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Attorneys for Plaintiff ELIOT JOHNSON

8 SUPERIOR COURT OF CALIFORNIA FOR  
9 COUNTY OF SANTA CLARA

10 ELIOT JOHNSON, individually, and on behalf of  
11 the general public,

Case No.: 21CV383681

12 Plaintiff,

CLASS ACTION

13 vs.

FIRST AMENDED COMPLAINT FOR  
DAMAGES

14 MICRON TECHNOLOGY, INC. and DOES 1  
15 through 100, inclusive,

16 Defendants.

- 17 1. FAILURE TO REIMBURSE EXPENSES  
(Individual and Class Claims);
- 18 2. VIOLATION OF BUSINESS  
PROFESSIONS CODE §§ 17200 ET SEQ.;  
and
- 19 3. FAILURE TO REIMBURSE BUSINESS  
RELATED EXPENSES (LABOR CODE §  
20 2802 - PAGA)

JURY TRIAL DEMAND

21  
22  
23 Plaintiff Eliot Johnson brings this action against MICRON TECHNOLOGY, INC. and DOES  
24 1 through 100, for reimbursement of expenses, injunctive relief, civil penalties, attorneys' fees, costs,  
25 and interest, resulting from Defendants' unlawful and tortious conduct.

26  
27 **PARTIES**  
28





## CLASS ACTION ALLEGATIONS

1  
2 8. Plaintiff sues, on behalf of himself and all others similarly situated, as a class action  
3 under section 382 of the Code of Civil Procedure. The classes which Plaintiff seeks to represent are:

4 a. All employees of Defendants, in the State of California who were not reimbursed for  
5 all expenses within four years preceding filing the complaint to the time of final  
6 judgment.  
7

8 9. Plaintiff reserves the right under Rule 3.765, California Rules of Court, to amend or  
9 modify the class descriptions with greater specificity or further division into subclasses or limitation  
10 to particular issues.  
11

12 10. The classes of persons within the State of California are so numerous that joinder of  
13 all members is impracticable, and the disposition of their claims in a class action is a benefit to the  
14 parties and to the Court. Plaintiff is informed and believes, and based thereon alleges, that  
15 Defendants employ and employed in California no less than 300 persons who satisfy at least one of  
16 the class definitions. Although the exact number and identity of these putative class members is not  
17 known, they can be identified in Defendants' records through coordinated discovery under this class  
18 action.  
19

20 11. This action may be maintained as a class under Code of Civil Procedure section 382  
21 because the questions of law and fact which are common to class members predominate over  
22 questions affecting only individual members and because a class action is superior to other available  
23 methods for adjudicating the controversy.  
24

25 12. There are numerous common questions of law and fact arising out of Defendants'  
26 conduct.  
27  
28

1           13.     Common questions of law and fact predominate over questions affecting only  
2 individual members of the class. The predominating common or class-wide questions of law and fact  
3 include:

- 4           a.     Whether Defendants failed to reimburse Plaintiff and Class Members for expenses;  
5  
6           b.     Whether Defendants engaged in unfair business practices in violation of California  
7 Business & Professions Code Sections 17200 *et seq* for unreimbursed business  
8 expenses.

9           14.     Plaintiff's claims are typical of the claims of the members of the class all of whom  
10 have sustained and/or will sustain damage and injury as a proximate and/or legal result of  
11 Defendants' violations of Labor Code section 2802. Plaintiff's claims are typical of those of the class  
12 because Defendants subjected Plaintiff and each member of the class to the same Labor Code and  
13 Business and Profession Code violations alleged.  
14

15           15.     The defenses of Defendants, if such defenses apply, are applicable to the whole class  
16 and are not distinguishable as to the proposed class members.  
17

18           16.     Plaintiff will fairly and adequately protect the interests of all members of the classes,  
19 and has retained attorneys with extensive experience in employment litigation, including class and  
20 other representative actions. Plaintiff has no interests that conflict with those of the classes. Plaintiff  
21 can fairly and adequately protect the interests of all members of the class because it is in her best  
22 interest to prosecute the claims alleged to obtain the full compensation due to them.  
23

24           17.     A class action is superior to any other method available for fairly and efficiently  
25 adjudicating the controversy because:

- 26           a.     Joinder of individual class members is not practical;  
27  
28

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