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6 Attorneys for Defendants
 LABOR READY SOUTHWEST, INC.

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 9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA
 11 WESTERN DIVISION

12 JEFFREY LEE ALLEN; on behalf of
 13 himself, all others similarly situated, the
 14 general public and as an “aggrieved
 15 employee” under the California Labor
 Code Private Attorneys General Act,

Case No. CV 09-04266 DDP (AGR_x)

ORDER AND JUDGMENT

16 Plaintiff,

17 v.

18 LABOR READY SOUTHWEST, INC.,
 19 a Washington corporation doing business
 20 in the State of California; and DOES 1
 through 50, inclusive,

21 Defendants.

22 On June 15, 2009 defendants Labor Ready Southwest, Inc.’s (‘Labor Ready’ or
 23 ‘Defendant’) removed the above titled action to this Court under the Class Action
 24 Fairness Act, 28 U.S.C. Section 1332(d)(2)(‘CAFA’), alleging that there was over
 25 \$5,000,000 in controversy. (Dkt. 1). On February 16, 2010, the Court denied
 26 Planitiffs motion for class certification. (Dkt. 67). On August 16, 2010, Labor
 27 Ready filed its Motion for Summary Judgment on the individual claims of Plaintiff
 28

1 Jeffrey Allen's Complaint. (Dkt. 70). On December 2, 2010, after considering the
2 papers filed in support of and in opposition to this Motion and oral argument by
3 counsel, the Court entered an order GRANTING in part AND DENYING in part
4 Defendant's Motion for Summary Judgment and dismissing all remaining claims
5 for lack of jurisdiction. (Dkt. 108).

6 Accordingly, IT IS HEREBY ORDERED AND ADJUDGED THAT:

7 1. The Court GRANTS summary judgment dismissing with prejudice
8 Plaintiff's First and Second Causes of Action (for overtime wages pursuant to
9 California Labor Code Sections 510 and 1194 and 29 U.S.C. Section 207(a)(1)).
10 Judgment is entered for Defendant on these claims.

11 2. The Court GRANTS summary judgment dismissing with prejudice
12 Plaintiff's allegation, in his Third Cause of Action, that Defendant's paychecks
13 violated California Labor Code Section 212(a) because they bore an out-of-state
14 address. Judgment is entered for Defendant on this claim.

15 3. The Court DENIES summary judgment dismissing without prejudice
16 Plaintiff's claim, in his Third Cause of Action, that Defendant violated California
17 Labor Code Section 212(a) by issuing vouchers redeemable for cash at CDMs for a
18 fee.

19 4. The Court GRANTS summary judgment dismissing with prejudice
20 Plaintiff's Fourth Cause of Action (for waiting time penalties pursuant to California
21 Labor Code Section 203). Judgment is entered for Defendant on this claim.

22 5. The Court GRANTS summary judgment dismissing with prejudice
23 Plaintiff's Fifth Cause of Action (for failure to provide an accurate itemized wage
24 statement pursuant to California Labor Code Section 226). Judgment is entered for
25 Defendant on this claim.

26 6. The Court GRANTS summary judgment dismissing with prejudice
27 Plaintiff's Sixth and Seventh Causes of Action (for failure to pay minimum wages
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1 pursuant to California Labor Code Section 1194 and 29 U.S.C. Section 206(a).
2 Judgment is entered for Defendant on these claims.

3 7. The Court GRANTS summary judgment dismissing with prejudice
4 Plaintiff's Ninth Cause of Action (alleging a claim for paying wages below scale
5 pursuant to California Labor Code Section 223). Judgment is entered for
6 Defendant on this claim.

7 8. The Court GRANTS summary judgment dismissing with prejudice
8 Plaintiff's Tenth and Eleventh Causes of Action (alleging violation of California
9 Business & Professions Code Sections 17200 *et seq.* and California Labor Code
10 Section 2699) to the extent they rely or are based on any of Plaintiff's causes of
11 action dismissed with prejudice above. The Court DENIES summary judgment to
12 the extent Plaintiff's Tenth and Eleventh Causes of Action rely upon Defendant's
13 alleged violation of California Labor Code Section 212(a) by issuing vouchers
14 redeemable for cash at CDMs for a fee.

15 9. The Court DISMISSES without prejudice all remaining state law
16 claims for lack of jurisdiction. Specifically, because Plaintiff's Motion for Class
17 Certification was denied on February 16, 2010, jurisdiction under the Class Action
18 Fairness Act, 28 U.S.C. Section 1332(d)(2) can no longer be established. In
19 addition, because the Court dismissed with prejudice all federal causes of action, it
20 declines to exercise supplemental jurisdiction over the remaining claims. *Ove v.*
21 *Gwinn*, 264 F.3d 817, 826 (9th Cir. 2001).

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23 DATED: December 15, 2010


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25 Honorable Dean D. Pregerson
26 United States District Judge
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