

1 MICHAEL DIETRICK SBN 92150
LAW OFFICES OF MICHAEL DIETRICK
2 765 Baywood Drive, Ste. 227
Petaluma, CA 94954
3 Tel: (707) 763-5019
Email: dietrick@pacbell.net
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5 Attorney for Williams, Weisberg & Weisberg,
d/b/a Diamond Court Reporters
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7 SUPERIOR COURT OF CALIFORNIA
8 COUNTY OF SACRAMENTO
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10 WILLIAMS, WEISBERG & WEISBERG, a)
California partnership, doing business as)
11 DIAMOND COURT REPORTERS,)

12 Plaintiff,)

13 vs.)

14 STATE OF CALIFORNIA; XAVIER)
15 BECERRA, in his capacity as Attorney)
General of the State of California; and DOES)
16 1 - 20, in their official capacity,)

17 Defendants)
18

) Case No.

) COMPLAINT FOR DECLARATORY RELIEF
(C.C.P § 1060)

) UNLIMITED CIVIL CASE

BY FAX

19 Plaintiff alleges as follows:

20 1. Plaintiff WILLIAMS, WEISBERG & WEISBERG, a California partnership, doing
21 business as DIAMOND COURT REPORTERS (hereafter "Plaintiff"), is a business located in
22 the City of Sacramento, Sacramento County, California. Plaintiff has filed and published a
23 current, valid fictitious business name statement with the County of Sacramento (FBNF2018-
24 08238). Plaintiff contracts with State courts and agencies and with Federal courts to provide
25 competent, cost-effective court reporting services. Plaintiff fulfills such government contracts
26 by retaining licensed professional California Court Reporters ("CSRs") on an individual, on-
27 demand single-matter basis, who then appear at the specific time and place with their own
28 transcription devices to provide the requested CSR services. Payment is made to Plaintiff by



1 the state or federal government for such CSR services based on the terms of Plaintiff's
2 separate contracts entered into with the particular governmental court or agency that has
3 requested the specific court-reporting services, and payment thereafter is made by Plaintiff to
4 the individual CSR based on Plaintiff's standard terms.

5 2. Defendant STATE OF CALIFORNIA is a sovereign State.

6 3. Defendant XAVIER BECERRA is the current Attorney General of the State of
7 California, and he is sued herein in his official capacity. Pursuant to new legislation effective
8 January 1, 2020, namely, California Labor Code § 2750.3 ("AB 5"), he is charged with the
9 right and power to bring an action for injunctive relief on behalf of the people of the State of
10 California to prevent alleged misclassification of employees as independent contractors
11 against the putative employer, as provided at subsection (j), California Labor Code § 2750.3.

12 4. Plaintiff is ignorant of the true names and capacities of the Defendants sued herein
13 as DOES 1 through 20, and therefore sues these DOE Defendants by such fictitious names.
14 Plaintiff will amend this complaint to allege their true names and capacities when ascertained.
15 Plaintiff is informed and believes and thereon alleges that each of the fictitiously named
16 Defendants is an unidentified California official who has authority, or purports to have
17 authority, or is in some manner responsible for enforcing AB 5 against Plaintiff as alleged
18 herein, and that such unidentified officials must be included as defendants in order to provide
19 Plaintiff with complete relief.

20 FIRST CAUSE OF ACTION

21 (Declaratory Relief – C.C.P § 1060)

22 (Declaratory Judgment that Plaintiff's Government Contracts Are Enforceable)

23 5. An actual, irreconcilable controversy exists between Plaintiff and Defendants, and
24 each of them, in particular XAVIER BECERRA in his capacity as the current Attorney General
25 of the State of California, in that under California Labor Code § 2750.3 ("AB 5"), no express
26 exemption is provided for a court-reporting business such as Plaintiff's to retain licensed
27 professional California Court Reporters ("CSRs") on an individual, on-demand single-matter
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