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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE**

DANE BOMBERRY, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

THINK TOGETHER, a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: **CVRI2401976**

**REPRESENTATIVE ACTION COMPLAINT
UNDER THE PRIVATE ATTORNEYS
GENERAL ACT OF 2004**

DEMAND OVER \$25,000.00

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1 Plaintiff Dane Bomberly (“Plaintiff”) hereby submits this Representative Action
2 Complaint (“Complaint”) against Defendant Think Together (“Defendant”), and Does 1 through
3 50 (collectively, “Defendants”), on behalf of the State of California and all aggrieved employees
4 of Defendant, for penalties for violations of the California Labor Code as follows:

5 **INTRODUCTION**

6 1. This representative action is within the Court’s jurisdiction under California
7 Labor Code sections 2802 and 2698, *et seq.*

8 2. This Complaint challenges systemic illegal employment practices resulting in
9 violations of the California Labor Code against individuals who worked for Defendant.

10 **JURISDICTION AND VENUE**

11 3. The Court has jurisdiction over the violations of the California Labor Code
12 sections 2802 and 2698, *et seq.*

13 4. Venue is proper in Riverside County because Plaintiff worked for Defendants in
14 Riverside County, California.

15 **PARTIES**

16 5. Plaintiff began working for Defendants in February 2001 and is currently
17 employed as a Talent Acquisition Lead. Plaintiff works as an hourly non-exempt employee.

18 6. Plaintiff was and is the victims of the policies, practices, and customs of
19 Defendant complained of in this action in ways that have deprived him of the rights guaranteed
20 by California Labor Code sections 2802 and 2698, *et seq.*

21 7. Plaintiff is informed and believes, and based thereon alleges, that Think Together
22 was and is a California nonprofit public benefit corporation providing after school, early
23 learning, enrichment, and school improvement programs in California.

24 8. Plaintiff is informed and believes, and based thereon allege, that at all times
25 herein mentioned Does 1 through 50, are and were corporations, business entities, individuals,
26 and partnerships, licensed to do business and actually doing business in the State of California.
27 As such, and based upon all the facts and circumstances incident to Defendants’ business,
28 Defendants are subject to the California Labor Code.

1 9. Plaintiff does not know the true names or capacities, whether individual, partner
2 or corporate, of the defendants sued herein as Does 1 through 50, inclusive, and for that reason,
3 said defendants are sued under such fictitious names, and Plaintiff prays for leave to amend this
4 complaint when the true names and capacities are known. Plaintiff is informed and believes and
5 based thereon alleges that each of said fictitious defendants was responsible in some way for the
6 matters alleged herein and proximately caused Plaintiff and members of the general public and
7 aggrieved employees to be subject to the illegal employment practices, wrongs and injuries
8 complained of herein.

9 10. At all times herein mentioned, each defendant participated in the doing of the acts
10 hereinafter alleged to have been done by the named Defendant; and furthermore, Defendants,
11 and each of them, were the agents, servants and employees of each of the other defendants, as
12 well as the agents of all Defendants, and at all times herein mentioned, were acting within the
13 course and scope of said agency and employment.

14 11. Plaintiff is informed and believes, and based thereon allege, that at all times
15 material hereto, each of the Defendants named herein was the agent, employee, alter ego and/or
16 joint venturer of, or working in concert with each of the other co-Defendants and was acting
17 within the course and scope of such agency, employment, joint venture, or concerted activity. To
18 the extent said acts, conduct, and omissions were perpetrated by certain Defendants, each of the
19 remaining Defendants confirmed and ratified said acts, conduct, and omissions of the acting
20 Defendants.

21 12. At all times herein mentioned, Defendants, and each of them, were members of,
22 and engaged in, a joint venture, partnership and common enterprise, and acting within the course
23 and scope of, and in pursuance of, said joint venture, partnership and common enterprise.

24 13. At all times herein mentioned, the acts and omissions of various Defendants, and
25 each of them, concurred and contributed to the various acts and omissions of each and all of the
26 other Defendants in proximately causing the violations as herein alleged. At all times herein
27 mentioned, Defendants, and each of them, ratified each and every act or omission complained of
28 herein. At all times herein mentioned, Defendants, and each of them, aided and abetted the acts

1 and omissions of each and all of the other Defendants in proximately causing the violations as
2 herein alleged.

3 **FIRST CAUSE OF ACTION**

4 **VIOLATION OF LABOR CODE § 2698, *ET SEQ.***

5 **(BY PLAINTIFF AND AGGRIEVED EMPLOYEES AGAINST ALL DEFENDANTS)**

6 14. Plaintiff re-alleges and incorporates by reference the preceding paragraphs as
7 though fully set forth herein.

8 15. Plaintiff brings this cause of action as a proxy for the State of California and in
9 this capacity, seeks penalties on behalf of all Aggrieved Employees from March 18, 2023,
10 through the present, for Defendants' violations of Labor Code sections 2802 and 2698, *et seq.*, as
11 identified above, for failing to reimburse all business-related expenses. For example, Plaintiff
12 and Aggrieved Employees were required to use their own personal internet and utilities for work-
13 related purposes and were not reimbursed for said business related expenses incurred.

14 16. On or about March 18, 2024, Plaintiff sent written notice to the California Labor
15 & Workforce Development Agency (the "LWDA") of Defendants' violation of Labor Code
16 section 2802, pursuant to Labor Code section 2698, *et seq.*, the Private Attorneys General Act
17 ("PAGA"). Plaintiff also sent written notice of said Labor Code violations to Defendant via
18 certified mail pursuant to Labor Code section 2699.3. As of the date of the filing of this
19 Complaint, the LWDA has not provided written notice regarding whether it intends to investigate
20 the Labor Code violations set forth in Plaintiff's written notice.

21 17. As such, pursuant to Labor Code section 2699(a), Plaintiff seeks recovery of any
22 and all applicable civil penalties for Defendants' violation of Labor Code sections 2802 and 2698
23 for the time period described above, on behalf of himself and other Aggrieved Employees.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiff prays for judgment individually and all others on whose behalf
26 this suit is brought against Defendants, jointly and severally, as follows:

27 1. Upon the First Cause of Action, for civil penalties according to proof pursuant to
28

1 the PAGA, and for costs and attorneys' fees;

2 2. On all causes of action for attorneys' fees and costs as provided by Labor Code
3 section 2699 and California Code of Civil Procedure section 1021.5; and

4 3. For such other and further relief as the Court may deem just and proper.
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6 DATED: April 11, 2024

DIVERSITY LAW GROUP, P.C.

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8 By: 

Larry W. Lee

Christine S. Lee

Attorneys for Plaintiff and Aggrieved Employees
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