

**BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP**

**2255 CALLE CLARA  
LA JOLLA, CALIFORNIA 92037**

**Web Site: [www.bamlawca.com](http://www.bamlawca.com)**

**San Diego | San Francisco | Sacramento | Los Angeles | Riverside | Santa Clara | Orange | Chicago**

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[Nick@bamlawca.com](mailto:Nick@bamlawca.com)**

**WRITERS EXT:  
1004**

**April 18, 2025  
CA3667**

**VIA ONLINE FILING TO LWDA AND CERTIFIED MAIL TO DEFENDANT**

**Labor and Workforce Development Agency  
Online Filing**

**Joe & The Juice New York LLC  
Certified Mail #9589071052700057737673  
CSC- Lawyers Incorporating Service  
Koy Saechao  
2710 Gateway Oaks Drive, #150  
Sacramento, CA 95833**

**Re: Notice Of Violations Of California Labor Code Sections §§ 201, 202, 203, 204, 210, 226(a), 226.7, 510, 512, 558(a)(1)(2), 1194, 1197, 1197.1, 1198, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 11070(14) (Failure to Provide Seating), and Violation of Applicable Industrial Welfare Commission Wage Order(s) brought Pursuant To California Labor Code Section 2699.5.**

**Dear Sir/Madam:**

This letter serves as a written notice under California Labor Code Section 2699.3 on behalf of Jariah Vue (“Plaintiff”) and all other Aggrieved Employees of Joe & The Juice New York LLC (“Defendant”). “Aggrieved Employees” refers to all individuals who are or previously were employed by Joe & The Juice New York LLC in California, including any employees staffed with Joe & The Juice New York LLC by a third party, and classified as non-exempt employees during the time period of April 18, 2024 until a date as determined by the Court (“PAGA Period”). Our offices represent Plaintiff and other Aggrieved Employees in a lawsuit against Defendant.

Plaintiff was employed by Defendant in California from May 2022 to February of 2025. Plaintiff was at all times classified by Defendant as a non-exempt employee, paid on an hourly basis, and entitled to the legally required meal and rest periods and payment of minimum and overtime wages due for all time worked. Defendant, however, unlawfully failed to record and pay Plaintiff and other Aggrieved Employees for, including but not limited to, all of their time worked, including minimum and overtime wages and sick pay wages at the correct rate, for all of their missed meal and rest breaks at the correct regular rates, and for all of their time spent working off the clock as described further below.

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Plaintiff was employed by Defendant as a Team Member working at Defendant's store located at 235 Montgomery Street, San Francisco, CA 94104. Defendant paid Plaintiff and other Aggrieved Employees non-discretionary incentive compensation wages during the PAGA Period in which Defendant failed to correctly include these payments into Plaintiff's regular rate for the purposes of calculating the correct overtime and meal break violation pay and as a result violated Labor Code Sections 226.7, 510 and 512. For example, Defendant paid Plaintiff a "Predictability" non-discretionary wage in the pay period (01/06/2025-01/19/2025) and Plaintiff also worked overtime and was paid a meal period violation during that pay period. Attached hereto as **Exhibit #1** is a true and correct copy of Plaintiff's pay stub showing the violations. An additional example of another non-discretionary bonus Defendant paid to Plaintiff is attached hereto as **Exhibit #2**.

Plaintiff's store on Montgomery Street was plagued with staffing issues throughout Plaintiff's employment and during the PAGA period that resulted in many late and missed meal breaks, and many violations of California's rest break laws. Plaintiff alleges that not only did he rarely take his ten (10) minute rest periods, his Regional Manager Emma Delaby never even informed him of his right to take his off duty rest periods, and failed to create a schedule and workplace that allowed him to take off -duty rest periods. A review of Plaintiff's pay stubs during the PAGA period reveals Defendant failed to pay a single rest break premium to Plaintiff in violation of California Labor Code Section 226.7 and 512. Further, there were times when Plaintiff was clocked out for a mid-shift meal break and Defendant required Plaintiff perform tasks, which included, but were not limited to, helping with customers at the cash register, making drink orders, and cleaning up in the store. Defendant knew Plaintiff was working off the clock and the off the clock resulted not only in meal break violations, but also as a result Plaintiff was underpaid minimum and overtime wages in violation of Cal. Lab. Code Section 510, 1194, 1197.1 and 1198. Although Defendant did pay Plaintiff for some meal break violations, Defendant failed to pay Plaintiff for all his meal period violations during the PAGA Period.

Further, pursuant to Labor Code § 204 and Section 210, Defendant failed to timely provide Plaintiff and other Aggrieved Employees with their wages, including the meal and rest break penalties and minimum and overtime wages described above.

Additionally, Plaintiff and the Aggrieved Employees were paid on an hourly basis. As such, the wage statements should reflect all applicable hourly rates during the pay period and the proper regular and overtime wages earned. As described above, Defendant did not always list the correct wages earned or meal and rest break wages owed. Plaintiff therefore contends that Defendant failed to provide accurate wage statements to him, and other Aggrieved Employees, in violation of California Labor Code section 226(a). Further, during the PAGA Period Defendant issued wage statements with the incorrect name of the legal entity that employed Plaintiff and other Aggrieved Employees in violation of Cal. Lab. Code

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226(a)(8). Attached hereto as **Exhibit #3** is a true and correct copy of the pay stub that lists “Joe & The Juice Management LLC” which is an entity that is inactive and no longer exists.

Plaintiff was also not reimbursed for business related expenses that he incurred as a result of his job duties for Defendant in violation of Cal. Lab. Code Section 2802. For example, Plaintiff used his personal cell phone for work related issues, such as responding to Defendant’s calls and text messages. Attached hereto as **Exhibit #4** is a true and correct copy of Plaintiff’s call logs on his personal cell phone showing Defendant’s phone #. Plaintiff was not reimbursed for the reasonable expenses he incurred on his cell phone for work-related issues.

Defendant also failed to provide Plaintiff and other Aggrieved Employees with a stool/seat for all days worked. California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 11070(14) provides that “[a]ll working employees shall be provided with suitable seats when the nature of the work reasonably permits the use of seats.” California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 11070(14) (B) provides that “[w]hen employees are not engaged in the active duties of their employment and the nature of the work requires standing, an adequate number of suitable seats shall be placed in reasonable proximity to the work area and employees shall be permitted to use such seats when it does not interfere with the performance of their duties.” Defendant was not allowed to sit down behind the bar counter even if there were no customers or even when he was ringing up the cash register. Instead, Plaintiff and other Aggrieved Employees would crouch down and rest in the corner or simply lean on the counter to relieve some of the tension on his feet.

Finally, as described in detail in this notice, Defendant willfully failed to pay all wages and premiums owed to Plaintiff and Aggrieved Employees during their employment and also failed to timely pay those amounts due and earned to departing employees upon separation of employment (such as when Plaintiff’s employment with Defendant ended in February 2025) in violation of California Labor Code Sections 201-204. Additionally, Plaintiff received a check for his earned tip wages approximately two months after his employment was terminated. Attached hereto as **Exhibit #5** is a true and correct copy of the wage payment from Defendant showing the payment was received by Plaintiff in April of 2025. Defendant also failed to pay the waiting time penalties owed to Plaintiff and other Aggrieved Employees that stemmed from the non-payment of wages and premiums owed based on the allegations above.

This notice is provided to enable Plaintiff to proceed with a Complaint against Defendant as authorized by California Labor Code section 2699, *et seq.* The lawsuit will consist of other Aggrieved Employees. As counsel, our intention is to vigorously prosecute

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the claims, and to procure civil penalties as provided by the Private Attorney General Statute of 2004 on behalf of Plaintiff and all Aggrieved Employees.

If you have any questions of concerns, please do not hesitate to contact me at the above number and email address.

Respectfully,

*/s/Nicholas J. De Blouw*

Nicholas J. De Blouw, Esq.

# **EXHIBIT #1**

|            |        |        |       |            |     |
|------------|--------|--------|-------|------------|-----|
| CO.        | FILE   | DEPT.  | CLOCK | VCHR. NO.  | 020 |
| <b>SQ8</b> | 017403 | 001000 |       | 0000040756 | 1   |

JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

## Earnings Statement



Period Beginning: 01/06/2025  
Period Ending: 01/19/2025  
Pay Date: 01/23/2025

Filing Status: Single/Married filing separately  
Exemptions/Allowances:  
Federal: Standard Withholding Table

JARIAH EVAN VUE

Social Security Number: [REDACTED]

| Earnings         | rate    | hours | this period       | year to date    |
|------------------|---------|-------|-------------------|-----------------|
| Regular          | 20.0000 | 63.39 | 1,267.80          | 2,117.60        |
| Overtime         | 10.0050 | 6.17  | 61.73             | 84.24           |
| Charge Tips      |         |       | 485.72            |                 |
| Meal Premium     | 20.0000 | 1.00  | 20.00             | 20.00           |
| Predictability   | 20.0000 | 1.00  | 20.00             |                 |
| Paid Sick leave  |         |       |                   | 100.00          |
| <b>Gross Pay</b> |         |       | <b>\$1,855.25</b> | <b>3,013.36</b> |

| Other Benefits and Information | this period | total to date |
|--------------------------------|-------------|---------------|
| Paid Sick Leave                | 69.00       |               |
| Totl Hrs Worked                | 69.56       |               |

### Important Notes

COMPANY PH#:+1 408 205 9999

BASIS OF PAY: HOURLY

| Deductions | Statutory           |                   |
|------------|---------------------|-------------------|
|            | Federal Income Tax  | -137.55           |
|            | Social Security Tax | -115.03           |
|            | Medicare Tax        | -26.90            |
|            | CA State Income Tax | -44.53            |
|            | CA SDI Tax          | -22.26            |
|            | <b>Other</b>        |                   |
|            | 401K                | -55.65*           |
|            | <b>Net Pay</b>      | <b>\$1,453.33</b> |
|            | Checking 2          | -200.00           |
|            | Chkck1              | -1,253.33         |
|            | <b>Net Check</b>    | <b>\$0.00</b>     |

### Additional Tax Withholding Information

Taxable Marital Status:  
CA: Single  
Exemptions/Allowances:  
CA: 0

\* Excluded from federal taxable wages

Your federal taxable wages this period are  
\$1,799.60

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JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Advice number: 00000040756  
Pay date: 01/23/2025

| Deposited to the account of | account number | transit | ABA  | amount     |
|-----------------------------|----------------|---------|------|------------|
| JARIAH EVAN VUE             | [REDACTED]     | XXXX    | XXXX | \$1,253.33 |
|                             |                | XXXX    | XXXX | \$200.00   |

NON-NEGOTIABLE

## **EXHIBIT #2**

# Earnings Statement



JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Period Beginning: 09/30/2024  
Period Ending: 10/13/2024  
Pay Date: 10/17/2024

Filing Status: Single/Married filing separately  
Exemptions/Allowances:  
Federal: Standard Withholding Table

JARIAH EVAN VUE

Social Security Number: [REDACTED]

| Earnings         | rate    | hours | this period       | year to date     |
|------------------|---------|-------|-------------------|------------------|
| Regular          | 20.0000 | 51.55 | 1,031.00          | 21,844.29        |
| BONUS            |         |       | 150.00            | 150.00           |
| Charge Tips      |         |       | 336.45            |                  |
| Predictability   | 20.0000 | 1.00  | 20.00             |                  |
| Overtime         |         |       |                   | 417.34           |
| Meal Premium     |         |       |                   | 467.40           |
| Paid Sick leave  |         |       |                   | 1,201.60         |
| <b>Gross Pay</b> |         |       | <b>\$1,537.45</b> | <b>30,190.08</b> |

| Other Benefits and Information | this period | total to date |
|--------------------------------|-------------|---------------|
| Paid Sick Leave                | 82.00       |               |
| Totl Hrs Worked                | 51.55       |               |

## Important Notes

COMPANY PH#:+1 408 205 9999

BASIS OF PAY: HOURLY

| Deductions | Statutory           |                   |
|------------|---------------------|-------------------|
|            | Federal Income Tax  | -102.66           |
|            | Social Security Tax | -95.32            |
|            | Medicare Tax        | -22.30            |
|            | CA State Income Tax | -31.25            |
|            | CA SDI Tax          | -16.91            |
|            | <b>Other</b>        |                   |
|            | 401K                | -46.13*           |
|            | <b>Net Pay</b>      | <b>\$1,222.88</b> |
|            | Chkck1              | -1,222.88         |
|            | <b>Net Check</b>    | <b>\$0.00</b>     |

## Additional Tax Withholding Information

Taxable Marital Status:  
CA: Single  
Exemptions/Allowances:  
CA: 0

\* Excluded from federal taxable wages

Your federal taxable wages this period are  
\$1,491.32

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JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Advice number: 00000420858  
Pay date: 10/17/2024

| Deposited to the account of | account number | transit | ABA  | amount     |
|-----------------------------|----------------|---------|------|------------|
| JARIAH EVAN VUE             | [REDACTED]     | XXXX    | XXXX | \$1,222.88 |

THIS IS NOT A CHECK

NON-NEGOTIABLE

# **EXHIBIT #3**

|     |        |        |       |            |     |
|-----|--------|--------|-------|------------|-----|
| CO. | FILE   | DEPT.  | CLOCK | VCHR. NO.  | 020 |
| SQ8 | 017403 | 001000 |       | 0000264906 | 1   |

## Earnings Statement



JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Period Beginning: 06/10/2024  
Period Ending: 06/23/2024  
Pay Date: 06/27/2024

Filing Status: Single/Married filing separately  
Exemptions/Allowances:  
Federal: Standard Withholding Table

JARIAH EVAN VUE

Social Security Number: [REDACTED]

| Earnings         | rate    | hours | this period       | year to date     |
|------------------|---------|-------|-------------------|------------------|
| Regular          | 20.0000 | 59.22 | 1,184.40          | 12,522.89        |
| Overtime         | 10.0050 | 2.91  | 29.11             | 263.26           |
| Charge Tips      |         |       | 235.05            |                  |
| Meal Premium     | 20.0000 | 4.00  | 80.00             | 367.40           |
| Paid Sick leave  |         |       |                   | 1,201.60         |
| <b>Gross Pay</b> |         |       | <b>\$1,528.56</b> | <b>17,701.15</b> |

| Other Benefits and Information | this period | total to date |
|--------------------------------|-------------|---------------|
| Paid Sick Leave                | 66.00       | 191.00        |
| Totl Hrs Worked                | 62.13       |               |

### Important Notes

COMPANY PH#:+1 408 205 9999

| Deductions          | Statutory         |          |
|---------------------|-------------------|----------|
| Federal Income Tax  | -101.62           | 1,113.44 |
| Social Security Tax | -94.77            | 1,097.47 |
| Medicare Tax        | -22.17            | 256.67   |
| CA State Income Tax | -30.87            | 349.91   |
| CA SDI Tax          | -16.81            | 194.71   |
| <b>Other</b>        |                   |          |
| 401K                | -45.85*           | 196.99   |
| <b>Net Pay</b>      | <b>\$1,216.47</b> |          |
| Chkck1              | -1,216.47         |          |
| <b>Net Check</b>    | <b>\$0.00</b>     |          |

BASIS OF PAY: HOURLY

### Additional Tax Withholding Information

Taxable Marital Status:  
CA: Single  
Exemptions/Allowances:  
CA: 0

\* Excluded from federal taxable wages

Your federal taxable wages this period are  
\$1,482.71

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JOE & THE JUICE MANAGEMENT LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Advice number: 00000264906  
Pay date: 06/27/2024

| Deposited to the account of | account number | transit | ABA  | amount     |
|-----------------------------|----------------|---------|------|------------|
| JARIAH EVAN VUE             | [REDACTED]     | XXXX    | XXXX | \$1,216.47 |

NON-NEGOTIABLE

## **EXHIBIT #4**

2:13



NEW YORK, NY

+1 (718) 974-7780



message



call



FaceTime



mail



pay

February 13, 2025

12:31 PM **Incoming Call** ☒

5 minutes

10:02 AM **Outgoing Call**

11 minutes

Calls with a checkmark have been verified by the carrier.

[Share Contact](#)

[Create New Contact](#)

[Add to Existing Contact](#)

[Add to Emergency Contacts](#)

[Block Caller](#)



Favorites



Recents



Contacts



Keypad



Voicemail

27

## **EXHIBIT #5**

CO. FILE DEPT. CLOCK NUMBER 020  
SQ8 017403 001000 0065347474 1

## Earnings Statement



JOE & THE JUICE NEW YORK LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

Period Beginning: 03/27/2025  
Period Ending: 04/02/2025  
Pay Date: 04/03/2025

Filing Status: Single/Married filing separately  
Exemptions/Allowances:  
Federal: Standard Withholding Table

JARIAH EVAN VUE

Social Security Number: [REDACTED]

| Earnings         | rate | hours | this period     | year to date    |
|------------------|------|-------|-----------------|-----------------|
| Charge Tips      |      |       | 703.55          |                 |
| Interest         |      |       | 70.35           | 70.35           |
| Regular          |      |       |                 | 4,688.20        |
| Overtime         |      |       |                 | 124.26          |
| Meal Premium     |      |       |                 | 60.00           |
| Paid Sick leave  |      |       |                 | 380.00          |
| <b>Gross Pay</b> |      |       | <b>\$773.90</b> | <b>7,526.35</b> |

### Important Notes

COMPANY PH#:+1 408 205 9999

BASIS OF PAY: HOURLY

CONTACT DISBURSEMENT@JOEJUICE.COM FOR MORE INFORMATION.

### Additional Tax Withholding Information

Taxable Marital Status:

CA: Single

Exemptions/Allowances:

CA: 0

| Deductions          | Statutory |  |                 |
|---------------------|-----------|--|-----------------|
| Federal Income Tax  | -17.38    |  | 412.99          |
| Social Security Tax | -47.98    |  | 466.63          |
| Medicare Tax        | -11.22    |  | 109.13          |
| CA State Income Tax | -7.29     |  | 125.94          |
| CA SDI Tax          | -9.29     |  | 90.32           |
| <b>Other</b>        |           |  |                 |
| 401K                | -23.22*   |  | 225.78          |
| <b>Net Pay</b>      |           |  | <b>\$657.52</b> |
| <b>Net Check</b>    |           |  | <b>\$657.52</b> |

#### \* Excluded from federal taxable wages

Your federal taxable wages this period are \$750.68

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JOE & THE JUICE NEW YORK LLC  
110 GREENE STREET SUITE 702  
NEW YORK, NY 10012

SQ8

90-477/1222

Payroll check number: 0065347474

Pay date: 04/03/2025

Pay to the  
order of:

JARIAH EVAN VUE

This amount:

SIX HUNDRED FIFTY SEVEN AND 52/100 DOLLARS

\$657.52

ASSISTANCE WITH VERIFICATION AVAILABLE AT 877-423-7243

VOID NON-NEGOTIABLE

VOID AFTER 180 DAYS

Wells Fargo Bank, N.A.  
5401 California Ave  
Bakersfield, CA 93309