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SAN DIEGO COUNTY, CA

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

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IN AND FOR THE COUNTY OF SAN DIEGO

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37-2009-00090250-CU-OE-CTL

20 DANYELL MURPHY, individually and on
behalf of all others similarly situated,

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Plaintiff,

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vs.

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24 TARGET CORPORATION, and DOES 1
through 50, inclusive,

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Defendants.

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CASE NO.

**CLASS ACTION COMPLAINT FOR
VIOLATION OF THE LABOR CODE
PRIVATE ATTORNEYS GENERAL ACT
OF 2004 (CAL. LAB. CODE SECTION
2698 ET SEQ.)**

1 Plaintiff Danyell Murphy, individually and on behalf of all others similarly situated,
2 alleges as follows:

3 INTRODUCTION

4 1. This is a class action and a representative action for recovery of penalties under the
5 California Labor Code Private Attorneys General Act of 2004 ("PAGA"), Cal. Lab. Code section
6 2698 et seq. PAGA permits an "aggrieved employee" to bring a lawsuit on behalf of herself and
7 other current and former employees to address an employer's violations of the California Labor
8 Code. In this case, defendants violated California Labor Code section 1198 and Wage Order 7-
9 2001, section 14 by failing to provide suitable seats to plaintiff and other current and former
10 employees. Plaintiff seeks penalties on behalf of herself and other current and former employees
11 of defendants as provided herein.

12 2. Plaintiff Danyell Murphy is an individual residing in the State of California.

13 3. Defendant Target Corporation is a Minnesota corporation doing business in San
14 Diego, California.

15 4. Plaintiff does not know the names of those defendants sued as DOES 1 through 50
16 but will amend this complaint when she learns those names. Plaintiff alleges on information and
17 belief that each of the defendants is the agent, representative, successor, affiliate, officer, director,
18 employee, co-conspirator, or alter ego of each of the other defendants and is in some manner
19 responsible for the wrongdoing alleged herein. For the purposes of this complaint, the defendants
20 are collectively referred to as "Target."

21 5. Venue is proper in this judicial district because at least some of the alleged
22 wrongdoing occurred in this judicial district.

23 6. At all relevant times, plaintiff was employed as a Cashier at Target in San Diego.
24 In connection with her job as a Cashier, plaintiff regularly operated a cash register.

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1 19. Plaintiff requests penalties against Target as provided under Lab. Code section
2 2699(f), plus reasonable attorneys' fees and costs, in amounts to be proved at trial.

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4 PRAYER

5 WHEREFORE, plaintiff requests entry of judgment, on behalf of herself and the other
6 Class members, against each defendant, jointly and severally, as follows:

- 7 1. For penalties according to proof;
8 2. For reasonable attorneys' fees and costs of suit; and
9 3. For such other relief that the Court deems proper.

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Dated: May 19, 2009

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