



ZAKAY LAW GROUP

A PROFESSIONAL LAW CORPORATION

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May 1, 2024

Via Online Filing to LWDA and Certified Mail to Defendants

Labor and Workforce Development Agency

Online Filing

SELECT STAFFING

an entity of unknown origin and type

555 California Avenue, Suite 3021

Bakersfield, CA 93309

Via Certified Mail & Return Receipt

No.

REAL TIME STAFFING SERVICES, LLC dba

SELECT STAFFING

c/o CSC – Lawyers Incorporating Service

2710 Gateway Oaks Drive, Suite 150N

Sacramento, CA 95833

Via Certified Mail & Return Receipt

No.

EMPLOYBRIDGE OF DALLAS, INC.

c/o Corporation Service Company

2 Sun Court, Suite 400

Peachtree Corners, GA, 30092

Via Certified Mail & Return Receipt

No.

Case Name: *Griselda Duran v. Employbridge Holding Company, et al.*

Case No.: Kern Superior Court Case No. BCV-20-101583

LWDA No.: 785152-20

Re: **FOURTH AMENDED** Notice of Violations of California Labor Code Sections §§ 201, 201.3, 202, 203, 204, 210, 218.5, 218.6, 226, 226.3, 226.7, 510, 512, 558, 1174(d), 1174.5, 1194, 1197, 1197.14, 1198, 1199, 2802 and Applicable Industrial Welfare Commission Wage Orders, California Code or regulations, Title 8 Section 1 1070(14) (Failure to Provide Seating) and Pursuant to California Labor Code Section 2699.3.

Dear Sir/Madam:

This office represents GRISELDA DURAN (“Plaintiff”) and other aggrieved employees in an action against SELECT STAFFING (“Defendant Select Staffing”), REAL TIME STAFFING SERVICES, LLC dba SELECT STAFFING (“Defendant Real Time Staffing”), and EMPLOYBRIDGE OF DALLAS, INC. (“Defendant Employbridge of Dallas”) (hereinafter, collectively, “Defendants”). This office intends to file the enclosed Complaint on behalf of Plaintiff and other similarly situated employees. The purpose of this correspondence is to provide the Labor and Workforce Development Agency with notice of alleged violations of the California Labor Code and certain facts and theories in support of the alleged violations in accordance with Labor Code section 2699.3.

Plaintiff's original claim was submitted to the LWDA on May 1, 2020, against Defendant EMPLOYBRIDGE HOLDING COMPANY. Plaintiff identified DOE Defendants 1 and 2 as additional entities who acted as Plaintiff's joint-employers. Plaintiff filed a first amended and second amended claim with the LWDA on March 16, 2021, and August 18, 2021, respectively. Plaintiff then identified DOE 3 as an additional entity who acted as Plaintiff's joint-employer and filed a third amended claim with the LWDA on January 1, 2024. Plaintiff since then has identified DOE Defendant 4 as an additional entity who acted as Plaintiff's joint-employers:

DOE 4 - EMPLOYBRIDGE OF DALLAS, INC.

Plaintiff therefore amends her May 1, 2020, March 16, 2021, August 18, 2021, and January 1, 2024, Notices to add EMPLOYBRIDGE OF DALLAS, INC., as DOE Defendant 4 and as an additional employer in this case.

Plaintiff was employed by Defendants in California from April 2018 to August 2019. From August 2018 to August 2019 Plaintiff worked directly for Defendants and was not assigned to any of Defendants' clients. Plaintiff was paid on an hourly basis and entitled to minimum wages, overtime wages, and legally required meal and rest periods. At all times during his employment, Defendants failed to, among other things, provide Plaintiff, and all those similarly situated, with all legally mandated off-duty meal and rest periods, with minimum and overtime wages for all time worked, and, overtime compensation at one-and-one-half times the regular rate of pay.

As a consequence, Plaintiff contends that Defendants failed to fully compensate her, and other similarly situated and aggrieved employees, for all earned wages and failed to provide accurate wage statements. Accordingly, Plaintiff contends that Defendants' conduct violated Labor Code sections §§ 201, 201.3, 202, 203, 204, 210, 218.5, 218.6, 226, 226.3, 226.7, 510, 512, 558, 1174(d), 1174.5, 1194, 1197, 1197.14, 1198, 1199, 2802 and applicable wage orders, Violation of the Applicable Industrial Welfare Commission Wage Order(s), and is therefore actionable under California Labor Code § 2699.3 and 2698 *et seq.*

Plaintiff is seeking to represent *all* aggrieved employees who worked for Defendant Select Staffing and/or Defendant Real Time Staffing and/or Defendant EmployBridge of Dallas in California during the relevant claim period, including all non-exempt employees.

A true and correct copy of the proposed Complaint by Plaintiff against Defendants, which (1) identifies the alleged violations, (2) details the facts and theories which support the alleged violations, (3) details the specific work performed by Plaintiff, (4) sets forth the people/entities, dates, classifications, violations, events, and actions which are at issue to the extent known to Plaintiff, and (5) sets forth the illegal practices used by Defendants, is attached hereto. This information provides notice to the Labor and Workforce Development Agency of the facts and theories supporting the alleged violations for the agency's reference. Plaintiff therefore incorporates the allegations of the attached Complaint into this letter as if fully set forth herein. If the agency needs any further information, please do not hesitate to ask.

To the extent that entities and/or individuals are named and charged with violations of the Labor Code—making them liable on an individual basis as permitted by numerous Labor Code Sections including, but not limited to 558, 558.1, and 1197.1—Plaintiff reserves any and all

rights to add, substitute, or change the name of employer entities and/or individuals responsible for the violations at issue.

Any further amendments and changes to this notice shall relate back to the date of this notice. Consequently, Defendants are on notice that Plaintiff continues her investigation, with the full intent to amend and/or change this notice, to add any undiscovered violations of any of the provisions of the California Labor Code—to the extent that are applicable to this case—and to change and/or add the identities of any entities and/or individuals responsible for the violations contained herein.

This notice is provided to enable Plaintiff to proceed with the Complaint against Defendants as authorized by California Labor Code section 2695, *et seq.* The lawsuit consists of other aggrieved employees. As counsel, our intention is to vigorously prosecute the claims as alleged in the Complaint, and to procure civil penalties as provided by the Private Attorney General Statue of 2004 on behalf of Plaintiff and all aggrieved California employees.

Your earliest response to this notice is appreciated. If you have any questions or concerns, please do not hesitate to contact me at the above number and address.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Shani O. Zakay', with a stylized flourish at the end.

Shani O. Zakay
Attorney at Law

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Attorneys for Plaintiff GRISELDA DURAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

GRISELDA DURAN, an individual, on behalf
of herself, and on behalf of all persons similarly
situated,

Plaintiff,

v.

EMPLOYBRIDGE HOLDING COMPANY, a
Delaware Corporation; and DOES 1 through 50,
inclusive;

Defendant.

Case No.: BCV-20-101583-BCB

**THIRD AMENDMENT TO THE
COMPLAINT TO ADD DOE
DEFENDANT**

Complaint Filed: July 9, 2020
FAC Filed: April 15, 2021

Judge: Hon. Bernard C. Barmann Jr.
Dept.:10

Trial: August 8, 2025

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Plaintiff, GRISELDA DURAN, having learned the true name of the Defendant
3 designated in the operative Complaint as DOE 4, hereby substitutes the true name for the
4 fictitious name wherever they appear in the operative Complaint as follows:

5 DOE 4 – EMPLOYBRIDGE OF DALLAS, INC., a Georgia Domestic Profit
6 Corporation.

7
8 DATED: May 1, 2024

Respectfully Submitted,
JCL LAW FIRM, A.P.C.

9
10 By: 
11 Jean-Claude Lapuyade
12 Attorney for PLAINTIFF

13 **IT IS SO ORDERED.**

- 14
15 1. EMPLOYBRIDGE OF DALLAS, INC., a Georgia Domestic Profit Corporation, is
16 hereby named and designated in the operative Complaint as DOE 4.
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18 DATE:

19 _____
20 JUDGE OF THE SUPERIOR COURT
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