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8 Attorney for Plaintiff
9 Savann Khy

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6/11/2024 1:20 PM
Superior Court of California
County of Stanislaus
Clerk of the Court
By: Natalie Rudel, Deputy
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF STANISLAUS

11 SAVANN KHY, on behalf of himself and all
12 aggrieved employees,

13 Plaintiff,

14 v.

15 ABM GENERAL SERVICES, INC., and DOES
16 1 to 100,

17 Defendants.

) NO. CV-24-004593

) COMPLAINT FOR PAGA PENALTIES

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PRELIMINARY ALLEGATIONS

1. Plaintiff Savann Khy is a resident of Stanislaus County.

2. Defendant ABM General Services, Inc. Delaware corporation based in Texas that is
authorized to do business in California.

3. Plaintiff does not know the names and capacities of Does 1 to 100 and therefore use
fictitious names. Plaintiff will amend pursuant to Code of Civil Procedure section 474 when the
names and capacities are known.

4. The named and Doe defendants are referred to as "Defendants" and are the alter ego of each
other and are collectively liable for the acts below.

5. Plaintiff worked for Defendants in a nonexempt capacity; therefore Wage Order 1 applies.

6. Plaintiff worked at Defendants' location in Modesto from October 2023 to January 2024.

7. Plaintiff's duties included monitoring bread on a production line and placing bread in designated trays.

8. On March 15, 2024 Plaintiff sent a PAGA letter to Defendant and uploaded the letter to the LWDA website. Since it has been more than 65 days since the letter was sent, Plaintiff may now request PAGA penalties for all aggrieved employees. (Lab. Code, § 2699(a).)

9. The aggrieved employees include all of Defendants' nonexempt employees in California from March 15, 2023 through final disposition of the action.

FIRST CAUSE OF ACTION

PAGA Penalties

Against All Defendants

10. Plaintiff incorporates by reference paragraphs 1 to 9 of the complaint.

11. The PAGA allegations relate to the following: 1) minimum wage violations, 2) overtime violations, 2) meal break violations, 3) rest break violations, 4) wage statement violations, and 5) waiting time violations.

12. The PAGA penalties for the minimum wage violations are contained in Labor Code 1197.1.

13. The PAGA penalties for the overtime violations are contained in Labor Code 558 and 2699.

14. The PAGA penalties for meal break violations are contained in Labor Code 558 and 2699.

15. The PAGA penalties for the rest break violations are in Labor Code section 2699.

16. The PAGA penalties for the wage statement violations are in Labor Code 226.3 and 2699.

17. The PAGA penalties for the waiting time violations are in Labor Code 210 and 2699.

18. Plaintiff is also entitled to attorney fees and costs under Labor Code section 2699(g).

PRAYER

First Cause of Action

1. All applicable penalties
2. Attorney fees and costs

1 Date: June 7, 2024

FRONTIER LAW CENTER

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/s/ Adam Rose
Attorney for Plaintiff
Savann Khy

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