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Attorney for Plaintiff
Xavier Bautista

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

XAVIER BAUTISTA, on behalf of himself and all aggrieved employees,	) NO. CVME2503221
	) COMPLAINT FOR PAGA PENALTIES
Plaintiff,	)
v.	)
HEMET QSR OPERATIONS, LLC,	)
and DOES 1 to 100,	)
Defendants.	)

PRELIMINARY ALLEGATIONS

1. Plaintiff Xavier Bautista is a resident of Riverside County.
2. Defendant Hemet QSR Operations, LLC ("QSR") is a Delaware limited liability company with its principal place of business in Orange County; QSR does business as Sonic Drive In at locations throughout Riverside County.
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. As stated above, Defendants operate Sonic Drive In restaurants in Riverside County.

6. Plaintiff worked at the Sonic location in Hemet from February 2024 forward as a nonexempt worker; thus Wage Order 5 applies.

7. On October 21, 2024 Plaintiff sent a PAGA letter to Defendant and uploaded the it to the LWDA website. Since it has been more than 65 days since the letter was sent, Plaintiff may request PAGA penalties on behalf of himself and all aggrieved employees. (See Lab. Code, § 2699(a).)

FIRST CAUSE OF ACTION

PAGA Penalties

Against All Defendants

8. Plaintiff incorporates by reference paragraphs 1 to 7 of the complaint.

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

10. The PAGA penalties for the overtime violations are in Labor Code 558.

11. The PAGA penalties for the meal break violations are in Labor Code 558.

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

13. The PAGA penalties for the wage statement violations are in Labor Code 226.3.

14. The PAGA penalties for the suitable seating violations are in Labor Code 2699.

15. Further, Plaintiff is entitled to attorney fees and costs pursuant to Labor Code 2699.

PRAYER

First Cause of Action

1. All applicable penalties

2. Attorney fees and costs

3. Other relief the court deems proper

Date: March 24, 2025

FRONTIER LAW CENTER

/s/ Adam Rose

Attorney for Plaintiff
Xavier Baustista