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 8 and YARA MEDINA on behalf of themselves and current and former aggrieved employees

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 10 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**
 11

12 GLORIBEL TURCIOS, KAMLESH KUMAR,
 and YARA MEDINA, on behalf of themselves
 13 and other aggrieved employees,

14 Plaintiff,

15 vs.

16 CPE HR, INC.; WINDSOR CHEVIOT HILLS,
 17 LLC; WINDSOR CARE CENTER OF
 CHEVIOT HILLS; WINDSOR
 18 CONVALESCENT AND REHABILITATION
 CENTER OF CONCORD, LLC; WINDSOR
 19 COUNTRY DRIVE CARE CENTER, LLP;
 WINDSOR EL CAMINO CARE CENTER,
 20 LLC; WINDSOR ELK GROVE CARE AND
 REHABILITATION, LLC; WINDSOR
 21 ELMHAVEN CARE CENTER, LLC;
 WINDSOR CONVALESCENT AND
 22 REHABILITATION CENTER OF FREMONT,
 LLC; WINDSOR GARDENS HEALTHCARE
 23 CENTER OF HAYWARD, LLC; WINDSOR
 HAYWARD ESTATES, LLC; WINDSOR
 24 HAMPTON CARE CENTER, LLC; WINDSOR
 MONTEREY CARE CENTER, LLC;
 25 WINDSOR SACRAMENTO ESTATES, LLC;
 WINDSOR THE RIDGE REHABILITATION
 26 CENTER, LLC; WINDSOR CONVALESCENT
 AND REHABILITATION CENTER OF
 27 SALINAS, LLC; WINDSOR SKYLINE CARE
 CENTER, LLC; WINDSOR ROSEWOOD
 28 CARE CENTER, LLC; WINDSOR VALLEJO
 CARE CENTER, LLC; WINDSOR CARE
 CENTER OF PETALUMA, LLC; WINDSOR

Case No.: **21STCV28197**

PAGA ACTION

**PLAINTIFF GLORIBEL TURCIOS,
 KAMLESH KUMAR, AND YARA
 MEDINA’S COMPLAINT FOR
 DAMAGES AND RESTITUTION FOR:**

- 1. CIVIL PENALTIES PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT OF 2004 (“PAGA”), LABOR CODE SECTION 2698, et seq.**

COMPLAINT

1 HEALTHCARE GOLDEN PALMS, LLC;
 2 WINDSOR TWIN PALMS HEALTHCARE
 CENTER, LLC; WINDSOR ARVIN
 3 HEALTHCARE, LLC; WINDSOR
 BAKERSFIELD HEALTHCARE, LLC;
 4 WINDSOR CYPRESS GARDENS
 HEALTHCARE LLC; WINDSOR GARDENS
 CONVALESCENT CENTER OF LONG
 BEACH; WINDSOR CONVALESCENT
 5 CENTER OF NORTH LONG BEACH;
 WINDSOR GARDENS CONVALESCENT
 6 HOSPITAL OF LOS ANGELES; WINDSOR
 GARDENS CONVALESCENT CENTER OF
 7 SAN DIEGO; WINDSOR CARE CENTER
 NATIONAL CITY, INC.; WINDSOR
 8 TERRACE HEALTHCARE, LLC; WINDSOR
 COURT ASSISTED LIVING, LLC; WINDSOR
 9 WESTLAKE HEALTHCARE, LLC; and DOES
 1 to 200, inclusive,

Defendants.

12 **COME NOW** Plaintiffs GLORIBEL TURCIOS, KAMLESH KUMAR, and YARA
 13 MEDINA (“Plaintiffs”), who alleges and complains against Defendants CPE HR, INC.;
 14 WINDSOR CHEVIOT HILLS, LLC; WINDSOR CARE CENTER OF CHEVIOT HILLS;
 15 WINDSOR CONVALESCENT AND REHABILITATION CENTER OF CONCORD, LLC;
 16 WINDSOR COUNTRY DRIVE CARE CENTER, LLP; WINDSOR EL CAMINO CARE
 17 CENTER, LLC; WINDSOR ELK GROVE CARE AND REHABILITATION, LLC; WINDSOR
 18 ELMHAVEN CARE CENTER, LLC; WINDSOR CONVALESCENT AND REHABILITATION
 19 CENTER OF FREMONT, LLC; WINDSOR GARDENS HEALTHCARE CENTER OF
 20 HAYWARD, LLC; WINDSOR HAYWARD ESTATES, LLC; WINDSOR HAMPTON CARE
 21 CENTER, LLC; WINDSOR MONTEREY CARE CENTER, LLC; WINDSOR SACRAMENTO
 22 ESTATES, LLC; WINDSOR THE RIDGE REHABILITATION CENTER, LLC; WINDSOR
 23 CONVALESCENT AND REHABILITATION CENTER OF SALINAS, LLC; WINDSOR
 24 SKYLINE CARE CENTER, LLC; WINDSOR ROSEWOOD CARE CENTER, LLC; WINDSOR
 25 VALLEJO CARE CENTER, LLC; WINDSOR CARE CENTER OF PETALUMA, LLC;
 26 WINDSOR HEALTHCARE GOLDEN PALMS, LLC; WINDSOR TWIN PALMS
 27 HEALTHCARE CENTER, LLC; WINDSOR ARVIN HEALTHCARE, LLC; WINDSOR
 28 BAKERSFIELD HEALTHCARE, LLC; WINDSOR CYPRESS GARDENS HEALTHCARE

COMPLAINT

1 LLC; WINDSOR GARDENS CONVALESCENT CENTER OF LONG BEACH; WINDSOR
2 CONVALESCENT CENTER OF NORTH LONG BEACH; WINDSOR GARDENS
3 CONVALESCENT HOSPITAL OF LOS ANGELES; WINDSOR GARDENS
4 CONVALESCENT CENTER OF SAN DIEGO; WINDSOR CARE CENTER NATIONAL
5 CITY, INC.; WINDSOR TERRACE HEALTHCARE, LLC; WINDSOR COURT ASSISTED
6 LIVING, LLC; WINDSOR WESTLAKE HEALTHCARE, LLC and DOES 1 to 200, inclusive
7 (collectively “Defendants”) as follows:

8 **I. INTRODUCTION**

9 1. This is a Private Attorneys’ General Act of 2004, Lab. Code § 2698, et seq.
10 (“PAGA”). representative action brought by Plaintiffs on behalf of the State of California,
11 themselves and other current and former aggrieved employees of Defendants who worked as
12 hourly, non-exempt employees, in California during the relevant time period seeking civil
13 penalties associated with Defendants’ violation of the Labor Code based on Defendant’s failure to
14 provide all legally required and legally compliant meal and rest periods, failure to timely pay
15 earned wages during employment, failure to provide complete and accurate wage statements, and
16 failure to timely pay all unpaid wages following separation of employment. Plaintiffs seek on a
17 representative basis, following notice to the Labor and Workforce Development Agency, civil
18 penalties, reasonable attorney’s fees pursuant to Labor Code section 2699(g)(1) and costs brought
19 on behalf of Plaintiffs, the State of California, and others aggrieved.

20 **II. JURISDICTION AND VENUE**

21 2. This Court has jurisdiction over Plaintiffs and other current and former aggrieved
22 hourly non-exempt California-based employees’ claims because Plaintiffs’ lawsuit seeks damages
23 in excess of \$25,000 and Defendants employed the aggrieved employees in California and injuries
24 occurred in locations in California including, but not limited to, Los Angeles County at 3533
25 Motor Av., Los Angeles, CA 90034.

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1 **III. PARTIES**

2 3. Plaintiffs bring this action as a representative of the Labor and Workforce
3 Development Agency on behalf of themselves, the State of California, and other current and
4 former employees subject to violations of the Labor Code. The named Plaintiffs and the persons
5 on whose behalf this action is filed include current, former and/or future employees of Defendants
6 who worked, work, or will work for Defendants as non-exempt hourly employees in California. At
7 all times mentioned herein, the currently named Plaintiffs are and were domiciled and residents
8 and citizens of California and were employed by Defendants in hourly positions at Defendants'
9 location in Los Angeles

10 4. Plaintiff GLORIBEL TURCIOS was employed by Defendants from approximately
11 April 3, 2019, until her termination on or about March 16, 2020.

12 5. Plaintiff KAMLESH KUMAR was employed by Defendants from approximately
13 May 23, 2014, until her termination on or about April 12, 2021.

14 6. Plaintiff YARA MADINA has been employed by Defendants since approximately
15 November 2019.

16 7. Plaintiffs are informed and believe and thereon allege that Defendant CPE HR,
17 INC. is authorized to do business within the State of California and is doing business in the State
18 of California and/or that Defendants DOES 1-5 are, and at all times relevant hereto were persons
19 acting on behalf of Defendant CPE HR, INC. in the establishment of, or ratification of, the
20 aforementioned illegal wage and hour practices or policies. Defendant CPE HR, INC. operates in
21 Los Angeles County and employed Plaintiffs and other current and former aggrieved hourly non-
22 exempt California-based employees in Los Angeles County, including but not limited to, at 7590
23 N. Glenoaks Boulevard, Burbank CA, 91504.

24 8. Plaintiffs are informed and believe and thereon allege that Defendant WINDSOR
25 CHEVIOT HILLS, LLC is authorized to do business within the State of California and is doing
26 business in the State of California and/or that Defendants DOES 6-10 are, and at all times relevant
27 hereto were persons acting on behalf of Defendant WINDSOR CHEVIOT HILLS, LLC in the
28 establishment of, or ratification of, the aforementioned illegal wage and hour practices or policies.

COMPLAINT

1 Defendant WINDSOR CHEVIOT HILLS, LLC operates in Los Angeles County and employed
2 Plaintiffs and other current and former aggrieved hourly non-exempt California-based employees
3 in Los Angeles County, including but not limited to, at 3533 Motor Ave, Los Angeles, CA 90034.

4 9. Plaintiffs are informed and believe and thereon allege that Defendant WINDSOR
5 CARE CENTER OF CHEVIOT HILLS is authorized to do business within the State of California
6 and is doing business in the State of California and/or that Defendants DOES 11-15 are, and at all
7 times relevant hereto were persons acting on behalf of Defendant WINDSOR CARE CENTER OF
8 CHEVIOT HILLS in the establishment of, or ratification of, the aforementioned illegal wage and
9 hour practices or policies. Defendant WINDSOR CARE CENTER OF CHEVIOT HILLS operates
10 in Los Angeles County and employed Plaintiff and other current and former aggrieved hourly non-
11 exempt California-based employees in Los Angeles County, including but not limited to, at 3533
12 Motor Ave, Los Angeles, CA 90034.

13 10. Plaintiffs are informed and believe and thereon allege that Defendant WINDSOR
14 CONVALESCENT AND REHABILITATION CENTER OF CONCORD, LLC is authorized to
15 do business within the State of California and is doing business in the State of California and/or
16 that Defendants DOES 16-20 are, and at all times relevant hereto were persons acting on behalf of
17 Defendant WINDSOR CONVALESCENT AND REHABILITATION CENTER OF CONCORD,
18 LLC in the establishment of, or ratification of, the aforementioned illegal wage and hour practices
19 or policies. Defendant WINDSOR CONVALESCENT AND REHABILITATION CENTER OF
20 CONCORD, LLC operates in Los Angeles County and employed Plaintiffs and other current and
21 former aggrieved hourly non-exempt California-based employees in Los Angeles County,
22 including but not limited to, at 3533 Motor Ave, Los Angeles, CA 90034.

23 11. Plaintiffs are informed and believe and thereon allege that Defendant WINDSOR
24 COUNTRY DRIVE CARE CENTER, LLP is authorized to do business within the State of
25 California and is doing business in the State of California and/or that Defendants DOES 21-25 are,
26 and at all times relevant hereto were persons acting on behalf of Defendant WINDSOR
27 COUNTRY DRIVE CARE CENTER, LLP in the establishment of, or ratification of, the
28 aforementioned illegal wage and hour practices or policies. Defendant WINDSOR COUNTRY

COMPLAINT

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