

1 WALTER W. WALL II, SBN 189569  
2 Mariposa County District Attorney  
3 5101 Jones Street  
4 Mariposa, CA 95338  
5 Telephone: (209) 966-3626  
6 Fax: (209) 966-5681  
7 E-mail: wwall@mariposacounty.org

*Pursuant to Government Code § 6103,  
Mariposa County is Exempt from  
Filing Fees.*

FILED  
MARIPOSA SUPERIOR COURT  
FEB 13 2020  
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*Attorneys for Plaintiff*

8  
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF MARIPOSA  
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12  
13 **PEOPLE OF THE STATE OF  
14 CALIFORNIA,**

Plaintiff,

15 v.

16  
17 **BESTNEST MANAGEMENT, LLC; AND  
18 DOES 1-10,**

19 Defendants.

Case No. **11444**

**COMPLAINT FOR INJUNCTION AND  
CIVIL PENALTIES**

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

20 Plaintiff the People of the State of California (the People) bring this action by and through  
21 Walter W. Wall, District Attorney of Mariposa County. The People are informed and believe and,  
22 therefore, allege:

23 **INTRODUCTION**

24 1. In Mariposa County California, the defendant BestNest Management, LLC  
25 ("BestNest") has threatened to defame Doctor Jeffery Kaze ("Doctor Kaze") in violation of the  
26 California Business and Professions Code.  
27  
28

PARTIES

4. The People bring this action under the unfair competition law (Bus. & Prof. Code, § 17200 et seq.).

5. Defendant BestNest Management, LLC is a California Limited Liability Company Located at 131881 Crossroads Parkway, Suite 230 in the City of Industry, California.

6. Plaintiff does not know the true names and capacities of defendants sued in this Complaint as Doe 1 through 10, inclusive, and therefore sues these defendants by fictitious names pursuant to Section 474 of the California Code of Civil Procedure. Plaintiff will amend this Complaint to allege the true names and capacities of Doe 1 through 10, inclusive, when ascertained. Plaintiff is informed and believes, and on that basis alleges, that each of the defendants named herein as Doe 1 through 10, inclusive is responsible in some manner for the occurrence and other damages alleged in this complaint.

7. Whenever reference is made in this Complaint to any act of any of the Defendants, that allegation shall mean that each of the Defendants acted individually and jointly with the other Defendants.

8. At all relevant times, each of the Defendants committed the acts, caused or directed others to commit the acts, or permitted others to commit the acts alleged in this Complaint. Additionally, some or all of the Defendants acted as the agent of the other Defendants, and all of the Defendants acted within the scope of their agency if acting as an agent of another.

9. At all relevant times, each of the Defendants knew or realized that the other Defendants were engaging in or planned to engage in the violations of law alleged in this Complaint. Knowing or realizing that other Defendants were engaging in or planning to engage in unlawful conduct, each of the Defendants nevertheless facilitated the commission of those unlawful acts. Each of the Defendants intended to and did encourage, facilitate, or assist in the commission of the unlawful acts, and thereby aided and abetted the other Defendants in the unlawful conduct.

10. At all relevant times, Defendants have engaged in a conspiracy, common enterprise, and common course of conduct, the purpose of which is and was to engage in the violations of



1 law alleged in this Complaint. This conspiracy, common enterprise, and common course of  
2 conduct continue to the present.

3  
4 **JURISDICTION AND VENUE**

5 11. Jurisdiction and venue are proper in Mariposa County. At the time relevant to this  
6 complaint, Doctor Kaze lived in and engaged in discussion with BestNest in Mariposa County.  
7 BestNest engaged in the actions alleged in this complaint in Mariposa County.

8 **DEFENDANTS UNFAIR ACTS AND BUSINESS PRACTICES**

9 12. At all times herein mentioned, BestNest advertised and purported to be a “premier  
10 healthcare staffing firm.”

11 13. Doctor Kaze is a certified dentist who lived in Mariposa County in the fall of 2018  
12 and, at that time was searching for employment.

13 14. In and around the fall of 2018, Doctor Kaze was contacted with a job offer from  
14 Chowchilla Women’s prison and believed he was actually talking with representatives from  
15 Chowchilla Women’s prison.

16 16. Doctor Kaze later learned that the offer was from BestNest.

17 17. Doctor Kaze initially decided to follow up on the offer and began working with  
18 BestNest to complete his pre-employment paperwork.

19 18. During this time BestNest continually demanded various application documents at the  
20 last minute and applied intense pressure on Doctor Kaze to complete the paperwork and  
21 represented that they were official California State government employees.

22 19. When Doctor Kaze decided to decline the position based on the intense pressure,  
23 BestNest told him he would be “deemed *unreliable* and will not be considered for any future state  
24 or federal positions.”

25 20. Doctor Kaze believed that this threat of being deemed unreliable was an official  
26 action that was being taken against him.

27 20. Best Nest actions constitute an unfair and unlawful practice under, inter alia, Business  
28 and Professions Code section 17200.

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5 **FIRST CAUSE OF ACTION**

6 **(UNFAIR COMPETITION IN VIOLATION OF BUSINESS AND PROFESSIONS**  
7 **CODE SECTION 17200 ET SEQ.**

8 13. The People re-allege Paragraphs 1 through 12 and incorporate these Paragraphs by  
9 reference as though they were fully set forth in this cause of action.

10 14. From a date unknown to Plaintiff and continuing to the present, Defendant has  
11 engaged in acts or practices that were unlawful, unfair, or fraudulent as defined in Business and  
12 Professions Code section 17200. Such acts or practices include, but are not limited to, purporting  
13 to be representatives employed by a state agency, to wit, a women's prison and threatening  
14 Doctor Kaze with defamation in response to his declining employment through BestNest.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, the People pray for judgment as follows:  
17

18 1. That as provided in Business and Professions Code section 17203, Defendant and all  
19 persons who act in concert with her be preliminarily and permanently enjoined from engaging in  
20 unfair competition as defined in Business and Professions Code section 17200, including, but not  
21 limited to, the acts and practices alleged in this Complaint;

22 2. That as provided in Business and Professions Code section 17203, the Court make  
23 such orders or judgments as may be necessary to prevent the use or employment by the  
24 Defendants of any practice that constitutes unfair competition or as may be necessary to restore to  
25 any person in interest any money or property that may have been acquired by means of such  
26 unfair competition;

27 3. That as provided in Business and Professions Code section 17206, the Court assess a  
28 civil penalty of \$2,500 against Defendants, each and all of them, for each violation of Business

1 and Professions Code section 17200 alleged in the first cause of action of this Complaint in an  
2 amount according to proof.

3 5. That the People be awarded attorney's fees where permitted by statute;

4 6. That the People recover their costs of suit; and

5 7. For such other relief as the Court may deem just and proper.

6 Dated: December \_\_, 2019

7 February 11, 2020

8 Respectfully Submitted,

9 WALTER W. WALL  
10 Mariposa County District Attorney



11 WALTER W. WALL  
12 *Attorneys for Plaintiff*