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ALAMEDA COUNTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

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IN AND FOR THE COUNTY OF ALAMEDA

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20 NISHA BROWN and KATHY  
21 WILLIAMSON, individually and on behalf of  
all others similarly situated,

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Plaintiffs,

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vs.

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WAL-MART STORES, INC., and DOES 1-  
50, inclusive,

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Defendants.

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CASE NO. *RB* 09457009

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

Fax Filing  
by  
Wheels of Justice

1 Plaintiffs Nisha Brown and Kathy Williamson, individually and on behalf of all others  
2 similarly situated, 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 plaintiffs and other current and former  
10 employees. Plaintiffs seek penalties on behalf of themselves and other current and former  
11 employees of defendants as provided herein.

12 2. Plaintiff Nisha Brown ("Brown") is an individual residing in the State of California.

13 3. Plaintiff Kathy Williamson ("Williamson") is an individual, formally employed by  
14 Wal-Mart Stores, Inc. in California, and currently residing in the State of Illinois.

15 4. Defendant Wal-Mart Stores, Inc. is a Delaware corporation doing business in  
16 Oakland, California.

17 5. Plaintiffs do not know the names of those defendants sued as DOES 1 through 50  
18 but will amend this complaint when they learn those names. Plaintiffs allege on information and  
19 belief that each of the defendants is the agent, representative, successor, affiliate, officer, director,  
20 employee, co-conspirator, or alter ego of each of the other defendants and is in some manner  
21 responsible for the wrongdoing alleged herein. For the purposes of this complaint, the defendants  
22 are collectively referred to as "Wal-Mart."

23 6. Venue is proper in this judicial district because at least some of the alleged  
24 wrongdoing occurred in this judicial district, and Wal-Mart has failed to designate a principal  
25 business office in California.

26 7. At all relevant times, plaintiffs were employed as Cashiers at Wal-Mart in  
27 California. In connection with their job as a Cashier, plaintiffs regularly operated a cash register.

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1           20.    Plaintiffs request penalties against Wal-Mart 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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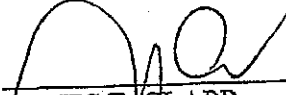
PRAYER

WHEREFORE, plaintiffs request entry of judgment, on behalf of themselves and the other  
Class members, against each defendant, jointly and severally, as follows:

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

Dated: June 16, 2009

DOSTART CLAPP GORDON & COVENEY, LLP

  
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JAMES F. CLAPP  
Attorneys for Plaintiffs

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