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David W. Slayton,
Executive Officer/Clerk of Court,
By D. Williams, Deputy Clerk

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11 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
12 **COUNTY OF LOS ANGELES**

13 IMANI SINGLETON, an individual, and
14 other aggrieved employees,

15 Plaintiffs,

16 vs.

17 KOPPER KITTY, INC., a California
18 Corporation and DOES 1 through 10,
19 inclusive,

20 Defendants.

CASE NO. **23ST CV 17830**

**COMPLAINT FOR CIVIL PENALTIES
UNDER THE PRIVATE ATTORNEYS
GENERAL ACT OF 2004
(Labor Code §§2698, et seq.)**

DEMAND FOR JURY TRIAL

1 Plaintiff IMANI SINGLETON, on behalf of herself and all others similarly situated, files this
2 Complaint against defendant KOPPER KITTY, INC., a California corporation and Does 1 to 10
3 (collectively “Defendants”). Plaintiff is informed and believes and on the basis of that information
4 and belief alleges as follows:

5 **INTRODUCTION**

6 1. This matter arises out of Defendants illegal scheme requiring dancers at their exotic
7 club to share tips with management.

8 **PARTIES**

9 ***Plaintiff***

10 2. Plaintiff IMANI SINGLETON is an individual over the age of eighteen (18) and is a
11 resident of Los Angeles County, State of California. Throughout the Relevant Time Period, Ms.
12 Singleton worked for Defendant as a non-exempt employee in Defendant’s business located in Los
13 Angeles County, California.

14 ***Defendant Kopper Kitty, inc.***

15 3. Plaintiff is informed and believes and based thereon alleges that Defendant Kopper
16 Kitty, Inc. is now and/or at all times mentioned in this Complaint, headquartered in California, and
17 qualified and registered to do business in the State of California, with a corporate office located at in
18 Los Angeles County and performs substantial business in California.

19 ***Defendant Does 1 through 10, Inclusive***

20 4. DOES 1 through 10 inclusive are now and/or at all times mentioned in this Complaint
21 were, licensed to do business and/or actually doing business in the State of California. Plaintiff does
22 not know the true names or capacities, whether individual, partner, or corporate, of DOES 1 through
23 10, inclusive and for that reason, DOES 1 through 10 are sued under such fictitious names pursuant to
24 California Code of Civil Procedure, section 474. Plaintiff will seek leave of court to amend this
25 Complaint to allege such names and capacities as soon as they are ascertained. DOES 1 through 10
26 are believed to be business entities who were also co-employers of the Plaintiff and the other aggrieved
27 employees herein.

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1 ***All Defendants***

2 5. Plaintiff is informed and believes and based thereon alleges that at all times herein
3 mentioned, all Defendants, and each of them, were and are the agents, servants, employees, joint
4 venturers, and/or partners of each of the other Defendants, and were, at all such times, acting within
5 the course and scope of said employment and/or agency; furthermore, that each and every Defendant
6 herein, while acting as a high corporate officer, director and/or managing agent, principal and/or
7 employer, expressly directed, consented to, approved, affirmed and ratified each and every action
8 taken by the other co-Defendant, as herein alleged and was responsible in whole or in part for the
9 matters referred to herein.

10 6. Plaintiff is informed and believes and based thereon alleges that at all times herein
11 mentioned, Defendants, and each of them, proximately caused Plaintiff, all others similarly situated
12 and the general public to be subjected to the unlawful practices, wrongs, complaints, injuries and/or
13 damages alleged in this Complaint.

14 7. Plaintiff is informed and believes and based thereon alleges that Defendants, and each
15 of them, are now and/or at all times mentioned in this Complaint were members of and/or engaged in
16 a joint venture, partnership and common enterprise, and were acting within the course and scope of,
17 and in pursuit of said joint venture, partnership and common enterprise and, as such were co-employers
18 of the Plaintiff and the other aggrieved employees.

19 8. Plaintiff is informed and believes and based thereon alleges that Defendants, and each
20 of them, at all times mentioned in this Complaint, concurred with, contributed to, approved of, aided
21 and abetted, condoned and/or otherwise ratified, the various acts and omissions of each and every one
22 of the other Defendants in proximately causing the injuries and/or damages alleged in this Complaint.

23 **JURISDICTION AND VENUE**

24 9. The California Superior Court has jurisdiction in the matter because the claims exceed
25 the jurisdictional minimum of this court and Defendant performs substantial business in the State of
26 California. Further, the issues herein are based on California Statutes and law including the California
27 Labor Code.

28 10. Venue is proper in the County of Los Angeles because Defendant transacts substantial

1 business in this County, Plaintiff's claims arose in this County, and because Defendant maintains
2 locations in the County of Los Angeles.

3 **FACTUAL ALLEGATIONS**

4 11. Defendant operates an adult entertainment club known as Synn Gentlemen's Club in
5 Los Angeles County, California.

6 12. From July, 2022 to January, 2023, Plaintiff worked for Defendant as an Entertainer.

7 13. During this time period, Defendant knowingly and intentionally allowed management
8 to take tips from Claimant and other aggrieved employees.

9 14. Defendant instituted a scheduling system which punished employees who paid no tips
10 or less in tips to management than other employees. This system allowed Employer's management to
11 perceivably retaliate against any employees who refused to participate in the management tipping
12 scheme.

13 15. Plaintiff has complied with all procedures for bringing suit specified in California
14 Labor Code Section 2699.3. By letter dated April 27, 2023, Plaintiff, on behalf of herself and the other
15 aggrieved employees, gave written notice by certified mail to the Labor and Workforce Development
16 Agency ("LWDA") and Defendants of the specific provisions of the California Labor Code alleges to
17 have been violated, including the facts and theories to support the alleges violations. More than sixty-
18 five (65) days have passed since that letter was sent and the LWDA has not responded to Plaintiff's
19 allegations.

20 **FIRST CAUSE OF ACTION**

21 **CIVIL PENALTIES UNDER THE PRIVATE ATTORNEYS GENERAL ACT**

22 **(Labor Code §§ 2698 *et seq.*)**

23 16. Plaintiff incorporates by reference the allegations set forth above.

24 17. This action arises out of the unlawful labor practices of Defendants in California.
25 Through this action, Plaintiffs represent themselves, and other aggrieved employees of Defendants
26 that were based out of California, against whom Defendants have committed labor law violations,
27 including, but not limited to, providing accurate paystubs and paying minimum wage. As a result of
28 the alleged unlawful conduct described herein, Plaintiffs now seek to recover civil penalties, including

1 the value of tips stolen from them, attorneys' fees and costs, pursuant to the Private Attorneys General
2 Act of 2004, Labor Code §§ 2698, *et seq.* ("PAGA").

3 18. PAGA provides that for any provision of law under the Labor Code that provides for a
4 civil penalty to be assessed and collected by the Labor and Workforce Development Agency for
5 violation of the Labor Code, may, as an alternative, be recovered through a civil action brought by an
6 aggrieved employee pursuant to procedures outlines in California *Labor Code* § 2699.3.

7 19. Plaintiffs are aggrieved employees as defined in Labor Code section 2699, subdivision
8 (a). Plaintiffs bring this action on behalf of himself and other current or former aggrieved employees
9 affected by the labor law violations alleges in this complaint. At all relevant times, Plaintiffs and the
10 other aggrieved employees have been entitled to the benefits and protections of the California Labor
11 Code and Wage Order Number Four.

12 20. Pursuant to *Labor Code* § 2699.3, an aggrieved employee, may commence a civil
13 action arising under *Labor Code* § 2699 after the following requirements have been met:

14 a. The aggrieved employee shall give written notice (hereinafter "Notice") by
15 certified mail to the Labor and Workforce Development Agency (hereinafter
16 "Agency") and the employer of the specific provisions of the Labor Code alleges
17 to have been violated, including the facts and theories to support the alleges
18 violation.

19 b. The agency shall notify the employer and the aggrieved employee or representative
20 by certified mail that it does not intend to investigate the alleged violation within
21 sixty-five (65) calendar days of the postmark date of the notice received. Upon
22 receipt of that notice or if no notice is provided within sixty-five (65) calendar days
23 of the postmark date of the notice, the aggrieved employee may commence a civil
24 action pursuant to Section 2699.

25 21. Plaintiff has satisfied the jurisdictional prerequisites to the maintenance of this Cause
26 of Action as more fully set out in *Labor Code* § 2699.3 in that on or about April 27, 2023, Plaintiff
27 gave notice to the Labor and Workforce Development Agency of Defendants' Labor Code violations,
28 including the facts and theories to support the alleged violations, and Plaintiff's intent to recover

1 penalties based on the violation set forth herein. This same notice was served upon the Defendants in
2 this Action by certified mail on or about April 27, 2023.

3 **Taking of Employee Gratuities**

4 22. CA Labor Code § 351 provides, “[n]o employer or agent shall collect, take or receive
5 any gratuity or a part thereof that is paid, given to, or left for an employee by a patron...[e]very gratuity
6 is hereby declared to be the sole property of the employee or employees to whom it was paid, given
7 or left for.”

8 23. Throughout the entire time period that Claimant was employed, Employer required
9 Claimant and aggrieved employees to tip out management level employees at the end of every single
10 night that they worked. If employees refused to tip out or shared less of their tips, Employer would
11 schedule Claimant and other aggrieved employees on less desirable shifts and would shift them farther
12 down in a retaliatory system that was put in place in order to insure management was being tipped by
13 every employee.

14 24. As a result of the actions of Employer in illegally taking gratuities from Employees,
15 Claimant and other aggrieved employees request payment of penalties under the Private Attorney’s
16 General Act, CA Labor Code § 2699 *et seq.*, to be determined at trial, plus interest, attorneys’ fees,
17 and costs, against Employer in a sum as provided by the Labor Code and/or other statutes.

18 **Penalties Authorized by PAGA**

19 25. Pursuant to California Labor Code Sections 2699(a) and (f), Plaintiff and the other
20 aggrieved employees of Defendants are entitled to, and seek to, recover civil penalties for Defendants’
21 violations of California Labor Code §351 equal to one hundred dollars (\$100.00) for each aggrieved
22 employee per pay period for each initial violation and two hundred dollars (\$200.00) for each
23 aggrieved employee per pay period for each subsequent violation (penalty amounts established by
24 California Labor Code § 2699(f)(2));

25 26. Pursuant to California Labor Code § 2699(g), Plaintiffs, on behalf of themselves
26 and the other aggrieved employees, are entitled to an award of reasonable attorneys’ fees and costs.

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1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

- 3 a. Civil penalties;
- 4 b. Other penalties and fines permitted by law;
- 5 c. Costs of suit;
- 6 d. Reasonable attorneys' fees; and
- 7 e. Such other relief as the Court deems just and proper.

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9 DATED: July 27, 2023

RIST LAW OFFICE

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12 By: _____

13 Thomas A. Rist
Attorneys for Plaintiff

14 **JURY DEMAND**

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16 Plaintiff demands a trial by jury on all issues so triable as a matter of right.

17 DATED: July 27, 2023

RIST LAW OFFICE

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20 By: _____

21 Thomas A. Rist
Attorneys for Plaintiff

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