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22 *Counsel for Plaintiffs*

23 **UNITED STATES DISTRICT COURT**  
24 **CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

25 KARRENE PHILLIPS, WAYNE  
26 SHEPPERD and CLARENCE WOODS,  
27 individually and on behalf of all others  
28 similarly situated,

Plaintiffs,

v.

COUNTY OF RIVERSIDE, a legal  
subdivision of the State of California,  
and DOES 1–10, inclusive.

Defendants.

CASE NO. **5:19-cv-01231**

COLLECTIVE ACTION  
[29 U.S.C. § 216(b)]

**COMPLAINT FOR VIOLATION OF  
FAIR LABOR STANDARDS ACT**

**DEMAND FOR JURY TRIAL**

**CONSENTS TO SUE**

1 **PRELIMINARY STATEMENT**

2 1. Plaintiffs, social workers and employees of Defendant COUNTY OF  
3 RIVERSIDE, bring this action, on their own behalf and on behalf of all others  
4 similarly situated, under the United States Fair Labor Standards Act, 29 U.S.C. §  
5 216(b), for remedies arising out of Defendants’ non-payment of overtime.

6 **JURISDICTION AND VENUE**

7 2. This Court has subject matter jurisdiction over the claims asserted  
8 herein pursuant to Article III of the United States Constitution, 28 U.S.C. § 1331,  
9 and 29 U.S.C. § 216(b).

10 3. Venue is proper in this Court under 28 U.S.C. § 1391(b). Defendant  
11 resides in this District for the purposes of the foregoing venue statute and a  
12 substantial part of the events or omissions giving rise to the claims set forth in this  
13 Complaint occurred in this District.

14 **PARTIES**

15 4. Plaintiff KARRENE PHILLIPS is an individual. Plaintiff PHILLIPS is  
16 a citizen of the United States of America and the State of California. Plaintiff  
17 PHILLIPS resides in this District. Plaintiff PHILLIPS was, at some point during the  
18 past three (3) years, employed as a non-exempt social worker by Defendant in the  
19 CHILDREN’S SERVICES DIVISION of Defendant’s DEPARTMENT OF  
20 PUBLIC SOCIAL SERVICES (a “CSD Social Worker”) in this District.

21 5. Plaintiff WAYNE SHEPPERD is an individual. Plaintiff SHEPPERD  
22 is a citizen of the United States of America and the State of California. Plaintiff  
23 SHEPPERD resides in this District. Plaintiff SHEPPERD was, at some point during  
24 the past three (3) years, employed as a non-exempt CSD Social Worker by  
25 Defendant in this District.

26 6. Plaintiff CLARENCE WOODS is an individual. Plaintiff WOODS is a  
27 citizen of the United States of America and the State of California. Plaintiff

1 WOODS resides in this District. Plaintiff WOODS was, at some point during the  
2 past three (3) years, employed as a non-exempt CSD Social Worker by Defendant in  
3 this District.

4 7. The additional persons who may become plaintiffs herein are also non-  
5 exempt CSD Social Workers who are or were employed by Defendant COUNTY  
6 OF RIVERSIDE and who worked overtime hours for said Defendant without  
7 receiving any or all of the compensation to which they are entitled.

8 8. Defendant COUNTY OF RIVERSIDE (hereinafter “Defendant”) is a  
9 legal subdivision of the State of California, pursuant to Article 11, Section 1(a) of  
10 the California Constitution and Cal. Gov. Code § 23002.

11 9. Defendants DOES 1-10, inclusive, are sued herein under fictitious  
12 names. Their true names and capacities are unknown to Plaintiffs. When their true  
13 names and capacities are ascertained, Plaintiffs will amend this Complaint by  
14 inserting their true names and capacities herein. Plaintiffs are informed and believe,  
15 and thereon allege, that each of these fictitiously named defendants is responsible in  
16 some manner for the occurrences alleged herein and that the damages alleged herein  
17 were caused by such defendants.

18 **COLLECTIVE ACTION ALLEGATIONS**

19 10. Plaintiffs make the allegations contained herein on their own behalf and  
20 on behalf of all others similarly situated. The allegations contained herein are made  
21 upon personal knowledge as to Plaintiffs and their own acts and circumstances, and,  
22 as to all other matters, upon information and belief.

23 11. During the applicable limitations period, Plaintiffs were employed as  
24 non-exempt social workers by Defendant in the CHILDREN’S SERVICES  
25 DIVISION of Defendant’s DEPARTMENT OF PUBLIC SOCIAL SERVICES  
26 (“CSD Social Workers”).



1           19. At all times relevant to this Complaint, Defendant was an enterprise  
2 engaged in interstate commerce or in the production of goods for commerce as  
3 defined by 29 U.S.C. §§ 203(r) and 203(s). At all times relevant to this Complaint,  
4 Defendant was an employer within the meaning of 29 U.S.C. § 203(d) and has  
5 employed and continued to employ social workers, including Plaintiffs, within the  
6 meaning of 29 U.S.C. § 203(g).

7           20. During the applicable limitations period, Plaintiffs were employed by  
8 Defendant as CSD Social Workers.

9           21. Pursuant to 29 U.S.C. § 207(a), the CSD Social Workers employed by  
10 Defendant, including Plaintiffs, are entitled to be compensated for all of the hours  
11 they work for Defendant, as well as time and one-half (1½) of their regular pay rate  
12 for each hour worked in excess of forty (40) hours per week.

13           22. During the applicable limitations period, Defendants frequently  
14 required, suffered, and/or permitted CSD Social Workers, including Plaintiffs, to  
15 work more than forty (40) hours per week without paying them all of the overtime  
16 compensation required by 29 U.S.C. § 207(a).

17           23. During the applicable limitations period, Defendants failed to  
18 accurately record, report, and/or preserve records of hours worked by CSD Social  
19 Workers, including Plaintiffs. To the extent such records exist, they are in the  
20 possession of Defendants and discoverable in this action.

21           24. Defendants' unlawful conduct has been repeated and consistent  
22 throughout Plaintiffs' entire period of employment as CSD Social Workers.

23           25. Defendants were aware that CSD Social Workers, including Plaintiffs,  
24 performed work that could not be completed in forty (40) hours per week and  
25 required them to work overtime.

26           26. Upon information and belief, Defendants were aware that CSD Social  
27 Workers, including Plaintiffs, worked uncompensated overtime.



- 1 D. A finding that Defendants' violations of law were willful and providing
- 2 for a recovery period of three (3) years prior to the filing of this
- 3 Complaint, pursuant to 29 U.S.C. § 255(a);
- 4 E. An award of prejudgment interest;
- 5 F. Leave to add additional plaintiffs by motion, the filing of written
- 6 consent forms, or any other method approved by the Court; and
- 7 G. Such further relief as the Court deems just and equitable.

8  
9 Dated: July 2, 2019

10 **The filer of this document attests that all other signatories listed, and on**  
11 **whose behalf this filing is submitted, concur in the filing's content and have**  
12 **authorized the filing.**

13 Respectfully submitted by,

14 MEGAN A. RICHMOND, APC

15 /s/ Megan A. Richmond  
16 Megan A. Richmond (SBN 170753)

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**DEMAND FOR JURY TRIAL**

Pursuant to, *inter alia*, Amendment VII to the United States Constitution and Federal Rule of Civil Procedure 38(b), Plaintiffs demand a trial by jury of any and all issues in this action triable by a jury.

Dated: July 2, 2019

**The filer of this document attests that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing’s content and have authorized the filing.**

Respectfully submitted by,  
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