

1 ROB BONTA
Attorney General of California
2 SATOSHI YANAI
Senior Assistant Attorney General
3 CAROLYN Y. LA (SBN 162945)
Deputy Attorney General
4 300 South Spring Street, Suite 1702
Los Angeles, California 90013
5 Telephone: (213) 269-6000
Fax: (916) 731-2126
6 E-mail: carolyn.la@doj.ca.gov

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Superior Court of California,
County of Los Angeles
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David W. Slayton,
Executive Officer/Clerk of Court,
By R. Perez, Deputy Clerk

7 *Attorneys for the People of the State of California*

[EXEMPT FROM FILING FEES
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SECTION 6103]

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES
12 UNLIMITED JURISDICTION
13

14 **THE PEOPLE OF THE STATE OF**
15 **CALIFORNIA,**

16 Plaintiff,

17 v.

18 **AMALFI STONE & MASONRY COMPANY,**
19 **INC., a California Corporation; and DOES 1-**
50, inclusive,

20 Defendants.
21

Case No. 24STCV08990

**COMPLAINT FOR INJUNCTIVE
RELIEF, RESTITUTION, AND CIVIL
PENALTIES**

(Bus. & Prof. Code, § 17200, *et seq.*)

22 Plaintiff, the People of the State of California, by and through Rob Bonta, Attorney
23 General of the State of California, allege as follows:

24 **INTRODUCTION**

25 1. This action is brought by Plaintiff, the People the State of California, against Amalfi
26 Stone & Masonry Company, Inc., a construction company, for engaging in unfair competition.

27 2. Amalfi Stone & Masonry Company, Inc. procures and installs stoneware for
28 construction projects in Southern California. From July 2018 to May 2020, Amalfi Stone &

1 Masonry Company, Inc. employed workers recruited by an out-of-state, unlicensed subcontractor
2 named Fabio Anselmo dba MALU Company, Inc. Fabio Anselmo paid the workers on behalf of
3 Amalfi Stone & Masonry Company, Inc. without withholding taxes; failed to pay overtime wages
4 for overtime hours worked; and failed to provide itemized wage statements showing the workers'
5 hourly rates of pay and total hours worked.

6 3. Amalfi Stone & Masonry Company, Inc. gained an unfair advantage over law-abiding
7 construction companies by underpaying taxes and by failing to pay overtime wages owed to its
8 employees. This action seeks to compel Amalfi Stone & Masonry Company, Inc. to cease
9 engaging in unfair competition, and to pay restitution and applicable penalties.

10 **JURISDICTION AND VENUE**

11 4. The Superior Court has original jurisdiction over this action pursuant to Article VI,
12 Section 10 of the California Constitution.

13 5. The Superior Court has jurisdiction over Defendant Amalfi Stone & Masonry
14 Company, Inc. because Defendant is headquartered in the State of California and conducts
15 business in this State.

16 6. Venue is proper under Code of Civil Procedure section 393(a), because Defendant
17 Amalfi Stone & Masonry Company, Inc. is headquartered in the County of Los Angeles and the
18 illegal acts described below occurred therein.

19 **PARTIES**

20 7. Plaintiff is the People of the State of California, by and through the Attorney General
21 of the State of California Rob Bonta.

22 8. Rob Bonta is the Attorney General of the State of California and the chief law officer
23 of the State. (Cal. Const., art. V, § 13.) The Attorney General is empowered by the California
24 Constitution to take whatever action is necessary to ensure that the laws of the State are uniformly
25 and adequately enforced. He has the statutory authority to bring actions in the name of the People
26 of the State of California to enforce California's Unfair Competition Law (UCL). (Bus. & Prof.
27 Code, § 17200 et seq.)

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1 9. Defendant Amalfi Stone & Masonry Company, Inc. is a California corporation
2 authorized to do business in the State of California. At all relevant times within the past four
3 years, Amalfi Stone & Masonry Company, Inc. operated a construction company at 8456 San
4 Fernando Road, Sun Valley, California, in the County of Los Angeles.

5 10. The true names or capacities of Defendants sued as Doe Defendants 1 through 50 are
6 unknown to the People. The People are informed and believe and, on this basis, allege that each
7 of the Doe Defendants, their agents, employees, officers, and others acting on their behalf, as well
8 as subsidiaries, affiliates, and other entities controlled by Doe Defendants 1 through 50 (hereafter
9 collectively referred to as DOES 1 through 50), are legally responsible for the conduct alleged
10 herein. The names and identities of defendants DOES 1 through 50 are unknown to the People,
11 and when they are known the People will amend this Complaint to state their names and
12 identities.

13 11. Whenever reference is made in this complaint to any act of Amalfi Stone & Masonry
14 Company, Inc. such allegations shall mean that Amalfi Stone & Masonry Company, Inc. through
15 its agents, employees, or representatives, performed or authorized such acts while they were
16 acting within their actual or ostensible scope of their authority.

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18 **FIRST CAUSE OF ACTION**

19 **UNFAIR COMPETITION**
20 **BUSINESS AND PROFESSIONS CODE SECTION 17200 ET SEQ.**
21 **(Against all Defendants)**

22 12. The People reallege and incorporate by reference each allegation contained in the above
23 paragraphs as if fully set forth herein.

24 13. Defendants have violated Business and Professions Code section 17200, et seq. by
25 engaging in acts of unfair competition within the past four years including, but not limited to, the

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1 following:

- 2 a. Failing to report all payroll taxes to the California Employment Development
3 Department in violation of Unemployment Insurance Code section 2117;
- 4 b. Failing to pay all payroll taxes to the California Employment Development Department
5 in violation of Unemployment Insurance Code section 2118;
- 6 c. Failing to pay all employees overtime wages as required by Labor Code section 510;
- 7 d. Failing to provide all employees with itemized wage statements as required by Labor
8 Code section 226.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, the People pray for the following relief:

11 14. Pursuant to Business and Professions Code section 17203, that the Court enter all
12 orders necessary to prevent Defendants, as well as Defendants' successors, agents,
13 representatives, employees, and all persons who act in concert with Defendants from engaging in
14 any act or practice that constitutes unfair competition in violation of Business and Professions
15 Code section 17200, including, but not limited to, the acts and practices alleged in this Complaint;

16 15. Pursuant to Business and Professions Code section 17203, that the Court enter all
17 orders or judgments as may be necessary to restore to any person in interest any money or
18 property that Defendants may have acquired by violations of Business and Professions Code
19 section 17200, as may be proved at trial;

20 16. Pursuant to Business and Professions Code section 17206, that Defendant Amalfi
21 Stone & Masonry Company, Inc. be assessed a civil penalty in an amount up to \$2,500 for each
22 violation of Business and Professions Code section 17200 et seq., as proven at trial;

23 17. That the People recover their costs of suit; and

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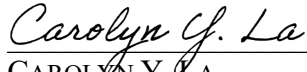
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18. For such other and further relief that the Court deems appropriate and just.

Dated: April 8, 2024

Respectfully Submitted,

ROB BONTA
Attorney General of California
SATOSHI YANAI
Senior Assistant Attorney General



CAROLYN Y. LA
Deputy Attorney General
*Attorneys for the People of the State
of California*