ... [o]ne and one-half (1½) 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....

92. Labor Code § 1194(a) provides as follows:

Notwithstanding any agreement to work for a lesser wage, any employee receiving less than the legal minimum wage or the legal overtime compensation applicable to the employee is entitled to recover in a civil action the unpaid balance of the full amount of this minimum wage or overtime compensation, including interest thereon, reasonable attorneys' fees, and costs of suit.

93. Labor Code § 1198 makes it unlawful for employers to employ employees under conditions that violate relevant Wage Order(s).

94. To the extent that any violation alleged herein does not carry an express civil penalty recoverable under Lab. Code § 2699(a), Velasquez, and the Aggrieved Employees, seek civil penalties pursuant to Lab. Code § 2699(f) for the Aggrieved Employees for each pay period in which such employee was aggrieved, in the amounts established by Lab. Code § 2699(f).

95. Velasquez and the Aggrieved Employees seek civil penalties under Lab. Code § 2699(f) for OMG's violations of provisions of the California Labor Code and applicable IWC Wage Orders that do not independently provide for civil penalties, including but not limited to OMG's violations arising from its unlawful wage-and-hour policies and practices alleged herein.

96. Pursuant to Lab. Code § 2699.3(a)(1), Velasquez, and the Aggrieved Employees, provided the California Labor and Workforce Development Agency ("LWDA") with written notice of their intention to file this claim.

97. More than sixty-five (65) calendar days have elapsed since the LWDA received notice without the LWDA providing notice of an intent to investigate or issue a citation. Thus, Velasquez and the Aggrieved Employees have satisfied all administrative prerequisites to commence this civil action pursuant to Lab. Code § 2699.3(a).

98. Velasquez and the Aggrieved Employees seek the foregoing civil penalties on behalf of the Aggrieved Employees and the State of California as provided by Lab. Code § 2699(g) and (i).

99. Lab. Code § 2699(f)(2) provides a civil penalty of one hundred dollars (\$100) for each aggrieved employee per pay period for the initial violation of a Labor Code provision that does not provide for a civil penalty, where the employer employs one or more employees. Lab. Code § 2699(f)(2) further provides a civil penalty of two hundred dollars (\$200) for each aggrieved employee per pay period for each subsequent violation of a Labor Code provision that does not provide for a civil penalty, where the employer employs one or more employees.

100. OMG is liable to the State of California and the Aggrieved Employees for the civil penalties alleged herein, together with interest thereon.

101. Velasquez and the Aggrieved Employees are also entitled to an award of reasonable attorneys' fees and costs as provided by Lab. Code § 2699(g).

102. Wherefore, Velasquez and the Aggrieved Employees request relief as hereinafter provided.

RELIEF REQUESTED

WHEREFORE, Velasquez, on behalf of the State of California and the Aggrieved Employees, requests the following relief:

- a. A declaratory judgment that Defendants' conduct violated the Labor Code as alleged herein;
- b. An order awarding civil penalties against Defendants to the fullest extent provided for by PAGA;

- c. An award of attorneys' fees, costs, and expenses as provided by the California Labor Code, including Labor Code § 2699(g)(1); California Code of Civil Procedure §1021.5; and/or any other applicable law;
- d. Pre- and post-judgment interest on any amounts awarded at the highest applicable rate allowed by law; and
- e. Such other and further relief as this Court deems just and proper.

Dated: December 22, 2025

LAUREL EMPLOYMENT LAW APC



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*Attorneys for Velasquez, on Behalf of the State of
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