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 8 **UNITED STATES DISTRICT COURT**
 9 **CENTRAL DISTRICT OF CALIFORNIA**
 10 **SOUTHERN DIVISION**

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 355 South Grand Avenue, Suite 2450
 Los Angeles, CA 90071

12 MIGUEL LERMA, JR., individually
 and on behalf of all others similarly
 13 situated,

14 Plaintiff,

15 vs.

16 AMAZON.COM SERVICES, LLC.,
 17 AMAZON LOGISTICS, INC.,
 ACCURATE BACKGROUND, and
 18 DOES 1-5.

19 Defendants.

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) Case No.: _____

) **CLASS ACTION COMPLAINT**
) **AND DEMAND FOR JURY**
) **TRIAL**

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1 Plaintiff Miguel Lerma, Jr. (“Plaintiff”), individually and on behalf of all
2 others similarly situated, brings this Class Action Complaint against defendant
3 Amazon.com Services, LLC and Amazon Logistics, Inc. (together “Amazon”) and
4 Accurate Background, Inc. (“Accurate Background”)¹, and alleges as follows:

5 **SUMMARY OF ACTION**

6 1. Plaintiff, individually and on behalf of all others similarly situated,
7 brings this action for damages and other legal and equitable remedies, based on: (i)
8 Amazon’s and Accurate Background’s unlawful and unfair conduct in using
9 information disclosed in the California Department of Justice Megan’s Law Website
10 (“Megan’s Law Website”) for employment purposes; (ii) Accurate Background’s
11 unlawful and unfair conduct in furnishing to Amazon investigative background
12 reports containing records of arrest, indictment, misdemeanor complaint, or
13 conviction of a crime that antedate the report by more than seven years; and (iii)
14 Accurate Background’s unlawful and unfair conduct in furnishing consumer
15 background reports to Amazon while knowing that Amazon (and Accurate
16 Background itself as an agent and/or fiduciary representative of Amazon) unfairly
17 and unlawfully uses information contained in the consumer reports.

18 2. In so doing, Amazon has violated the: (i) California Megan’s Law, Penal
19 Code § 290.46 (“Megan’s Law”) and (ii) California Unfair Competition Law
20 (“UCL”), Business and Professions Code § 17200. Accurate Background has
21 violated: (i) California Megan’s Law, Penal Code § 290.46; (ii) California’s
22 Investigative Consumer Reporting Agencies Act (“ICRAA”), Civil Code § 1786.18;
23 (iii) federal Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681b(b)(2); (iv) the
24 UCL, Business and Professions Code § 17200.

25 3. With respect to Amazon and Accurate Background’s unlawful and
26 unfair use of information on the Megan’s Law Website, pursuant to the applicable
27 statutes, Plaintiff seeks an injunction ordering that, moving forward, Amazon and
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¹ Amazon and Accurate Background are collectively referred to in the Complaint as “Defendants.”

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1 Accurate Background cease from using information on the Megan’s Law Website for
2 employment purposes and institute a robust program to provide for the individualized
3 assessment of each prospective employee or employee. With respect to Accurate
4 Background’s furnishing of investigative background reports containing records of
5 arrest, indictment, misdemeanor complaint, or conviction of a crime that antedate the
6 report by more than seven years, pursuant to the applicable statutes, Plaintiff seeks an
7 injunction ordering that, moving forward, Accurate Background cease such conduct.
8 With respect to Accurate Background’s unlawful and unfair conduct in furnishing
9 consumer background reports to Amazon while knowing that Amazon unfairly and
10 unlawfully uses information from the Megan’s Law Website for employment
11 purposes, pursuant to the applicable statutes, Plaintiff seeks an injunction ordering
12 that, moving forward, Accurate Background cease such conduct.

THE PARTIES

13
14 4. Plaintiff is an individual consumer residing in the State of California,
15 Orange County.

16 5. Defendant Amazon.com Services, LLC is a Delaware corporation
17 headquartered in Seattle, Washington.

18 6. Defendant Amazon Logistics, Inc. is a Delaware corporation
19 headquartered in Seattle, Washington. Amazon.com Services, LLC and Amazon
20 Logistics, Inc. are collectively referred to as “Amazon” in this Complaint.

21 7. Defendant Accurate Background, Inc. (“Accurate Background”) is a
22 consumer reporting agency that assembles and provides consumer reports to third
23 parties for employment purposes and facilitates third party background checks by
24 issuing pre-adverse action notices and adverse action notices. Accurate Background
25 is based in Irvine, California.

26 8. Doe Defendants 1-5 are the background check companies and
27 individuals who provided background information about Plaintiff, obtained a
28

1 background report on Plaintiff without authorization, and/or used information on the
2 Megan’s Law Website for employment purposes.

3 **JURISDICTION AND VENUE**

4 9. This is an action brought under 15 U.S.C. § 1681b, 1681n and § 1681o
5 of the FCRA. The Court has jurisdiction over this action pursuant to 28 U.S.C. §
6 1331 because it arises under the laws of the United States. This Court also has
7 jurisdiction over this action pursuant to the Class Action Fairness Act, 28 U.S.C. §
8 1332(d)(1). Plaintiff brings a class action under Federal Rule of Civil Procedure 23.
9 Plaintiff and Amazon are citizens of different states, and on information and belief,
10 the amount in controversy exceeds the sum of \$5,000,000.00.

11 10. Venue in this district is proper under 28 U.S.C. § 1391(b)(2) because
12 Plaintiff is a resident of Orange County and a substantial part of the events or
13 omissions giving rise to the claim occurred in this District.

14 **STATEMENT OF FACTS**

15 **A. Following His Conviction And Release, Plaintiff Worked Diligently To**
16 **Rehabilitate And Become A Productive Member Of His Community**

17 11. Plaintiff is an Airforce Veteran and former Federal Officer for the United
18 States Department of Homeland Security (“DHS”).

19 12. After high school, Plaintiff enlisted in the United States Airforce and
20 served our Nation’s armed forces for six years. Plaintiff was honorably discharged as
21 a Staff Sergeant of the 49th Security Forces Squadron in 2005. Following his military
22 career, Plaintiff was a Customs and Border Protection Officer for approximately six
23 years. In 2011, Plaintiff was arrested and charged with committing sexual offenses,
24 and was convicted in January 2013. Plaintiff was incarcerated for a total of
25 approximately five years for his offenses and was paroled in May 2016. As a result,
26 Plaintiff appears as a registered sex offender on the Megan’s Law Website, along with
27 information about the basis for his convictions.
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1 13. Since his release, Plaintiff has worked extremely diligently to gain the
2 skills and knowledge to start a professional career and successfully reintegrate into his
3 community. Among other things, Plaintiff attended school full time and obtained his
4 Associate in Arts degree from Coastline College in Business Administration, and then
5 obtained his Bachelor of Arts degree in Finance from the College of Business &
6 Economics at California State University, Fullerton (“Cal State Fullerton”) in June
7 2021.

8 14. While attending school, for three years Plaintiff worked as a Veteran
9 Services Specialist at the Veterans Resource Center at Coastline College and as a Peer
10 Intake Specialist at the Veterans Resource Center at Cal State Fullerton. There, among
11 other things, he planned career readiness training, assisted student veterans with
12 Veterans Affairs benefits and resources, built and maintained professional
13 relationships with community partners on behalf of the schools, and coached veteran
14 students on financial planning and communication skills. Plaintiff also served as the
15 President of the Student Veterans of America (SVA) Chapter at Coastline College. In
16 addition, while a student at Cal State Fullerton Plaintiff worked as an investment
17 analyst at Titan Capital Management, overseeing a \$1.5 million investment portfolio
18 of Cal State Fullerton’s Philanthropic Foundation, conducting research and analysis on
19 securities and capital markets, and writing comprehensive reports for the Foundation’s
20 Board of Directors.

21 15. However, following his graduation from Cal State Fullerton Plaintiff has
22 faced extreme difficulty finding a steady, full-time job. To make ends meet, Plaintiff
23 has held a number of part-time positions. And to make himself more marketable, he
24 recently completed and received Microsoft SQL certification and hopes to start a career
25 as a data analyst or financial advisor.

26 16. Plaintiff deeply regrets the actions that led to his conviction, and since
27 his release he has made every effort to rebuild and redefine himself by educating
28 himself and working diligently to become a productive member of his community.

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1 However, the “powers that be,” including Amazon and Accurate Background,
2 continue to place roadblocks that have made it very difficult for Plaintiff to transition
3 back to a “regular” life and be a contributing member of society.

4 **B. Based On Information Obtained By Accurate Background, Amazon And**
5 **Accurate Background Used Information From The Megan’s Law Website**
6 **For Employment Purposes And Refused To Hire Plaintiff**

7 17. In late 2021, Plaintiff applied for a seasonal associate position with
8 Amazon at its fulfillment center in Mission Viejo, California. On or about November
9 5, 2021, Amazon offered Plaintiff the job, “contingent upon passing a drug test,
10 background check, and completing other employment requirements[.]”

11 18. Plaintiff passed the drug test, completed the other employment
12 requirements, and cleared the background check. On November 15, Plaintiff began
13 work with Amazon. Plaintiff performed very well and was interested in working
14 further at Amazon.

15 19. The seasonal position with Amazon was to end in March 2022. On
16 February 26, 2022, Amazon emailed Plaintiff stating:

17 The last day of employment will be the date that was communicated to
18 you on the notification you received. *You are marked as re-hire*
19 *eligible and can reapply at any time after your assignment has*
20 *officially ended* and your separation has been processed. Job postings
21 can be found at <http://amazondelivers.jobs>. Thank you again for your
22 great work during your temporary assignment with us. Your
contribution to Amazon, the team, and our customers is truly
appreciated. (emphasis added)

23 20. On February 28, Amazon emailed Plaintiff stating, “Thank you for
24 contacting the Employee Resource Center (ERC) today! We are glad to hear that you
25 want to continue working for us as a Permanent associate!” In the email, Amazon
26 provided instructions for applying for a permanent position with Amazon.

27 21. On March 4, 2022, Plaintiff’s seasonal employment ended with Amazon
28 ended.

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1 22. Plaintiff applied to be a store associate with Amazon at its Amazon
2 Fresh store in Mission Viejo. Amazon Fresh is an online and brick and mortar
3 grocery store. His primary responsibilities as a store associate were to fulfill online
4 Amazon Fresh orders, receive stock and replenish products.

5 23. On or about March 18, Amazon offered Plaintiff the job contingent upon
6 Plaintiff passing a background check.

7 24. On March 23, Accurate Background, as an agent and at the direction of
8 Amazon, emailed Plaintiff a pre-adverse action notice. Among other things, it stated
9 that it was notifying Plaintiff “of possible adverse action based upon consumer
10 report,” and:

11 The item(s) under review include, in whole or in part, the following
12 information:

13 RAPE DURESS MENACE FELONY GUILTY - 04/04/2011

14 RAPE BY USE OF DRUGS FELONY GUILTY - 04/04/2011

15 (emphasis in original).

16
17 25. On April 6, Accurate Background, as an agent and at the direction of
18 Amazon, emailed Plaintiff a post-adverse action notice, stating:

19 We now write to advise you of an adverse action that Amazon has
20 taken against you. Specifically, Amazon has decided not to enter into,
21 or to discontinue, an employment or independent contractor
relationship with you.

22 The following provided information was used as the basis for the
23 decision:

24 RAPE DURESS MENACE FELONY GUILTY - 04/04/2011

25 RAPE BY USE OF DRUGS FELONY GUILTY - 04/04/2011

26 (emphasis in original).

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1 directors, assigns, and successors; and (2) the Judge to whom this case is assigned
2 and the Judge’s staff. Plaintiff reserves the right to amend or expand the Classes’
3 definitions to seek recovery on behalf of additional persons as warranted as facts are
4 learned in further investigation and discovery.

5 **Megan’s Law Class**

6 29. Plaintiff and members of the Megan’s Law Class were harmed by the acts
7 of Amazon and Accurate Background in at least the following ways: Defendants used
8 conviction information in the Megan’s Law Website for purposes relating to
9 employment, Defendants denied Plaintiff and other members of the Megan’s Law
10 Class employment based on information from the Megan’s Law Website, and this
11 violation caused Plaintiff and Megan’s Law Class members to lose an opportunity to
12 earn income, have a lawful paying job, contribute to the workforce, be productive
13 members of their community, and severe emotional distress, anxiety, deep frustration
14 and loss of sleep.

15 30. Common questions of fact and law exist as to all members of the Megan’s
16 Law Class, which predominate over any questions affecting only Plaintiff or individual
17 members of the Megan’s Law Class. These common legal and factual questions, which
18 do not vary between the Megan’s Law class members, and which may be determined
19 without reference to the individual circumstances of any Megan’s Law Class members,
20 include, but are not limited to, the following:

- 21 A. Whether, within four years prior to the filing of this Complaint,
22 Defendants used information in the Megan’s Law Website for
23 purposes relating to employment;
- 24 B. Whether, within four years prior to the filing of this Complaint,
25 Defendants denied Plaintiff and other members of the Megan’s
26 Law Class employment based on information from the Megan’s
27 Law Website;

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- 1 C. Whether Plaintiff and the Megan’s Law Class members were
- 2 damaged thereby, and the extent of damages for such violation;
- 3 D. Whether such conduct is unlawful; and
- 4 E. Whether Defendants should be enjoined from engaging in such
- 5 conduct in the future.

6 31. As a person that who was denied employment as a result of information
7 in the Megan’s Law Website, Plaintiff is asserting claims that are typical of the
8 Megan’s Law Class.

9 **ICRAA Class**

10 32. Plaintiff and members of the ICRAA Class were harmed by the acts of
11 Accurate Background in at least the following ways: Accurate Background furnished
12 information to Amazon in an investigative consumer report containing records of
13 arrest, indictment, misdemeanor complaint, or conviction of a crime that, from the date
14 of disposition, release, or parole, antedate the report by more than seven years. This
15 violation caused Plaintiff and ICRAA Class members to lose an opportunity to earn
16 income, have a lawful paying job, contribute to the workforce, be productive members
17 of their community, and severe emotional distress, anxiety, deep frustration and loss
18 of sleep.

19 33. Common questions of fact and law exist as to all members of the ICRAA
20 Class which predominate over any questions affecting only individual members of the
21 ICRAA Class. These common legal and factual questions, which do not vary between
22 the ICRAA Class members, and which may be determined without reference to the
23 individual circumstances of any ICRAA Class members, include, but are not limited
24 to, the following:

- 25 A. Whether within two years prior to the filing of this Complaint
- 26 Accurate Background furnished information to third parties
- 27 (including Amazon) in an investigative consumer report
- 28 containing records of arrest, indictment, misdemeanor complaint,

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1 or conviction of a crime that, from the date of disposition, release,
2 or parole, antedate the report by more than seven years;

3 B. Whether Accurate Background’s conduct was unlawful; and

4 C. Whether Accurate Background should be enjoined from engaging
5 in such conduct in the future.

6 34. As a person that who applied for employment and on whom Accurate
7 Background furnished an investigative consumer report containing records of arrest,
8 indictment, misdemeanor complaint, or conviction of a crime that, from the date of
9 disposition, release, or parole, antedate the report by more than seven years, Plaintiff
10 is asserting claims that are typical of the ICRAA Class.

11 **FCRA Class**

12 35. Plaintiff and members of the FCRA Class were harmed by the acts of
13 Accurate Background in at least the following ways: Accurate Background conducted
14 background search and furnished a consumer report containing sex offender registry
15 information from the Megan’s Law Website that Accurate Background *knew* would be
16 unlawfully used by Amazon and/or Accurate Background for employment decisions.
17 This violation caused Plaintiff and FCRA Class members to lose an opportunity to earn
18 income, have a lawful paying job, contribute to the workforce, be productive members
19 of their community, and severe emotional distress, anxiety, deep frustration and loss
20 of sleep.

21 36. Common questions of fact and law exist as to all members of the FCRA
22 Class which predominate over any questions affecting only individual members of the
23 FCRA Class. These common legal and factual questions, which do not vary between
24 the FCRA Class members, and which may be determined without reference to the
25 individual circumstances of any FCRA Class members, include, but are not limited to,
26 the following:

27 A. Whether Accurate Background conducted a background search
28 and furnished a consumer report containing sex offender registry

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1 information from the Megan’s Law Website knowing that the
2 information would be unlawfully used by Amazon and/or
3 Accurate Background for employment decisions;

4 B. Whether Accurate Background’s conduct was unlawful; and

5 C. Whether Accurate Background should be enjoined from engaging
6 in such conduct in the future.

7 37. As a person that who applied for employment with Amazon and on whom
8 Accurate Background furnished a background consumer report containing sex offender
9 registry information from the Megan’s Law Website that was used by Amazon and/or
10 Accurate Background for employment decisions, Plaintiff is asserting claims that are
11 typical of the FCRA Class.

12 **The Classes**

13 38. The members of the Classes are so numerous that joinder of all members
14 would be unfeasible and impractical. The membership of the Classes is currently
15 unknown to Plaintiff at this time; however, given that, on information and belief,
16 Amazon has over a million employees and receives thousands of employment
17 applications in California each year, and Accurate Background furnishes background
18 reports for tens of thousands of prospective employees in California per year, the
19 members of each of the Classes are so numerous that joinder of all members is
20 impracticable. The disposition of their claims in a class action is a superior method to
21 individual actions and will provide substantial benefits to the parties and the Court.

22 39. Plaintiff will fairly and adequately protect the interest of the members of
23 the Classes because Plaintiff has no interests which are adverse to the interest of absent
24 class members and because Plaintiff has retained counsel who possess significant class
25 action litigation experience regarding alleged violations of consumer statutes.

26 40. A class action is superior to other available methods of fair and efficient
27 adjudication of this controversy because individual litigation of each of the claims of
28 the members of the Classes is impracticable. Even if every Class member could afford

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1 individual litigation, the court system could not. It would be unduly burdensome to
2 the courts in which individual litigation of numerous issues would proceed.
3 Individualized litigation would also present the potential for varying, inconsistent, or
4 contradictory judgments and would magnify the delay and expense to all parties and to
5 the court system resulting from multiple trials of the same complex factual issues. By
6 contrast, the conduct of this action as a class action presents fewer management
7 difficulties, conserves the resources of the parties and of the court system, and protects
8 the rights of each member of the Classes.

9 41. The prosecution of separate actions by individual members of the Classes
10 would create a risk of adjudications with respect to them that would, as a practical
11 matter, be dispositive of the interests of the other Class members not parties to such
12 adjudications or that would substantially impair or impede the ability of such non-party
13 Class members to protect their interests.

14 42. Amazon and Accurate Background have acted or refused to act in respects
15 generally applicable to the Classes, thereby making appropriate final and injunctive
16 relief with regard to the members of the Classes as a whole.

17 **FIRST CAUSE OF ACTION**
18 **CALIFORNIA MEGAN’S LAW**
19 **Cal. Pen. Code § 290.46 *et seq.***
20 **(Against Defendants)**

21 43. Plaintiff repeats, re-alleges, and incorporates by reference all other
22 paragraphs, as if fully set forth herein.

23 44. California Megan’s Law, Penal Code § 290.46 (“Megan’s Law”),
24 requires that the Department of Justice maintain a public website identifying persons
25 who are registered sex offenders on the website.

26 45. To ensure that registered offenders are not discriminated against based
27 on information in the website, the Megan’s Law also prohibits the use of any
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1 information disclosed in the Megan’s Law Website from being used for employment
2 purposes. Cal. Penal Code § 290.46(j)(2)(E).

3 46. Amazon and Accurate Background (as an agent and/or fiduciary
4 representative of Amazon) used the information in the Megan’s Law Website for
5 employment purposes and denied Plaintiff employment with Amazon. Despite
6 Amazon’s employment of Plaintiff just a month before, Amazon and Accurate
7 Background used information contained in the Megan’s Law Website to conclude
8 that Plaintiff was not fit to work at Amazon.

9 47. As a result of Amazon and Accurate Background’s violations, Plaintiff
10 and members of the Class are entitled to recover actual damages, including lost
11 wages, damages for emotional distress, loss of sleep, anxiety, treble damages,
12 statutory damages, a civil penalty of \$25,000.00, exemplary damages, and attorney
13 fees and costs. Plaintiff and members of the Megan’s Law Class are also entitled to
14 injunctive/preventative relief ordering that, moving forward, Amazon and Accurate
15 Background cease from using information on the Megan’s Law Website for
16 employment purposes.

17 **SECOND CAUSE OF ACTION**

18 **INVESTIGATIVE CONSUMER REPORTING AGENCIES ACT**

19 **Cal. Civ. Code § 1786.18**

20 **(Against Accurate Background)**

21 48. Plaintiff repeats, re-alleges, and incorporates by reference all other
22 paragraphs, as if fully set forth herein.

23 49. California Investigative Consumer Reporting Agencies Act (“ICRAA”),
24 Civil Code § 1786.18, prohibits an investigative consumer reporting agency from
25 making or furnishing any investigative consumer report containing, among other
26 things, “[r]ecords of arrest, indictment, information, misdemeanor complaint, or
27 conviction of a crime that, from the date of disposition, release, or parole, antedate
28 the report by more than seven years.” Cal. Civ. Code § 1786.18(a)(7).

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1 55. Plaintiff repeats, re-alleges, and incorporates by reference all other
2 paragraphs, as if fully set forth herein.

3 56. Accurate Background is a “consumer reporting agency” as defined by the
4 FCRA.

5 57. Plaintiff is a “consumer” as defined by the FCRA, on who a “consumer
6 report” was generated and furnished, as defined by the FCRA.

7 58. Accurate Background furnished a consumer report to Amazon with
8 knowledge that the information from the consumer report will be used in violation of
9 the law, including California’s Megan’s Law. Indeed, on information and belief,
10 Accurate Background, as an agent or fiduciary representative for Amazon, used the
11 consumer report in violation of California’s Megan’s Law by making employment
12 decisions on behalf of Amazon based on information from the Megan’s Law Website
13 contained in the consumer report. Thus, Accurate Background is in violation of the
14 FCRA, 15 U.S.C. § 1681b(b)(1).

15 59. As a result of Accurate Background’s negligent violation of the FCRA,
16 Plaintiff and FCRA Class members are entitled to actual damages, and reasonable
17 attorneys’ fees and costs. 15 U.S.C. § 1681n.

18 60. Accurate Background also acted with knowledge, willfulness, and
19 reckless disregard of the law, thereby entitling Plaintiff and FCRA Class members to
20 statutory damages of \$1,000.00 and punitive damages in an amount to be determined
21 at trial. 15 U.S.C. § 1681n.

22 **FOURTH CAUSE OF ACTION**

23 **UNFAIR COMPETITION LAW**

24 **California Business & Professions Code §17200**

25 **(Against All Defendants)**

26 61. Plaintiff repeats, re-alleges, and incorporates by reference all other
27 paragraphs, as if fully set forth herein.

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1 62. The UCL defines unfair competition to include any unlawful, unfair, or
2 fraudulent business act or practice. The UCL provides that a court may order
3 injunctive relief as a remedy for any violations of the UCL.

4 63. Beginning on an exact date unknown to Plaintiff, but at all times
5 relevant herein, Amazon and Accurate Background have committed acts of unfair
6 and unlawful competition proscribed by the UCL, including the practices alleged
7 herein. The acts of unfair competition include the following:

- 8 a. Amazon used information contained in the Megan’s Law
9 Website for employment purposes.
- 10 b. Accurate Background, as an agent of Amazon, used information
11 contained in the Megan’s Law Website for employment
12 purposes.
- 13 c. Accurate Background included prohibited information in the
14 investigative consumer report on Plaintiff and members of the
15 ICRAA Class.
- 16 d. Accurate Background furnished consumer reports to Amazon
17 with knowledge that the information from the consumer report
18 will be used in violation of the law, including California’s
19 Megan’s Law.

20 64. Defendants’ unlawful conduct has caused and continues to cause
21 substantial injury to Plaintiff and the members of the Classes. As a result of
22 Defendants’ unfair and unlawful conduct, Plaintiff lost money and/or property.

23 65. The business acts and practices of Defendants, as hereinabove alleged,
24 constitute unfair business practices in that said acts and practices offend public policy
25 and are substantially injurious to consumers and prospective employees. These acts
26 and practices have no utility that outweighs their substantial harm to consumers and
27 prospective employees.

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- 5. Civil penalty of \$25,000.00;
- 6. Injunctive/preventative relief ordering Amazon and Accurate Background ordering that, moving forward, Amazon and Accurate Background cease from using information on the Megan’s Law Website for employment purposes;
- 7. Injunctive relief ordering that, moving forward, Accurate Background cease from including records of arrest, indictment, information, misdemeanor complaint, or conviction of a crime that antedate the report by more than seven years;
- 8. Injunctive relief ordering that moving forward Accurate Background cease from furnishing consumer reports that include information from the Megan’s Law Website knowing that such information will be used in violation of the law;
- 9. Reasonable attorney’s fees and costs to bring and maintain the instant action;
- 10. For such other and further relief as the Court may deem just and proper.

TRIAL BY JURY

Pursuant to the Seventh Amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Dated: September 21, 2022

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/s/ Raymond Y. Kim

 Raymond Y. Kim
 Attorneys for Plaintiff
 Miguel Lerma, Jr.