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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

16 **COUNTY OF SAN BERNARDINO**

17 JESSICA CARDONA, SERGIO
18 VIDAL, SANDRA RUCKER, ZLIMA
DAVIS-HALL, AUTUMN BECKMANN,
19 LLOYD RUCKER, AUGUSTIN GOMEZ,
MADELYN BAUM, NATALIE RUIZ,
20 AND BLANCA ESTELA HERNANDEZ,
as individuals and on behalf of all others
21 similarly situated,

22 Plaintiffs,
23 vs.

24 Durham D&M, LLC,
25 Defendant.

CASE NO.: CIVSB2309217

Judge: Hon. Khymberli A. Apaloo
Dept: S25

**FOURTH AMENDED CLASS ACTION
COMPLAINT FOR:**

- (1) FAILURE TO AUTHORIZE OR PERMIT MEAL PERIODS, OR TIMELY MEAL PERIODS, IN VIOLATION OF CAL. LABOR CODE §§ 226.7 AND 512;
- (2) FAILURE TO AUTHORIZE OR PERMIT REST PERIODS IN VIOLATION OF CAL. LABOR CODE § 226.7;
- (3) FAILURE TO PROVIDE COMPLETE AND ACCURATE WAGE STATEMENTS IN VIOLATION OF CAL. LABOR CODE § 226;
- (4) FAILURE TO PAY ALL OVERTIME AND MINIMUM WAGES IN VIOLATION OF CAL. LABOR CODE §§ 510, 558, AND

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 17 2026

BY 
SAMANTHA NEUBAUER, DEPUTY

- 1 1194;
2 (5) FAILURE TO PAY ALL WAGES FOR
3 ALL TIME WORKED, INCLUDING
4 MINIMUM WAGE IN VIOLATION OF
5 CAL. LABOR CODE §§ 204, 218, 1194,
6 1197 AND 1198;
7 (6) FAILURE TO PAY ALL ACCRUED AND
8 VESTED VACATION/PTO WAGES IN
9 VIOLATION OF CAL. LABOR CODE §
10 227.3;
11 (7) FAILURE TO ADEQUATELY
12 INDEMNIFY EMPLOYEES FOR
13 EMPLOYMENT-RELATED
14 LOSSES/EXPENDITURES IN
15 VIOLATION OF CAL. LABOR CODE §
16 2802;
17 (8) FAILURE TO TIMELY PAY ALL
18 EARNED WAGES AND FINAL
19 PAYCHECKS DUE AT THE TIME OF
20 SEPARATION OF EMPLOYMENT IN
21 VIOLATION OF CAL. LABOR CODE §§
22 201, 202, AND 203;
23 (9) UNFAIR BUSINESS PRACTICES IN
24 VIOLATION OF CAL. BUS. & PROF.
25 CODE § 17200; AND
26 (10) VIOLATION OF THE PRIVATE
27 ATTORNEYS GENERAL ACT (CAL.
28 LABOR CODE § 2698, *et seq.*)

DEMAND FOR JURY TRIAL