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PAGA NOTICE NO.: LWDA-CM-1188163-26

July 1, 2026

Labor and Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Suite 801
Oakland, CA 94612
(Via Online Submission — LWDA PAGA Filing Portal; \$75 filing fee submitted)

Synear Foods USA, LLC
9601 Canoga Ave.
Chatsworth, CA 91311
(Via Certified Mail, Return Receipt Requested) No. 9589 0710 5270 3847 3562 38

Fengxiao Li
Agent for Service of Process for Synear Foods USA, LLC
9601 Canoga Ave.
Chatsworth, CA 91311
(Via Certified Mail, Return Receipt Requested) No. 9589 0710 5270 3847 3562 45

**Re: Luis Moreno v. Synear Foods USA, LLC
Notice of Labor Code Violations and PAGA Penalties (Lab. Code §§ 2698, et seq.)**

To Whom It May Concern:

This office represents Luis Moreno (“Claimant”) in connection with a representative action under the Labor Code Private Attorneys General Act of 2004 (“PAGA”), Labor Code sections 2698, et seq., against his former employer, Synear Foods USA, LLC (“Synear” or the “Employer”). This letter is submitted to the Labor and Workforce Development Agency (“LWDA”) and served on the Employer to comply with Labor Code section 2699.3 and to set forth the specific provisions of the Labor Code alleged to have been violated, together with the facts and theories supporting those alleged violations.

Claimant brings this notice as an aggrieved employee, on behalf of the State of California and other aggrieved employees. For PAGA notices submitted on or after June 19, 2024, an aggrieved employee may pursue penalties only for Labor Code violations that the employee personally suffered. Claimant personally suffered each of the violations described below during his employment and within the applicable one-year limitations period.

Claimant’s Employment

Synear hired Claimant on or about March 25, 2024, as a Sanitation Supervisor at Synear’s food-manufacturing facility located at 9601 Canoga Ave., Chatsworth, California. Synear classified Claimant as an exempt, salaried employee and terminated his employment on or about September 17, 2025. Claimant

primarily performed non-exempt sanitation and related duties on the night/third shift and regularly worked more than eight hours in a workday and more than forty hours in a workweek. Syneer's operations are subject to the California Labor Code and the applicable Industrial Welfare Commission Wage Order, including Wage Order No. 1-2001 (Manufacturing Industry).

The Aggrieved Employees

The aggrieved employees are Claimant and other current and former Syneer employees in California who were not paid accurate wages for all hours worked at any time within the applicable statutory period (the "Aggrieved Employees").

This group includes employees who, like Claimant, were misclassified as exempt and thereby denied overtime and other wages for the hours they worked, as well as employees who were not paid for all hours worked for other reasons, including the Employer's failure to record and maintain accurate records of hours worked, time rounding, and unrecorded work performed before, during, or after scheduled shifts. The unifying violation is the Employer's failure to pay accurate wages for all hours worked and to keep accurate records of those hours. Claimant personally suffered these violations: as a result of his exempt classification, he was not paid for all hours he worked, including overtime, and the Employer kept no accurate record of his actual hours.

1. Misclassification as Exempt; Failure to Pay All Wages for Hours Worked (Lab. Code §§ 204, 510, 515, 558, 1194, 1197, 1197.1, 1198)

Under Labor Code section 515 and the applicable Wage Order, the executive, administrative, and professional exemptions apply only to an employee who is primarily engaged in exempt duties, customarily and regularly exercises discretion and independent judgment, and earns a monthly salary of at least twice the state minimum wage for full-time employment. Claimant and other employees whom Syneer classified as exempt did not satisfy these requirements; they were non-exempt and were entitled to overtime and the other protections owed to non-exempt employees.

Labor Code sections 510 and 1198 and the applicable Wage Order require overtime pay for hours worked beyond eight in a workday, beyond forty in a workweek, and for the first eight hours on the seventh consecutive workday; and Labor Code sections 1194, 1197, and 1198 require at least the minimum wage for all hours worked. Syneer failed to pay Claimant and the Aggrieved Employees for all hours they worked, including minimum, straight-time, and overtime wages. For Claimant and other employees treated as exempt, this failure resulted from their misclassification. For other Aggrieved Employees, it resulted from the Employer's failure to pay for all hours worked — including work performed off the clock or before and after recorded shifts, time rounding, and the failure to record and maintain accurate records of all hours worked. Syneer is liable for the civil penalties provided in Labor Code sections 558, 1197.1, and 2699.

2. Failure to Provide Meal Periods (Lab. Code §§ 226.7, 512)

Labor Code section 512 and the applicable Wage Order require a 30-minute, duty-free meal period beginning no later than the end of the fifth hour of work, and a second meal period for shifts exceeding ten hours. Syneer did not provide compliant meal periods to Claimant and the Aggrieved Employees and did not pay the one additional hour of premium pay owed under Labor Code section 226.7 for each noncompliant day. Syneer is liable for the civil penalties provided in Labor Code section 2699.

3. Failure to Authorize and Permit Rest Periods (Lab. Code § 226.7)

The applicable Wage Order requires a paid, duty-free 10-minute rest period for every four hours worked or major fraction thereof. Syneer failed to authorize and permit compliant rest periods and failed to pay the premium owed under Labor Code section 226.7. Syneer is liable for the civil penalties provided in Labor Code section 2699.

4. Failure to Timely Pay Final Wages (Lab. Code §§ 201–203)

Labor Code sections 201 and 202 require that all wages earned and unpaid be paid promptly upon discharge. Because Synear failed to pay all overtime, minimum, and premium wages owed, it failed to pay all final wages due to Claimant and the Aggrieved Employees upon separation, and is liable for waiting-time penalties under Labor Code section 203 and the civil penalties provided in Labor Code section 2699.

5. Failure to Furnish Accurate Itemized Wage Statements (Lab. Code §§ 226, 226.3)

Labor Code section 226(a) requires accurate, itemized wage statements showing, among other things, all hours worked and all applicable hourly rates. A wage statement is excused from showing total hours worked only where, under Labor Code section 226(j), the employee is paid solely on a salary basis and is legitimately exempt from overtime under section 515. Because Synear misclassified Claimant and the Aggrieved Employees as exempt when they did not qualify, they fall outside the section 226(j) exception and were entitled to wage statements showing all hours worked and applicable rates. The statements Synear furnished omitted that required information. Synear is liable for the civil penalties provided in Labor Code sections 226.3 and 2699.

6. Failure to Indemnify Necessary Business Expenses (Lab. Code § 2802)

Labor Code section 2802 requires an employer to indemnify employees for all necessary expenditures incurred in discharging their duties. Synear failed to reimburse Claimant and the Aggrieved Employees for necessary work-related expenses, and is liable for the civil penalties provided in Labor Code section 2699.

7. Failure to Maintain Accurate Records (Lab. Code § 1174)

Labor Code section 1174 requires employers to maintain accurate records of hours worked and wages paid. Synear failed to keep accurate records of the hours actually worked by Claimant and the Aggrieved Employees — whether because it treated them as exempt and recorded none of their hours, or because its timekeeping practices otherwise failed to capture all hours worked. Synear is liable for the penalty provided in Labor Code section 1174.5.

8. Discharge by Reason of Wage Garnishment (Lab. Code § 2929)

Labor Code section 2929(b) prohibits an employer from discharging an employee because the employee's wages have been subjected to garnishment for the payment of one judgment, and renders void any contract provision affording less protection. During his employment, Claimant's wages were subject to an earnings withholding order. To the extent Synear discharged Claimant, or any Aggrieved Employee, by reason of such a garnishment for a single judgment, it violated section 2929(b), which is among the provisions enumerated in Labor Code section 2699.5. Synear is liable for the wages and civil penalties provided in Labor Code sections 2929(c) and 2699.

Civil Penalties Under PAGA

Based on the foregoing, Claimant, as a proxy for the State of California, seeks to recover on behalf of himself and the Aggrieved Employees the civil penalties available under Labor Code section 2699, as amended effective June 19, 2024, together with the specific civil penalties identified above and reasonable attorney's fees and costs under Labor Code section 2699. Civil penalties recovered under PAGA are distributed 65 percent to the LWDA and 35 percent to the aggrieved employees. Claimant seeks penalties only for violations he personally suffered. Synear may have the right to cure certain violations and to seek early evaluation or a reduction of penalties as provided by the 2024 PAGA amendments; Claimant reserves all rights with respect to any cure or compliance the Employer may assert.

Claimant's individual claims for whistleblower retaliation and wrongful termination are not asserted through this PAGA notice and are being pursued separately.

Notice to and Request of the LWDA

Claimant respectfully requests that the LWDA advise, within the time provided by Labor Code section 2699.3, whether it intends to investigate the violations alleged in this notice. If the LWDA does not intend to investigate, or does not provide notice of its intention within the statutory period, Claimant intends to commence a representative civil action to recover PAGA penalties for the violations described above, in addition to all other available relief. Claimant reserves the right to amend or supplement this notice.

Respectfully submitted,

CDLP Law

By: *Jiakun Lei*
Jiakun Lei
Attorney for Claimant Luis Moreno

VERIFICATION / CLIENT ACKNOWLEDGMENT

I, Luis Moreno, have reviewed this Notice of Labor Code Violations and PAGA Penalties. The facts stated about my employment are true and correct to the best of my knowledge, and I authorize its submission to the Labor and Workforce Development Agency and service on my former employer.

LM
Luis Moreno (Jun 30, 2026 17:07:19 PDT) Dated: Jun 30, 2026
Luis Moreno