SEZGIN KHOUSADIAN LLP
ARTHUR SEZGIN, ESQ., (State Bar No. 296666)
arthur@sklaw.legal
ALISA KHOUSADIAN, ESQ., (State Bar No. 285497)
alisa@sklaw.legal
500 North Central Avenue, Suite 830
Glendale, California 91203
Phone: (818) 696-1330 | Fax: (818) 696-1331

Attorneys for PLAINTIFF **RAFAEL SOLANO**, Individually and on behalf of all others similarly situated.

Electronically FILED by Superior Court of California, County of Los Angeles 10/02/2026 3:26 PM David W. Slayton, Executive Officer/Clerk of Court, By Y. Ayala, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – CENTRAL JUDICIAL DISTRICT

RAFAEL SOLANO, individually, and on behalf of the State of California and Aggrieved Employees, Plaintiffs, vs. PLATA TAQUERIA & CANTINA, LLC, a California limited liability company; and DOES 1 THROUGH 100, inclusive, Defendants.	Case No.: 26STCV31217 **COMPLAINT FOR DAMAGES:** **(1) PRIVATE ATTORNEYS GENERAL ACT ("PAGA").**

COMES NOW PLAINTIFF RAFAEL SOLANO (hereinafter referred to as "SOLANO" or "Plaintiff"), individually, and in his representative capacity on behalf of the State of California, and fellow current and former Aggrieved Employees, and complains against the above-named Defendants and for causes of action against the Defendants, and each of them, as follows:

THE PARTIES

1. At all times mentioned herein, Plaintiff was, and now is, an individual residing and/or domiciled in the County of Los Angeles, State of California.

2. Plaintiff is informed and believes, and thereon alleges that at all times relevant herein, Defendant PLATA TAQUERIA & CANTINA, LLC, a California limited liability company (hereinafter referred to as "PLATA TAQUERIA" and collectively with all other Defendants as "Defendants") was, and now is, a valid business of form unknown, duly organized and existing under the laws of the State of California, having its principal place of business in the County of Los Angeles, State of California.

3. Plaintiff is ignorant of the true names and capacities, whether corporate, associate, individual, or otherwise, of Defendants sued herein as DOES 1 through 100, inclusive, and therefore sues said Defendants by such fictitious names. Plaintiff will seek leave of Court to amend this Complaint to assert the true names and capacities of the fictitiously named Defendants when the same have been ascertained. Plaintiff is informed and believes, and thereon alleges, that each Defendant designated as "DOES" herein is legally responsible for the events, happenings, acts, occurrences, indebtedness, damages, and liabilities hereinafter alleged and caused injuries and damages proximately thereby to the Plaintiff, as hereinafter alleged.

4. Plaintiff is informed and believes, and thereon alleges that each of the Defendants named herein has, at all times relevant herein, been the officer, agent, employee, and/or representative of the remaining Defendants and has acted within the course and scope of such agency and employment, and with the permission and consent of the co-Defendants.

///

JURISDICTION AND VENUE

5. This Court has jurisdiction over the claims alleged herein. Additionally, the relief requested is within the jurisdiction of this Court.

6. Venue is proper in the County of Los Angeles. Defendants conduct business in the County of Los Angeles and Plaintiff's employment was carried out in the County of Los Angeles.

7. All of the claims alleged herein arose in the County of Los Angeles.

8. The amount in controversy in this matter exceeds the sum of $35,000.00, exclusive of attorney's fees, interest, and costs.

PAGA REPRESENTATIVE ACTION ALLEGATIONS

9. Plaintiff has been employed by Defendant Plata Taqueria as a Bartender and Server since approximately 2015. Plaintiff and other similarly situated aggrieved employees are seemingly paid biweekly.

10. The "Aggrieved Employees" are all current and former California non-exempt employees who worked for Defendant Plata Taqueria during the relevant time period pursuant to California *Labor Code* §§ 2698 et seq., the Labor Code Private Attorneys General Act of 2004 ("PAGA").

11. It is Plaintiff's position that Defendant Plata Taqueria committed the Labor Code violations alleged herein against Plaintiff and other similarly situated aggrieved employees.

12. Defendant Plata Taqueria violated California *Labor Code* §§ 512 and 226.7, as well as Industrial Welfare Commission ("IWC") Wage Order No. Order No. 5, because it failed to provide Plaintiff and other similarly situated aggrieved employees a thirty-minute, uninterrupted meal period for every five (5) hours of work. As ownership and/or management are aware, and as evidenced by Plaintiff's timecards, Defendant Plata Taqueria either failed to provide Plaintiff and other similarly situated aggrieved employees a meal period entirely, or it did not provide meal periods that were timely, complete, and uninterrupted. Indeed, even a cursory review of Plaintiff's timecards confirms that his meal periods were oftentimes shorter than the legally required 30 minutes.

13. On other occasions, partly due to the fact that he was the only bartender scheduled to work, though Plaintiff was clocked out for his legally mandated meal period, he was required to continue performing his duties, i.e., his meal periods were interrupted. For example, Plaintiff was required to answer the phone or assist a customer at the restaurant, among the other duties he was required to perform during his meal periods.

14. Plaintiff is informed, believes, and herein alleges that the other similarly situated aggrieved employees had their legally mandated meal periods interrupted in a similar manner.

15. Defendant Plata Taqueria did not duly compensate Plaintiff and other similarly situated aggrieved employees one additional hour of pay at the regular rate of compensation for each workday when one or more statutory meal periods was either untimely, incomplete, and/or interrupted, or not provided entirely.

16. Defendant Plata Taqueria also violated California *Labor Code* § 226.7 and IWC Wage Order No. 5, because it failed to provide Plaintiff and other similarly situated aggrieved employees with ten-minute rest periods for every four hours of work, or majority portion thereof. Defendant Plata Taqueria did not relieve Plaintiff and other similarly situated aggrieved employees of all their duties during said rest periods, instead directing them to continue working.

17. Given the heavy workload and expectation for Plaintiff and other similarly situated aggrieved employees to timely complete their tasks, the culture at Plata Taqueria did not lend itself to the employees receiving statutory rest periods at which time they were relieved of all work duties. As such, the work environment and culture at Plata Taqueria was not conducive to receiving statutory rest breaks under California law. Despite any alleged policies to the contrary, it was the normal practice and custom of Defendant Plata Taqueria *not* to authorize, permit, and/or enforce statutory rest periods.

18. Defendant Plata Taqueria did not pay Plaintiff and other similarly situated aggrieved employees one additional hour of pay at the regular rate of compensation for each workday when one or more statutory rest periods was not provided.

19. In further violation of the California Labor Code, Plaintiff was routinely required to work off the clock without being duly compensated for the same. As typically the only bartender scheduled to work a given shift, Plaintiff was routinely required to clock out and finish preparations for the incoming bartender and/or server. Though management had express notice that Plaintiff was being forced to work off the clock on a routine basis, Defendant Plata Taqueria knowingly failed and/or refused to compensate him for the time he was required to work.

20. Plaintiff is informed, believes, and herein alleges that the other similarly situated aggrieved employees were also required to work off the clock without being compensated.

21. In doing so, Defendant Plata Taqueria failed to compensate Plaintiff and other similarly situated aggrieved employees with the minimum wages to which they were entitled for work performed while off the clock and, as such, did not compensate Plaintiff and other similarly situated aggrieved employees for all hours worked at the minimum wage rate pursuant to California *Labor Code* §§ 1194, 1197, and 1197.1.

22. Defendant Plata Taqueria also failed to compensate Plaintiff and other similarly situated aggrieved employees for all hours worked at the minimum wage rate by virtue of its failure to provide Plaintiff and other similarly situated aggrieved employees uninterrupted meal periods, i.e., during a period of time they were clocked out, not being compensated, yet required to work.

23. As a further result, Defendant Plata Taqueria also violated California *Labor Code* § 510, because it failed to compensate Plaintiff and other similarly situated aggrieved employees overtime compensation, even though they worked more than 8 hours per day, 12 hours per day, and/or 40 hours per week. Defendant Plata Taqueria's failure to do so was partly as a result of its requirement for Plaintiff and other similarly situated aggrieved employees to work off the clock.

24. Plaintiff and other similarly situated aggrieved employees' actual work hours entitled them to overtime compensation (daily and/or weekly). However, they were not paid accurately and fully for their overtime hours. Moreover, any incentive and/or bonus payments were not included in calculating Plaintiff and others' regular rate of pay for purposes of determining their correct

overtime rate of pay.

25. During the relevant time period, Plaintiff and other similarly situated aggrieved employees also incurred necessary, business-related expenses and costs that were not reimbursed by Defendant Plata Taqueria. These costs include, but are not limited to the requirement to use a personal cellular phone for the direct benefit of Defendant Plata Taqueria.

26. However, despite requiring Plaintiff and other similarly situated aggrieved employees to incur business-related costs and expenses for its direct benefit, Defendant Plata Taqueria did not duly reimburse them and/or failed to reimburse them in a reasonable amount. Accordingly, Defendant Plata Taqueria was in violation of California *Labor Code* §§ 2800 and 2802.

27. As a further result of the violations discussed herein, Defendant Plata Taqueria failed to compensate Plaintiff and other similarly situated aggrieved employees all wages due to them within any time period specified by California *Labor Code* § 204.

28. Defendant Plata Taqueria was also in violation of California *Labor Code* § 226(a) by failing to timely provide and/or include pertinent information on Plaintiff and other similarly situated aggrieved employees' wage statements including, but not limited to the name and address of the legal entity that is the employer, all hours worked (regular and overtime), gross wages earned, net wages earned, all applicable hourly rates, all deductions, premium pay for missed, untimely, incomplete, and/or interrupted meal and rest periods, and what should have been reimbursement for any business-related expenses incurred, among other information.

29. By virtue of the violations discussed herein, Defendant Plata Taqueria failed to keep accurate and complete payroll records showing the actual hours worked per day and the wages paid to Plaintiff and other similarly situated aggrieved employees pursuant to California *Labor Code* § 1174(d).

30. Defendant Plata Taqueria also failed to provide Plaintiff and other similarly situated aggrieved employees paid sick leave in accordance with California's Healthy Workplaces, Healthy Families Act of 2014 (California *Labor Code* §§ 245 et seq.).

I.

FIRST CAUSE OF ACTION

Violation of the Private Attorneys General Act ("PAGA")

[California *Labor Code* §§ 2698 et seq.]

Against All Defendants & DOES 1 through 100, Inclusive

31. Plaintiff incorporates herein by reference and re-alleges each and every paragraph in this Complaint as though duly set forth in full herein.

32. On or about July 27, 2026, Plaintiff provided the required written notice to the Labor & Workforce Development Agency ("LWDA") and Defendants of the specific violations of the California Labor Code that Defendant Plata Taqueria and DOES 1-100 are alleged to have violated and continue to violate.

33. Pursuant to California *Labor Code* § 2699.3, no response was received from the LWDA within 65 days of the postmark date of the notices to the LWDA.

34. Plaintiff therefore exhausted all administrative remedies required of her under California *Labor Code* §§ 2698, 2699, and 2699.3, and, as a result, may prosecute this cause of action and pursue penalties in a representative action for Defendant's alleged violations of the Labor Code.

35. Pursuant to California *Labor Code* § 2699, any provisions of the Labor Code that provides for a civil penalty to be assessed and collected by the LWDA or any of its departments, divisions, commissions, boards, agencies, or employees for violation of the 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 pursuant to the procedures specified in Section 2699.3.

36. Plaintiff is an "aggrieved employee" because he was and/or is employed by the alleged violators and had the alleged violations committed against him and is therefore properly suited to represent the interests of other current and former employees who worked for Defendant Plata Taqueria and DOES 1 through 100 in the State of California during the PAGA period.

37. Based on the acts alleged above, Plaintiff, on behalf of himself and other similarly situated aggrieved employees, seeks penalties under California *Labor Code* §§ 2698 and 2699 because of Defendant Plata Taqueria's alleged violations of the California Labor Code, as alleged herein.

38. Plaintiff seeks penalties for Defendant Plata Taqueria's misconduct as alleged herein as permitted by law, but only those penalties that are required to be shared with the LWDA as Plaintiff is not seeking individual and/or victim-specific relief under this cause of action.

39. Specifically, Plaintiff seeks penalties under California *Labor Code* § 2699 for violations of California Labor Code Sections 201, 202, 203, 204 and/or 204b, 210, 221, 226, 226.3, 226.7, 226.8, 510, 512, 558, 1174, 1174.5, 1194, 1197, and 1198, via 2698, 2802, and 2699, any other Labor Code provisions and Wage Orders violated on the facts alleged in this Complaint.

40. Pursuant to California *Labor Code* §§ 2698 et seq., Plaintiff seeks to recover attorney's fees, costs, and civil penalties on behalf of Plaintiff and other current and former similarly situated aggrieved employees as alleged herein in an amount to be shown according to proof at trial and within the jurisdictional limits of this Court.

WHEREFORE, PLAINTIFF RAFAEL SOLANO prays for judgment against Defendants and DOES 1-100, and each of them, as follows:

1. For the imposition of civil penalties against Defendants;

2. For maximum civil penalties against Defendants available under California *Labor Code* § 2699 in a manner and amount authorized by that statute, as described more particularly herein and representative PAGA claims;

3. For all costs and disbursements incurred in this suit;

4. For reasonable attorney's fees against Defendants where available by law, including but not limited to those pursuant to California *Labor Code* §§ 2698 et seq., California *Code of Civil Procedure* § 1021.5, and/or other applicable laws; and

5. For such other and further relief as this Court may deem proper.

Dated: October 2, 2026

SEZGIN KHOUSADIAN LLP

By: *Arthur Sezgin*

ARTHUR SEZGIN, ESQ.
Attorneys for PLAINTIFF
RAFAEL SOLANO