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ALEJANDRA ESTRADA VALENCIA and

CARLOS ALVARADO CEJA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

ALEJANDRA ESTRADA VALENCIA and
CARLOS ALVARADO CEJA, individuals
and on behalf of all others similarly situated;

Plaintiffs,

vs.

HMN INCORPORATED, a California
corporation; HECTOR NUNEZ, an individual;
and DOES 1 through 50,

Defendants.

Case No.: BCV-24-101370

**FIRST AMENDED CLASS AND
REPRESENTATIVE ACTION
COMPLAINT:**

- (1) MEAL PERIOD VIOLATIONS
(LABOR CODE §§ 226.7, 512, 558);
- (2) REST PERIOD VIOLATIONS
(LABOR CODE §§ 226.7, 516, 558);
- (3) WAITING TIME PENALTIES
(LABOR CODE §§ 201-203);
- (4) UNFAIR COMPETITION (BUS &
PROF CODE §§ 17200, *et seq.*); and
- (5) CIVIL PENALTIES UNDER THE
CALIFORNIA PRIVATE
ATTORNEYS GENERAL ACT
(LABOR CODE §§ 2698, *et seq.*)

DEMAND FOR JURY TRIAL

1 Plaintiffs ALEJANDRA ESTRADA VALENCIA and CARLOS ALVARADO CEJA
2 (“Plaintiffs”), on behalf of themselves and all others similarly situated, hereby bring this First
3 Amended Class and Representative Action Complaint (“Complaint”) against Defendants HMN
4 INCORPORATED, a California corporation; HECTOR NUNEZ, an individual; and DOES 1 to 50
5 (collectively “Defendants”), and on information and belief alleges as follows:

6 **JURISDICTION AND VENUE**

7 1. Plaintiffs, on behalf of themselves and all others similarly situated, hereby bring this
8 Complaint for recovery of unpaid wages and penalties under California Business and Professions
9 Code § 17200, *et seq.*, Labor Code §§ 201-204, 226, 226.7, 246, 510, 512, 516, 558, 1182.12, 1194,
10 1194.2, 1197, 1198, 2802, 2698, *et seq.*, and Industrial Welfare Commission (“IWC”) Wage Order
11 14-2001 (“Wage Order 14”), in addition to seeking injunctive relief, declaratory relief, and
12 restitution. This Complaint is brought pursuant to California Code of Civil Procedure § 382. This
13 Court has jurisdiction over Defendants’ violations of the Labor Code because the amount in
14 controversy exceeds \$25,000.

15 2. Venue is proper in this judicial district because Defendants maintain offices, have
16 agents, and/or transact business in the State of California, including Kern County, and some of the
17 acts and omissions complained of herein occurred in Kern County. Furthermore, Plaintiffs were
18 employed by Defendants within Kern County.

19 **PARTIES**

20 3. Plaintiffs are, and at all times relevant herein were, individuals over the age of
21 eighteen (18) and are California residents. Within the statute of limitations periods applicable to
22 each cause of action pled herein, Plaintiffs were employed by Defendants as non-exempt
23 employees. Plaintiffs were, and are, a victim of Defendants’ policies, practices, and/or customs
24 complained of herein and have been deprived of the rights guaranteed by Business and Professions
25 Code § 17200, *et seq.*, Labor Code §§ 201-204, 226, 226.7, 246, 510, 512, 516, 558, 1182.12, 1194,
26 1194.2, 1197, 1198, 2802, 2698, *et seq.*, and Wage Order 14.

27 4. Plaintiffs are informed and believe, and based thereon allege, that during the
28 applicable statute of limitations for each cause of action pled herein and continuing to the present,

1 Defendant HMN INCORPORATED engaged in, and continue to engage in, business, and employed
2 Plaintiffs and other, similarly-situated non-exempt employees within Kern County, and the State of
3 California and, therefore, were (and are) doing business in Kern County and the State of California.

4 5. Plaintiffs are informed and believe, and based thereon allege, that during the
5 applicable statute of limitations for each cause of action pled herein and continuing to the present,
6 Defendant HECTOR NUNEZ is an individual residing in California, as well as the Chief Executive
7 Officer of Defendant HMN INCORPORATED. Plaintiff is further informed and believes, and
8 based thereon alleges, that Defendant HECTOR NUNEZ violated, or caused to be violated, the
9 above- and below-referenced Labor Code statutes in violation of Labor Code §§ 558 and 558.1

10 6. Plaintiffs do not know the true names or capacities, whether individual, partner, or
11 corporate, of the defendants sued herein as DOES 1 to 50, inclusive, and for that reason, said
12 defendants are sued under such fictitious names, and Plaintiffs will seek leave from this Court to
13 amend this Complaint when such true names and capacities are discovered. Plaintiffs are informed,
14 and believe, and based thereon allege, that each of said fictitious defendants, whether individual,
15 partners, or corporate, was responsible in some manner for the acts and omissions alleged herein,
16 and proximately caused Plaintiffs and the Classes (as defined below) to be subject to the unlawful
17 employment practices, wrongs, injuries, and damages complained of herein.

18 7. At all times herein mentioned, each of said Defendants participated in the doing of
19 the acts hereinafter alleged to have been done by the named Defendant; and furthermore,
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 acting
22 within the course and scope of said agency and employment.

23 8. Plaintiffs are informed and believe, and based thereon allege, 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 within
26 the course and scope of such agency, employment, joint venture, or concerted activity. To the extent
27 said acts, conduct, and omissions were perpetrated by certain Defendants, each of the remaining
28 Defendants confirmed and ratified said acts, conduct, and omissions of the acting Defendants.

9. 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.

10. 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.

FACTUAL ALLEGATIONS

11. Defendants own and operate farms in McFarland, California. Defendants employed Plaintiffs as hourly-paid, non-exempt employees from approximately May 2021 to November 2021 as farm laborers.

12. Defendants failed to provide Plaintiffs and other non-exempt employees with all legally compliant meal periods due to Defendants' meal period policies/practices, which have frequently resulted in late (commencing after the fifth hour of work), short (less than 30 minutes), and/or missed meal periods. Upon information and belief, Plaintiffs and other non-exempt employees were not able to take their legally compliant meal breaks due to work demands imposed by Defendants. Upon information and belief, Defendants do not keep accurate records of Plaintiffs' and other non-exempt employees' hours worked, including accurate time records showing when employees take their meal periods. On those occasions when Plaintiffs and other non-exempt employees were not provided with all legally compliant meal periods to which they were entitled, Defendants failed to compensate Plaintiffs and other non-exempt employees with the required meal period premium(s) for each workday there was a meal period violation as mandated by Labor Code § 226.7. Upon information and belief, Defendants maintained no mechanism for the payment of meal period premium payments as required by Labor Code § 226.7 in the event that a legally compliant meal period was not provided to their non-exempt employees.

13. Plaintiffs and other non-exempt employees were not authorized and permitted to take all required rest periods due to Defendants' unlawful rest period policies/practices, which failed to authorize and permit a net 10-minute rest period for every four hours worked, or major fraction thereof. Plaintiffs and other non-exempt employees were not able to take their legally compliant rest

breaks due to work demands imposed by Defendants. On those occasions when Plaintiffs and other non-exempt employees were not authorized and permitted to take all legally compliant rest periods to which they were entitled, Defendants failed to compensate them with the required rest period premium(s) for each workday there was a rest period violation as mandated by Labor Code § 226.7. Upon information and belief, Defendants maintained no mechanism for the payment of rest period premium payments as required by Labor Code § 226.7, in the event that a legally compliant rest period was not authorized and permitted to their non-exempt employees.

14. As a result of Defendants' failure to pay all meal and rest period premium wages, and unlawful timekeeping and payroll practices as alleged above, Defendants maintained inaccurate payroll records and issued inaccurate wage statements to Plaintiffs and other non-exempt employees. As a further result of Defendants' failure to pay all meal and rest period premium wages, Defendants failed to timely pay all final wages to Plaintiffs and other former non-exempt employees upon their separation of employment from Defendants.

CLASS ACTION ALLEGATIONS

15. **Class Definitions:** Plaintiffs bring this action on behalf of themselves and the following Classes pursuant to § 382 of the California Code of Civil Procedure:

- a. Meal Period Class: All current and former non-exempt employees of Defendants in the State of California who: (i) worked at least one shift in excess of 5.0 hours; and/or (ii) worked at least one shift in excess of 10.0 hours, during the four years immediately preceding the filing of this action through the present.
- b. Rest Period Class: All current and former non-exempt employees of Defendants in the State of California who worked at least one shift of 3.5 or more hours, during the four years immediately preceding the filing of this action through the present.
- c. Waiting Time Penalty Class: All of Defendants' formerly employed members of the Minimum Wage Class, Overtime Class, Rest Period Class, and/or Meal Period Class during the three years immediately preceding the filing of this action through the present.

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1 16. **Numerosity/Ascertainability:** The members of the Classes are so numerous that
2 joinder of all members would be impractical, if not impossible. The membership of the Classes is
3 unknown to Plaintiffs at this time; however, it is estimated that the members of the Classes number
4 greater than 50 individuals. The identity of such membership is readily ascertainable via inspection
5 of Defendants' employment records, including payroll records.

6 17. **Common Questions of Law and Fact Predominate/Well-Defined Community of**
7 **Interest:** There are predominant common questions of law and fact as to Plaintiffs and members of
8 the Classes, which predominate over questions affecting only individual members including,
9 without limitation to:

- 10 a. Whether Defendants provided all legally compliant meal periods or paid meal period
11 premium wages due to members of the Meal Period Class pursuant to Labor Code §§
12 226.7 and 512;
- 13 b. Whether Defendants authorized and permitted all legally compliant rest periods or
14 paid all rest period premium wages due to members of the Rest Period Class
15 pursuant to Labor Code §§ 226.7 and 516; and
- 16 c. Whether Defendants timely paid all final wages to members of the Waiting Time
17 Class at the time of their separation of employment pursuant to Labor Code §§ 201
18 and 202.

19 These common questions of law and fact set forth above are numerous and substantial and
20 stem from Defendants' policies and/or practices applicable to each individual class member. As
21 such, the common questions predominate over individual questions concerning each individual
22 class member's showing as to their eligibility for recovery or as to the amount of their damages.

23 18. **Typicality:** The claims of Plaintiffs are typical of the claims of the Classes because
24 Plaintiffs was employed by Defendants as a non-exempt employee in California during the
25 statute(s) of limitations period applicable to each cause of action pled in the Complaint. As alleged
26 herein, Plaintiffs, like the members of the Classes, was not provided all required meal periods, was
27 not authorized and permitted all rest periods, did not receive premium pay for non-compliant meal
28 and rest periods, was not paid all final wages upon separation of employment, and was not

1 reimbursed for all necessary business expenses.

2 19. **Adequacy of Representation:** Plaintiffs are fully prepared to take all necessary
3 steps to represent fairly and adequately the interests of the members of the Classes. Moreover,
4 Plaintiffs' attorneys are ready, willing and able to fully and adequately represent the members of the
5 Classes and Plaintiffs. Plaintiffs' attorneys have litigated numerous wage-and-hour class actions in
6 state and federal courts in the past and are committed to vigorously prosecuting this action on behalf
7 of the members of the Classes.

8 20. **Superiority:** The Labor Code is broadly remedial in nature and serves an important
9 public interest in establishing minimum working conditions and standards in California. These laws
10 and labor standards protect the average working employee from exploitation by employers who
11 have the responsibility to follow the laws and who may seek to take advantage of superior economic
12 and bargaining power in setting onerous terms and conditions of employment. The nature of this
13 action and the format of laws available to Plaintiffs and members of the Classes make the class
14 action format a particularly efficient and appropriate procedure to redress the violations alleged
15 herein. If each employee were required to file an individual lawsuit, Defendants would necessarily
16 gain an unconscionable advantage since they would be able to exploit and overwhelm the limited
17 resources of each individual Plaintiffs with their vastly superior financial and legal resources.

18 21. Moreover, requiring each member of the Class(es) to pursue an individual remedy
19 would also discourage the assertion of lawful claims by employees who would be disinclined to file
20 an action against their former and/or current employer for real and justifiable fear of retaliation and
21 permanent damages to their careers at subsequent employment. The claims of the individual
22 members of the Class are not sufficiently large to warrant vigorous individual prosecution
23 considering all of the concomitant costs and expenses attending hereto.

24 22. Furthermore, the prosecution of separate actions by the individual class members,
25 even if possible, would create a substantial risk of inconsistent or varying verdicts or adjudications
26 with respect to the individual class members against Defendants herein; and which would establish
27 potentially incompatible standards of conduct for Defendants; and/or legal determinations with
28 respect to individual class members which would, as a practical matter, be dispositive of the interest

1 of the other class members not parties to adjudications or which would substantially impair or
2 impede the ability of the class members to protect their interests. As such, the Classes identified
3 hereinabove are maintainable as classes under § 382 of the Code of Civil Procedure.

4 **FIRST CAUSE OF ACTION**

5 **MEAL PERIOD VIOLATIONS**

6 **(Against All Defendants)**

7 23. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as though
8 fully set forth herein.

9 24. Plaintiffs are informed and believe, and based thereon allege, that Defendants failed
10 in their affirmative obligation to provide all of their non-exempt employees in California, including
11 Plaintiffs and members of the Meal Period Class, with all legally compliant meal periods in
12 accordance with the mandates of the Labor Code and Wage Order 14, § 11.

13 25. Despite Defendants' violations, Defendants did not pay an additional hour of pay to
14 Plaintiffs and members of the Meal Period Class at their respective regular rates of compensation, in
15 accordance with California Labor Code §§ 204, 210, 226.7, and 512.

16 26. As a consequence of Defendants' unlawful meal period practices, Plaintiffs and
17 members of the Meal Period Class seek recovery of unpaid premium wages for meal period
18 violations including interest thereon, statutory penalties, and costs of suit, pursuant to Labor Code
19 §§ 226.7, 512, 558, Wage Order 14, and Civil Code §§ 3287 and 3289.

20 **SECOND CAUSE OF ACTION**

21 **REST PERIOD VIOLATIONS**

22 **(Against All Defendants)**

23 27. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as though
24 fully set forth herein.

25 28. Labor Code §§ 226.7, 516, 558, and Wage Order 14, § 12 and establish the right of
26 employees to be provided with a rest period of at least 10 minutes for each four-hour period
27 worked, or major fraction thereof. Plaintiffs are informed and believe, and based thereon allege, that
28 despite Defendants' failure to authorize and permit Plaintiffs and members of the Rest Period Class

1 to take all legally compliant rest periods as alleged herein, Defendants did not pay these individuals
2 an additional hour of pay at their respective regular rate for the rest periods that they failed to
3 authorize and permit them to take, as required by Labor Code § 226.7.

4 29. As a consequence of Defendants' unlawful rest period practices, Plaintiffs and
5 members of the Rest Period Class seek recovery of unpaid premium wages for rest period violations
6 including interest thereon, statutory penalties, and costs of suit, statutory penalties, attorneys' fees,
7 and costs of suit according to Labor Code §§ 226.7, 516, 558, Wage Order 14, and Civil Code §§
8 3287 and 3289.

9 **THIRD CAUSE OF ACTION**

10 **WAITING TIME PENALTIES**

11 **(Against All Defendants)**

12 30. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as though
13 fully set forth herein.

14 31. This cause of action is brought pursuant to Labor Code §§ 201-203, which require an
15 employer to pay all wages immediately at the time of separation of employment in the event the
16 employer discharges the employee or the employee provides at least 72 hours of notice of their
17 intent to quit. In the event the employee provides less than 72 hours of notice of their intent to quit,
18 said employee's wages become due and payable not later than 72 hours upon said employee's last
19 date of employment.

20 32. Plaintiffs are informed and believe, and based thereon allege, that Defendants failed
21 to timely pay Plaintiffs and members of the Waiting Time Class all final wages due to them at their
22 separation from employment, including unpaid meal and rest period premium wages.

23 33. Furthermore, Plaintiffs are informed and believe, and based thereon allege, that as a
24 matter of uniform policy and practice, Defendants continue to fail to pay Plaintiffs and members of
25 the Waiting Time Class all earned wages at the end of employment in a timely manner pursuant to
26 the requirements of Labor Code §§ 201-202.

27 34. Defendants' failure to pay all final wages was willful within the meaning of Labor
28 Code § 203. Defendants' willful failure to timely pay Plaintiffs and the members of the Waiting

1 Time Class their earned wages upon separation from employment results in continued payment of
2 daily wages up to thirty days from the time the wages were due.

3 35. As a consequence of Defendants' unlawful practices, Plaintiffs and members of the
4 Waiting Time Class seek statutory penalties, and costs of suit according to California Labor Code §
5 203.

6 **FOURTH CAUSE OF ACTION**

7 **UNFAIR COMPETITION**

8 **(Against All Defendants)**

9 36. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as though
10 fully set forth herein.

11 37. Defendants have engaged and continue to engage in unfair and/or unlawful business
12 practices in California in violation of Business and Professions Code § 17200, *et seq.*, by:

- 13 a. failing to provide Plaintiffs and members of the Meal Period Class with all meal
14 periods to which they are entitled, and failing to pay them all meal period premium
15 wages due;
- 16 b. failing to authorize and permit Plaintiffs and members of the Rest Period Class all
17 rest periods to which they are entitled, and failing to pay them all rest period
18 premium wages due; and
- 19 c. failing to timely pay all final wages to Plaintiffs and members of the Waiting Time
20 Penalty Class.

21 38. Defendants' utilization of these unfair and/or unlawful business practices deprived
22 Plaintiffs and continues to deprive members of the Classes of compensation to which they are
23 legally entitled, constitutes unfair and/or unlawful competition, and provides an unfair advantage
24 over Defendants' competitors who have been and/or are currently employing workers and
25 attempting to do so in honest compliance with applicable wage and hour laws.

26 39. Because Plaintiffs is a victim of Defendants' unfair and/or unlawful conduct alleged
27 herein, Plaintiffs for himself and on behalf of the members of the Classes, seeks full restitution of
28 monies, as necessary and according to proof, to restore any and all monies withheld, acquired

1 and/or converted by Defendants pursuant to Business and Professions Code §§ 17203 and 17208.

2 40. The acts complained of herein occurred within the last four years immediately
3 preceding the filing of the Complaint in this action.

4 **FIFTH CAUSE OF ACTION**

5 **PRIVATE ATTORNEYS GENERAL ACT**

6 **(Against All Defendants)**

7 41. Plaintiffs re-alleges and incorporates by reference all preceding paragraphs as though
8 fully set forth herein.

9 42. Plaintiffs, an “aggrieved employee” within the meaning of Labor Code §§ 2698, *et*
10 *seq.*, acting on behalf of themselves and other aggrieved employees (collectively, “Aggrieved
11 Employees”), brings this representative action against Defendants to recover the civil penalties due
12 to Plaintiffs and other Aggrieved Employees, and the State of California according to proof
13 pursuant to Labor Code §§ 558 and 2699(a) and (f) including, but not limited to: (1) \$100.00 for
14 each initial violation for each failure to pay each employee and \$200 for each subsequent violation
15 or willful or intentional violation pursuant to Labor Code §§ 210 and/or 225.5 for each failure to
16 pay each employee, plus 25% of the amount unlawfully withheld; (2) \$50.00 for each initial
17 violation and \$100 for each subsequent violation pursuant to Labor Code § 558 per employee per
18 pay period; (3) \$100 for each initial violation and \$250 for each subsequent violation pursuant to
19 Labor Code § 1197.1 per employee per pay period; (4) \$250 for each initial violation and \$1,000 for
20 each subsequent violation pursuant to Labor Code § 226.3 per employee per pay period; (5)
21 pursuant to Labor Code § 256, a civil penalty in an amount not exceeding 30 days per former
22 employee as waiting time under the terms of Labor Code § 203; and/or (6) \$100 for each initial
23 violation and \$200 for each subsequent violation per employee per pay period for those violations
24 of the Labor Code for which no civil penalty is specifically provided, based on the following Labor
25 Code violations:

- 26 a. Failing to provide all legally required meal periods, and failure to pay meal period
27 premium wages, to Aggrieved Employees at the regular rate of compensation in
28 violation of Labor Code §§ 226.7, 512, 558, and 1198;

- b. Failing to authorize and permit all legally required rest periods, and failure to pay rest period premium wages, to Aggrieved Employees at the regular rate of compensation in violation of Labor Code §§ 226.7, 516, 558, and 1198;
- c. Failing to furnish Aggrieved Employees with complete, accurate, itemized wage statements in violation of Labor Code § 226;
- d. Failing to timely pay all final wages and compensation earned by Aggrieved Employees at the time of separation in violation of Labor Code §§ 201-202;
- e. Failing to pay Aggrieved Employees all earned wages at least twice during each calendar month in violation of Labor Code § 204; and
- f. Failing to maintain accurate records on behalf of Aggrieved Employees in violation of Labor Code §§ 1174 and 1198.

43. On or about April 19, 2024, Plaintiffs notified Defendants via certified mail, and notified the California Labor and Workforce Development Agency (“LWDA”) via its website, of Defendants’ violations of the Labor Code and Plaintiffs’s intent to bring a claim for civil penalties under Labor Code §§ 2698, *et seq.* with respect to the violations of the Labor Code identified in the preceding paragraph. Now that 33 days and 65 days have passed from Plaintiffs notifying Defendants and the LWDA of these violations, Defendants have not cured any curable violations, and the LWDA has not provided notice that it intends to investigate the violations, Plaintiffs has exhausted administrative requirements for bringing a claim under the Private Attorneys General Act with respect to these violations.

44. Plaintiffs has incurred attorneys’ fees and costs, which Plaintiffs is entitled to receive under California Labor Code § 2699(g).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment for themselves and for all others on whose behalf this suit is brought against Defendants, as follows:

1. For an order certifying the proposed Classes;
2. For an order appointing Plaintiffs as representative of the Classes;
3. For an order appointing Counsel for Plaintiffs as Counsel for the Classes;

1 4. Upon the First Cause of Action, for meal period premium wages according to proof
2 pursuant to Labor Code §§ 226.7, 512, and 558;

3 5. Upon the Second Cause of Action, for rest period premium wages according to proof
4 pursuant to Labor Code §§ 226.7, 516, and 558;

5 6. Upon the Third Cause of Action, for statutory penalties pursuant to Labor Code §
6 203;

7 7. Upon the Fourth Cause of Action, for restitution to Plaintiffs and members of the
8 Classes of all money and/or property unlawfully acquired by Defendants by means of any acts or
9 practices declared by this Court to be in violation of Business and Professions Code §§ 17200, *et*
10 *seq.*;

11 8. Upon the Fifth Cause of Action, for civil penalties due to Plaintiffs, other Aggrieved
12 Employees, and the State of California according to proof pursuant to Labor Code §§ 558 and
13 2699(a) and (f) including, but not limited to: (1) \$100.00 for each initial violation for each failure to
14 pay each employee and \$200 for each subsequent violation or willful or intentional violation
15 pursuant to Labor Code §§ 210 and/or 225.5 for each failure to pay each employee, plus 25% of the
16 amount unlawfully withheld; (2) \$50.00 for each initial violation and \$100 for each subsequent
17 violation pursuant to Labor Code § 558 per employee per pay period; (3) \$100.00 for each initial
18 violation and \$250.00 for each subsequent violation pursuant to Labor Code § 1197.1 per employee
19 per pay period; (4) \$250.00 for each initial violation and \$1,000.00 for each subsequent violation
20 pursuant to Labor Code § 226.3 per employee per pay period; (5) pursuant to Labor Code § 256, a
21 civil penalty in an amount not exceeding 30 days per former employee as waiting time under the
22 terms of Labor Code § 203; and/or (6) \$100.00 for each initial violation and \$200 for each
23 subsequent violation per employee per pay period for those violations of the Labor Code for which
24 no civil penalty is specifically provided;

25 9. Prejudgment interest on all due and unpaid wages pursuant to Labor Code § 218.6
26 and Civil Code §§ 3287 and 3289;

27 10. On all causes of action, for attorneys' fees and costs as provided by Labor Code §§
28 218.5, 226, 1194, 2699(g), and Code of Civil Procedure § 1021.5; and

11. For such other and further relief, the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demands a trial by jury on all claims.

DATED: July 8, 2024

JUSTICE FOR WORKERS, P.C.

By: 

William C. Sung

Tiffany L. Luu

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VALENCIA and CARLOS ALVARADO CEJA