

## **EMPLOYMENT LAW**

### **COMPENSATIONS, BENEFITS**

#### Wage and Hour

**BENCH DECISION:** Defense.

**CASE/NUMBER:** Amanda Serino, Alberto Castellanos, Dave Hawk, Vance Lorenzini, Bruce Miyaki, Dustin Poulton, Jason Smith, Kennett Venable, Tad Yenawine v. Payday California Inc., Ron Renaud, Michael Romersa, Steve Chase, and Does 1 through 100 / CV 07-5029 VBF.

**COURT/DATE:** USDC Central / Dec. 12, 2008.

**JUDGE:** Hon. Valerie B. Fairbank.

**ATTORNEYS:** Plaintiff - Alan Harris (Harris & Ruble, Los Angeles).

Defendant - Ryan D. Saba (Rosen & Saba, LLP, Beverly Hills).

**FACTS:** Stoney Road Productions Inc., a production company, allegedly employed Amanda Serino, Alberto Castellanos, Dave Hawk, Bruce Miyaki, Vance Lorenzini, Dustin Poulton, Jason Smith, Kennett Venable, and Tad Yenawine to work on television commercials. Pursuant to the Fair Labor Standards Act (FLSA), these individuals brought an action against payroll company Payday California Inc. and its representative Ron Renaud, Michael Romersa, Stoney Road's president, and Stoney Road's commercial director Steve Chase.

**PLAINTIFFS' CONTENTIONS:** The plaintiffs contended that the defendants paid them in an untimely manner.

**DEFENDANT'S CONTENTIONS:** Payday contended that it was not liable under the FLSA because it did not employ the plaintiffs.

**DAMAGES:** The plaintiffs requested \$230,000 in damages, plus attorney's fees.

**RESULT:** The trial court granted defendants' motion for summary judgment after determining that Payday was not plaintiffs' employer.