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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

JANEEN STEFFEN, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

RV SOLUTIONS, INC., a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 37-2023-00016898-CU-OE-CTL

**FIRST AMENDED CLASS ACTION
COMPLAINT FOR:**

- (1) **VIOLATION OF CAL. LABOR CODE §
226(a); AND**
(2) **VIOLATION OF LABOR CODE § 2698,
ET SEQ.**

DEMAND OVER \$25,000.00

1 Plaintiff Janeen Steffen (“Plaintiff”) hereby submits this Class Action Complaint
2 (“Complaint”) against Defendant RV Solutions, Inc. (“Defendant”) and Does 1 through 50
3 (hereinafter collectively referred to as “Defendants”), on behalf of herself and a class of all other
4 similarly situated current and former employees of Defendants for civil and statutory penalties
5 under the California Labor Code as follows:

6 **INTRODUCTION**

7 1. This class action is within the Court’s jurisdiction under California Labor Code
8 sections 226 and 2698, et seq.

9 2. This Complaint challenges systemic illegal employment practices resulting in
10 violations of the California Labor Code against individuals who worked for Defendants.

11 3. Plaintiff is informed and believes, and based thereon alleges, that Defendants,
12 jointly and severally, have acted intentionally and with deliberate indifference and conscious
13 disregard to the rights of all employees in Defendants’ failure to provide accurate itemized wage
14 statements to Plaintiff and Class Members.

15 4. Plaintiff is informed and believes, and based thereon alleges, that Defendants
16 have engaged in, among other things a system of willful violations of the California Labor Code
17 by creating and maintaining policies, practices and customs that knowingly deny employees the
18 above stated rights and benefits.

19 **JURISDICTION AND VENUE**

20 5. This Court has jurisdiction over the violations of California Labor Code sections
21 226 and 2698, et seq.

22 6. Venue is proper in San Diego County because Defendant maintains operations in
23 San Diego County, and Plaintiff was employed by Defendant in San Diego County.

24 **PARTIES**

25 7. Plaintiff began working for Defendant as a General Sales Manager on or about
26 March 16, 2022. On or about April 3, 2023, Plaintiff’s employment with Defendant ended.
27 Throughout her employment with Defendant, Plaintiff has been a non-exempt, hourly employee.

28 8. Plaintiff was and is the victim of the policies, practices, and customs of Defendant

1 complained of in this action in ways that have deprived her of the rights guaranteed by California
2 Labor Code sections 226 and 2698, et seq.

3 9. Plaintiff is informed and believes, and based thereon alleges, that RV Solutions,
4 Inc. is a California corporation that operates as a recreational vehicle dealer throughout
5 California, including San Diego County, California.

6 10. Plaintiff is informed and believes, and based thereon alleges, that at all times
7 herein mentioned Defendants are and were business entities, individuals, and partnerships,
8 licensed to do business and actually doing business in the State of California. As such, and based
9 upon all the facts and circumstances incident to Defendants' business, Defendants are subject to
10 the California Labor Code.

11 11. Plaintiff does not know the true names or capacities, whether individual, partner
12 or corporate, of the defendants sued herein as Does 1 through 50, inclusive, and for that reason,
13 said defendants are sued under such fictitious names, and Plaintiff prays for leave to amend this
14 complaint when the true names and capacities are known. Plaintiff is informed and believes and
15 based thereon alleges that each of said fictitious defendants was responsible in some way for the
16 matters alleged herein and proximately caused Plaintiff and members of the general public and
17 class to be subject to the illegal employment practices, wrongs and injuries complained of herein.

18 12. At all times herein mentioned, each of said Defendants participated in the doing
19 of the acts hereinafter alleged to have been done by the named Defendants; and furthermore, the
20 Defendants, and each of them, were the agents, servants and employees of each of the other
21 Defendants, as well as the agents of all Defendants, and at all times herein mentioned, were
22 acting within the course and scope of said agency and employment.

23 13. Plaintiff is informed and believes, and based thereon alleges, that at all times
24 material hereto, each of the Defendants named herein was the agent, employee, alter ego and/or
25 joint venturer of, or working in concert with each of the other co-Defendants and was acting
26 within the course and scope of such agency, employment, joint venture, or concerted activity. To
27 the extent said acts, conduct, and omissions were perpetrated by certain Defendants, each of the
28 remaining Defendants confirmed and ratified said acts, conduct, and omissions of the acting

Defendants.

14. At all times herein mentioned, Defendants, and each of them, were members of, and engaged in, a joint venture, partnership and common enterprise, and acting within the course and scope of, and in pursuance of, said joint venture, partnership and common enterprise.

15. At all times herein mentioned, the acts and omissions of various Defendants, and each of them, concurred and contributed to the various acts and omissions of each and all of the other Defendants in proximately causing the injuries and damages as herein alleged. At all times herein mentioned, Defendants, and each of them, ratified each and every act or omission complained of herein. At all times herein mentioned, Defendants, and each of them, aided and abetted the acts and omissions of each and all of the other Defendants in proximately causing the damages as herein alleged.

CLASS ACTION ALLEGATIONS

16. **Definition:** The named individual Plaintiff seeks class certification, pursuant to California Code of Civil Procedure section 382. Plaintiff proposes the following class: all current and former employees of Defendant in the State of California who were paid wages at any time between April 21, 2022, through the present (the “Class” or “Class Members”).

17. **Numerosity:** The members of the Class are so numerous that joinder of all members would be impractical, if not impossible. The identity of the members of the Class is readily ascertainable by review of Defendant’s records, including payroll records. Plaintiff is informed and believes, and based thereon alleges, that Defendant failed to provide accurate itemized wage statements to employees in violation of Labor Code section 226.

18. **Adequacy of Representation:** The named Plaintiff is fully prepared to take all necessary steps to represent fairly and adequately the interests of the Class defined above. Plaintiff’s attorneys are ready, willing, and able to fully and adequately represent the Class and Plaintiff. Plaintiff’s attorneys have prosecuted and settled wage-and-hour class actions in the past and currently have a number of wage-and-hour class actions pending in California state and federal courts.

19. Defendant uniformly administered a corporate policy, practice of failing to

1 provide accurate itemized wage statements to Plaintiff and the Class in violation of Labor Code
2 section 226.

3 20. **Common Question of Law and Fact:** There are predominant common questions
4 of law and fact and a community of interest amongst Plaintiff and the claims of the Class
5 concerning Defendant's policy and practice of failing to provide proper wage statements to
6 Plaintiff and the Class in violation of Labor Code section 226.

7 21. **Typicality:** The claims of Plaintiff are typical of the claims of all members of the
8 Class in that Plaintiff suffered the harm alleged in this Complaint in a similar and typical manner
9 as the Class Members. As with other California exempt and non-exempt employees, Plaintiff
10 received itemized wage statements concurrent with the payment of wages. The wage statements
11 provided to Plaintiff and other employees failed to identify the name of the respective employee,
12 as well as either the last four digits of the employee's social security number and/or an employee
13 identification number, as required by Labor Code section 226(a)(7). Further, all wage statements
14 issued by Defendant failed to include the address of the employer, as required by Labor Code
15 section 226(a)(8). As such, Plaintiff is a member of the Class and has suffered the alleged
16 violations of California Labor Code section 226 and the applicable IWC Wage Orders.

17 22. The California Labor Code section upon which Plaintiff bases these claims is
18 broadly remedial in nature. These laws and labor standards serve an important public interest in
19 establishing minimum working conditions and standards in California. These laws and labor
20 standards protect the average working employee from exploitation by employers who may seek
21 to take advantage of superior economic and bargaining power in setting onerous terms and
22 conditions of employment.

23 23. The nature of this action and the format of laws available to Plaintiff and
24 members of the Class identified herein make the class action format a particularly efficient and
25 appropriate procedure to redress the wrongs alleged herein. If each employee were required to
26 file an individual lawsuit, the corporate defendants would necessarily gain an unconscionable
27 advantage since it would be able to exploit and overwhelm the limited resources of each
28 individual plaintiff with their vastly superior financial and legal resources. Requiring each Class

1 Member to pursue an individual remedy would also discourage the assertion of lawful claims by
2 employees who would be disinclined to file an action against their former and/or current
3 employer for real and justifiable fear of retaliation and permanent damage to their careers at
4 subsequent employment.

5 24. The prosecution of separate actions by the individual Class Members, even if
6 possible, would create a substantial risk of (a) inconsistent or varying adjudications with respect
7 to individual Class Members against Defendants and which would establish potentially
8 incompatible standards of conduct for Defendants, and/or (b) adjudications with respect to
9 individual Class Members which would, as a practical matter, be dispositive of the interest of the
10 other Class Members not parties to the adjudications or which would substantially impair or
11 impede the ability of the Class Members to protect their interests. Further, the claims of the
12 individual members of the Class are not sufficiently large to warrant vigorous individual
13 prosecution considering all of the concomitant costs and expenses.

14 25. Such a pattern, practice and uniform administration of corporate policy regarding
15 illegal payroll practices described herein is unlawful and creates an entitlement to recovery by
16 Plaintiff and the Class identified herein, in a civil action, for applicable penalties, reasonable
17 attorneys' fees, and costs of suit according to the mandate of California Labor Code section 226
18 and Code of Civil Procedure section 1021.5.

19 26. Proof of a common business practice or factual pattern, which the named Plaintiff
20 experienced and is representative of, will establish the right of each of the members of the
21 Plaintiff Class to recovery on the causes of action alleged herein.

22 **FIRST CAUSE OF ACTION**

23 **VIOLATION OF LABOR CODE § 226**

24 **(BY PLAINTIFF AND THE CLASS AGAINST ALL DEFENDANTS)**

25 27. Plaintiff re-alleges and incorporates by reference the preceding paragraphs as
26 though fully set forth herein.

27 28. Defendant, as a matter of policy and practice, did not provide accurate wage
28 statements to Class Members, in violation of Labor Code section 226(a).

1 29. Labor Code section 226(a)(8) requires that employers provide accurate itemized
2 statements showing the name and address of the legal entity that is the employer. The wage
3 statements provided to Plaintiff and Class Members failed to identify any address for the
4 employer. Further, Defendant violated Labor Code § 226(a)(7) by failing to identify either the
5 last four digits of the employee's social security number or an employee identification number
6 on wage statements issued to Plaintiff and Class Members, as well as the name of the respective
7 employee.

8 30. Such a pattern, practice and uniform administration of corporate policy as
9 described herein is unlawful and creates an entitlement to recovery by the Plaintiff and the Class
10 identified herein, in a civil action, for all damages or penalties pursuant to Labor Code section
11 226, including interest thereon, attorneys' fees, and costs of suit according to the mandate of
12 California Labor Code section 226.

13 **SECOND CAUSE OF ACTION**

14 **VIOLATION OF LABOR CODE § 2698, ET SEQ.**

15 **(BY PLAINTIFF AND AGGRIEVED EMPLOYEES AGAINST ALL DEFENDANTS)**

16 31. Plaintiff re-alleges and incorporates by reference the preceding paragraphs as
17 though fully set forth herein.

18 32. Plaintiff brings this cause of action, on behalf of and as a proxy for the State of
19 California and in this capacity, seeks penalties on behalf of all Aggrieved Employees from April
20 18, 2022, through the present, for Defendant's violation of Labor Code section 226.

21 33. Labor Code section 226(a)(8) requires that employers provide accurate itemized
22 statements showing the name and address of the legal entity that is the employer. The wage
23 statements provided to Plaintiff and Class Members failed to identify any address for the
24 employer. Further, Defendant violated Labor Code § 226(a)(7) by failing to identify either the
25 last four digits of the employee's social security number or an employee identification number
26 on wage statements issued to Plaintiff and Class Members, as well as the name of the respective
27 employee.

28 34. On or about April 18, 2023, Plaintiff sent written notice to the California Labor &

1 Workforce Development Agency (“LWDA”) of Defendant’s violations of Labor Code section
2 226, pursuant to Labor Code § 2698, *et seq.*, the Private Attorneys General Act (“PAGA”). To
3 date, the LWDA has not responded to Plaintiff’s written notice.

4 35. As such, pursuant to Labor Code section 2699(a), Plaintiff seeks recovery of any
5 and all applicable civil penalties for Defendant’s violation of Labor Code section 226 for the
6 time period described above, on behalf of himself and other Aggrieved Employees.

7
8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays for judgment for herself and all others on whose behalf
10 this suit is brought against Defendants, jointly and severally, as follows:

- 11 1. For an order certifying the proposed Class;
12 2. For an order appointing Plaintiff as the representative of the Class;
13 3. For an order appointing counsel for Plaintiff as Class Counsel;
14 4. Upon the First Cause of Action, for penalties pursuant to California Labor Code
15 section 226, and for costs and attorneys’ fees;
16 5. Upon the Second Cause of Action, for civil penalties pursuant to statute as set
17 forth in California Labor Code sections 226.3 and 2699, and for costs and attorney’s fees;
18 6. On all causes of action for attorneys’ fees and costs as provided by California
19 Labor Code sections 226 and 2699 and Code of Civil Procedure section 1021.5; and
20 7. For such other and further relief the Court may deem just and proper.
21

22 DATED: December 22, 2023

DIVERSITY LAW GROUP, P.C.

23
24 By: 

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25 Attorneys for Plaintiff, the Class, and the Aggrieved
26 Employees
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