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**VIA EMAIL (Danielle.West@labor.ca.gov)**

**March 23, 2026**

Danielle West  
PAGA Rulemaking and Policy Analyst  
California Labor and Workforce Development Agency  
1416 Ninth Street (MIC-55)  
Sacramento, CA 95814

**RE: Comments on Proposed Rulemaking – Labor Code Private Attorneys General Act of 2004 (OAL Notice File Number Z2026-0121-03)**

Dear Ms. West:

Simantob Law Group submits these comments in strong support of the Labor and Workforce Development Agency’s (“LWDA”) proposed regulations governing administration of the Private Attorneys General Act of 2004 (“PAGA”).

As a boutique firm representing employers across California, we witness firsthand the operational, financial, and litigation burdens imposed by the current wave of high-frequency PAGA filings. The Agency’s proposed rulemaking responds appropriately—and necessarily—to well-documented, systemic misuse of the statute.

### **1. High-Frequency PAGA Filers Undermine PAGA’s Statutory Purpose**

The LWDA’s Initial Statement of Reasons identifies a significant and troubling trend: 8,846 PAGA notices filed in FY 2024–2025, with a small cohort of law firms responsible for a disproportionately large share of all filings. This demonstrates the rise of “high-frequency filers”—practitioners who submit PAGA notices in high volumes, often using standardized templates rather than individualized factual allegations.

These boilerplate notices frequently omit the factual particularity the statute requires, impeding the LWDA’s ability to meaningfully evaluate alleged violations and undermining the statutory cure process. Rather than advancing public enforcement, such filings are often generated as part

of a high-volume litigation model designed to maximize settlement leverage rather than resolve bona fide Labor Code violations.

## **2. Tactical Misuse: Individual Windfalls vs. State Interest**

We have observed a consistent pattern in which attorneys representing employees utilize the threat of expansive, representative PAGA actions—often coupled with burdensome, large-scale discovery demands—as a mechanism to exert significant settlement pressure to obtain outsized recoveries for purely individual resolutions.

In these scenarios, representative PAGA claims function as bargaining instruments to secure enhanced individual payouts for the named plaintiff and their counsel. This dynamic creates a direct conflict between the individual plaintiff and the broader group of “aggrieved employees,” as well as with the State’s statutory interest in recovering 75% of civil penalties. It undermines the “private attorney general” model by prioritizing private recovery over public enforcement.

## **3. The High-Frequency Filer Framework Is Necessary and Balanced (Proposed § 17400 et seq.)**

The proposed framework is a measured, evidence-based response to high-volume, low-specificity filings. The LWDA’s data reflect that a small group of firms and attorneys account for a disproportionate share of all PAGA notices filed statewide.

Based on publicly available data, several firms consistently operate at these elevated volumes, including:<sup>1</sup>

- **Moon & Yang, APC:** Approximately 1,763 filings since 2010
- **Wilshire Law Firm, PLC:** Approximately 1,744 filings since 2016
- **Lawyers for Justice, PC:** Approximately 1,578 filings since 2011
- **Bibiyan Law Group, P.C.:** Approximately 1,370 filings since 2016
- **Aegis Law Firm, PC:** Approximately 1,339 filings since 2008
- **Lavi & Ebrahimian LLP :**Approximately ,309 filings since 2005
- **Law Offices of Ramin R. Younessi, APLC:** Approximately 1,266 filings since 2009
- **Blumenthal Nordrehaug Bhowmik De Blouw LLP:** Approximately 1,232 Filings since 2008
- **James Hawkins APLC:** Approximately 1,144 Filings since 2009
- **Capstone Law APC:** Approximately 1,051 Filings since 2012

The LWDA’s proposed safeguards—including claimant certifications and mandatory cover letter requirements—are narrowly tailored to ensure that high-volume filers comply with core statutory requirements and that claims are grounded in actual, personally experienced Labor Code violations.

#### **4. Enhanced Settlement Oversight Protects the Public Interest**

The proposed 45-day settlement review period and expanded documentation requirements are critical to curbing settlement structures that prioritize individual recovery over the State's enforcement interests.

By requiring transparency in allocation and supporting documentation, the LWDA will be better positioned to identify and address settlements that do not adequately reflect the scope or merits of the alleged violations, thereby safeguarding the public interest embedded in PAGA.

#### **Conclusion**

The LWDA's proposed regulations are thoughtful, balanced, and necessary. They protect workers, employers, the courts, and—most importantly—the State's enforcement prerogatives.

Simantob Law Group strongly supports adoption of the proposed rulemaking.

Sincerely,

[/Lisa D. Simantob/](#)

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<sup>1</sup> Evidence for these figures and the identification of high-frequency entities is derived from the LWDA's Initial Statement of Reasons (Notice File No. Z2026-0121-03), including analysis of DIR portal submissions for FY 2024–2025, as well as independent review of the public DIR PAGA Case Search database and reporting by the California Business and Industrial Alliance.