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Superior Court of California,
County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By Y. Ayala, Deputy Clerk

Attorney for Plaintiffs
Tyrone Washington, et al.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

Tyrone Washington; Luis Hernandez; and
Fernando Mendiola,

Plaintiffs,

v.

GP Truck Body, Inc.; and Does 1 to 100,

Defendants.

) NO. **25STCV08943**
)
) COMPLAINT
)
) 1. PAGA Penalties
) 2. Minimum Wage Violations
) 3. Overtime Violations
) 4. Rest Period Violations
) 5. Meal Period Violations
) 6. Work Expense Violations
) 7. Wage Statement Penalties
) 8. Violation of Unfair Competition Law

PRELIMINARY ALLEGATIONS

1. Plaintiff Tyrone Washington is a resident of Los Angeles County.
2. Plaintiff Luis Hernandez is a resident of Los Angeles County.
3. Plaintiff Fernando Mendiola is a resident of Los Angeles County.
4. Defendant GP Truck Body is a Nevada corporation that does business in Los Angeles County (specifically Torrance).
5. Plaintiff does not know the true names and capacities of Does 1 to 100 and therefore uses fictitious names. Plaintiff will amend the complaint pursuant to Code of Civil Procedure section 474 to allege the true names and capacities when ascertained.
6. The named and Doe defendants are collectively referred to as "Defendants."

1 7. Plaintiffs are informed and believes that each of the Defendants was the agent or employee
2 of the other defendants and acted in the scope of agency or employment.

3 6. Plaintiffs worked for Defendants in nonexempt capacities.

4 7. Plaintiff's job duties included providing maintenance services.

5 8. Plaintiffs were not paid for all hours worked, did not receive compliant meal and rest
6 breaks, and were not reimbursed for work-related expenses.

7 9. On December 16, 2024 Plaintiffs sent a PAGA notice to Defendants by certified mail and
8 uploaded the letter to the LWDA website. Since it has been more than 65 days, Plaintiffs may
9 request PAGA penalties.

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11 FIRST CAUSE OF ACTION

12 PAGA Penalties

13 Against All Defendants

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

15 13. The PAGA penalties are based on minimum wage, overtime, meal breaks, rest breaks, work
16 expense reimbursements, wage statement violations, and waiting time penalty violations.

17 14. The PAGA penalties for the minimum wage violations are found in Labor Code 1197.1.

18 15. The PAGA penalties for the overtime violation are found in Labor Code 558.

19 16. The PAGA penalties for the meal break violations are found in Labor Code 558.

20 17. The PAGA penalties for the rest break violations are found in Labor Code 2699.

21 18. The PAGA penalties for the work expenditure violations are found in Labor Code 2699.

22 19. The PAGA penalties for the wage statement violations are found in Labor Code 226.3.

23 20. The PAGA penalties for the waiting time violations are found in Labor Code 210.

24 21. Also, Plaintiffs are entitled to attorney fees under Labor Code section 2699.

25 17. Reyes Mesa commanded Plaintiff to perform work that no one else was doing, and
26 purposefully asked Plaintiff to perform tasks that made his job significantly harder.

27 18. The above systematic conduct by Reyes Mesa led to a disparate impact to Plaintiff.

28 19. Plaintiff was harmed as a result, and Defendants' acts were a substantial cause of harm.

20. Since Reyes Mesa is a supervisor, there is strict liability. (Govt. Code, § 12926(d).)

21. As a result, Plaintiff is entitled to general damages, and attorney fees.

SECOND CAUSE OF ACTION

Minimum Wage Violations

Against All Defendants

22. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.

23. Plaintiffs were not paid for work off the clock.

24. Pursuant to Labor Code section 1194, Plaintiffs are entitled to payment of at least the minimum wage, interest, and attorney fees.

THIRD CAUSE OF ACTION

Overtime Violations

Against All Defendants

25. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.

26. Pursuant to Labor Code section 1194 and CACI No. 2702, Plaintiffs worked overtime hours off the clock that were unpaid.

27. Defendants knew Plaintiffs were performing work off the clock, but did not pay for it.

28. Therefore, Plaintiffs are entitled to payment of overtime, interest, attorney fees, and costs.

FOURTH CAUSE OF ACTION

Rest Period Violations

Against All Defendants

29. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.

30. Pursuant to CACI No. 2761, Plaintiffs worked for Defendants on one or more workdays for at least 3.5 hours.

31. However, Defendants did not authorize and permit Plaintiffs to take 10-minute rest periods.

32. Plaintiffs are entitled to one additional hour at the regular rate of pay for each missed break.

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FIFTH CAUSE OF ACTION

Meal Period Violations
Against All Defendants

33. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.
34. Pursuant to CACI No. 2766A, Plaintiffs worked for Defendants for one or more workdays for periods lasting more than five hours.
35. Defendants did not provide the opportunity to take uninterrupted meal breaks of 30 minutes.
36. Plaintiffs are entitled to one additional hour at the regular rate of pay for each missed break.

SIXTH CAUSE OF ACTION

Work Expense Violations
Against All Defendants

37. Plaintiff incorporates by reference paragraphs 1 to 11 of the complaint.
38. Pursuant to Labor Code section 2802, employers must reimburse employees for all work-related expenditures.
39. Plaintiffs incurred work-related expenses that were not reimbursed.
40. Plaintiffs are entitled to reimbursement of expenses, and attorney fees.

SEVENTH CAUSE OF ACTION

Wage Statement Penalties
Against All Defendants

41. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.
42. Pursuant to Labor Code section 226, wage statements must contain nine discrete items.
43. The wage statements did not comply with this statute since they intentionally did not accurately list the total hours worked and did not include premium pay for missed breaks.
44. Plaintiffs are entitled to wage statement penalties up to \$4,000 and attorney fees.

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1 EIGHTH CAUSE OF ACTION

2 Violation of Unfair Competition Law

3 Against All Defendants

4 45. Plaintiffs incorporate by reference paragraphs 1 to 11 of the complaint.

5 46. The Unfair Competition Law prohibits unfair, unlawful, and fraudulent business practices.

6 47. This claim is being brought under the unlawful prong of the UCL.

7 48. Defendants violated the Labor Code and IWC Wage Order by not paying all wages due.

8 49. Plaintiffs are entitled to restitution for the above.

9 50. Under Code of Civil Procedure section 1021.5, Plaintiffs are entitled to attorney fees.

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11 PRAYER

12 First Cause of Action

13 1. All applicable PAGA penalties

14 2. Attorney fees

15 3. Other relief the court deems proper

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17 Second Cause of Action

18 1. Payment of unpaid wages

19 2. Liquidated damages

20 3. Attorney fees

21 4. Interest

22 5. Other relief the court deems proper

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24 Third Cause of Action

25 1. Payment of unpaid wages

26 2. Attorney fees

27 3. Interest

28 4. Other relief the court deems proper

1 Fourth Cause of Action

2 1. Premium pay at the correct regular rate of pay

3 2. Interest

4 3. Other relief the court deems proper

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6 Fifth Cause of Action

7 1. Premium pay at the correct regular rate of pay

8 2. Interest

9 3. Other relief the court deems proper

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11 Sixth Cause of Action

12 1. Reimbursement of work expenses

13 2. Attorney fees

14 3. Other relief the court deems proper

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16 Seventh Cause of Action

17 1. Wage statement penalties

18 2. Attorney fees and costs

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20 Eighth Cause of Action

21 1. Restitution of unpaid wages, premium pay, and work expenses

22 2. Attorney fees

23 3. Other relief the court deems proper

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25 Date: March 26, 2025

FRONTIER LAW CENTER

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/s/ Adam Rose

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Attorney for Plaintiff

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Tyrone Washington, et al.