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(Fee Exempt, Gov. Code, § 6103)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

CALIFORNIA CIVIL RIGHTS DEPARTMENT,
an agency of the State of California,

Petitioner,

vs.

COAST 2 COAST COACHING, INC.,

Respondent.

Case No. 26CU048804C

**PETITIONER CALIFORNIA CIVIL
RIGHTS DEPARTMENT'S PETITION
FOR AN ORDER COMPELLING
COMPLIANCE WITH GOVERNMENT
CODE SECTION 12999, OBLIGATING
EMPLOYERS TO SUBMIT PAY DATA
REPORTS, AND REQUEST FOR
COSTS AND PENALTIES**

[Gov. Code, § 12999, subd. (f)]

Petitioner, the California Civil Rights Department (CRD or Department) alleges the following against Respondent Coast 2 Coast Coaching, Inc. (Coast 2 Coast or Respondent):

INTRODUCTION

1. Since 2021, under California Government Code section 12999 (Section 12999), private employers that have 100 or more employees are required to annually report pay, demographic, and other workforce data to CRD. CRD is authorized to seek an order for compliance, including costs and penalties, against any employer that fails to meet its reporting obligations. (Gov. Code, § 12999, subd. (f).) Coast 2 Coast failed to submit the required reports

1 by the statutory deadline for Reporting Years 2024 and 2025. Therefore, CRD brings this petition to
2 enforce Section 12999 and compel Respondent to abide by its reporting obligations under the statute.

3 PARTIES

4 2. CRD is the state agency responsible for enforcing the civil rights laws set forth in
5 the California Fair Employment and Housing Act (FEHA), among other statutes.
6 (Gov. Code, § 12900, et seq.) In pertinent part, CRD is authorized to enforce the annual pay data
7 reporting requirements described in Section 12999 of FEHA. (Gov. Code, § 12999, subd. (f).)

8 3. Respondent Coast 2 Coast does business as “Elevo” and “Sports for Learning.”
9 Respondent is a California stock corporation and thus a non-government, private employer.
10 Respondent has a principal place of business in California and primarily operates after school
11 sports programs. Respondent employs over 2,100 coaches, in addition to other employees, and
12 operates in over forty cities throughout California. As a private employer that has 100 or more
13 employees, Respondent is required to file annual pay data reports pursuant to Section 12999.

14 JURISDICTION AND VENUE

15 4. This Court has jurisdiction under Article VI, section 10 of the California
16 Constitution and California Code of Civil Procedure section 410.10.

17 5. Respondent’s California Secretary of State registration identifies 4666 Cass St.
18 Suite #200, San Diego, CA 92109, in San Diego County, as Respondent’s principal place of
19 business. Respondent’s principal place of business is in San Diego County within the meaning of
20 Code of Civil Procedure, section 395.5. San Diego County Superior Court is thus a proper venue
21 for this action.

22 STATEMENT OF FACTS

23 6. **Private employers that have 100 or more employees are required to submit an**
24 **annual pay data report to CRD under Section 12999.**

25 7. Section 12999 was enacted by Senate Bill 973 in 2020 with an effective date of
26 January 1, 2021. Section 12999 initially required private employers to submit a pay data report to
27 CRD on an annual basis, beginning in March 2021, so long as they had at least 100 employees
28 nationwide and were required to file an Employer Information Report (EEO-1) under federal law.

1 8. The Legislature imposed the affirmative reporting requirement on employers
2 because “pay discrimination is difficult to detect and address.” (Stats. 2020, ch. 363, § 1(d).) The
3 Legislature also enacted the bill so that CRD could collect pay data to promote employers’
4 compliance with equal pay and anti-discrimination laws, as well as to support efforts by the state
5 to efficiently identify wage patterns and effectively enforce anti-discrimination laws in the
6 workplace. (Stats. 2020, ch. 363, § 1(f).)

7 9. Section 12999 was subsequently amended in 2022 by Senate Bill 1162. Senate Bill
8 1162, which went into effect on January 1, 2023, built upon the Senate Bill 973’s pay data reporting
9 obligations. Senate Bill 1162 amended Section 12999 so that all private employers with 100 or
10 more employees must submit a pay data report, without regard to federal EEO-1 reporting
11 obligations. (Sen. Bill No. 1162 (2021-2022 Reg. Sess.) Senate Bill 1162 changed the annual pay
12 data report submission deadline to May. (*Ibid.*) And, in addition to costs, Senate Bill 1162 gave
13 courts the authority to impose a civil penalty on noncompliant employers upon CRD’s request.
14 (*Ibid.*)

15 10. In 2025, Section 12999 was amended again by Senate Bill 464. As of January 1,
16 2026, covered employers are required to collect and store any demographic information gathered
17 by an employer or labor contractor separately from employees’ personnel records. (California Bill
18 Analysis, S.B. 464 Sen., 9/25 in Assembly.) Senate Bill 464 also requires courts to impose a civil
19 penalty on noncompliant employers upon CRD’s request. (*Ibid.*) Beginning January 1, 2027,
20 Senate Bill 464 increases the number of job categories that covered employers must report on from
21 ten to twenty-three. (Stats. 2025, ch. 760 (S.B. 464), § 2, eff. Jan. 1, 2026, operative Jan. 1, 2027;
22 Gov. Code, § 12999, subd. (b)(1), operative Jan. 1, 2027.)

23 11. Employers subject to Section 12999 must submit an annual pay data report covering
24 each of its establishments. (Gov. Code, § 12999, subd. (c).) Each pay data report contains
25 information including the number of employees by race, ethnicity, and sex; job category; and
26 annual earnings. (Gov. Code, § 12999, subd. (b).)

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12. Section 12999, subdivision (a)(1), sets forth the deadline for employers to file an annual pay data report. During the time periods at issue, covered employers were required to submit a pay data report on or before the second Wednesday of May of each year, covering the prior calendar year (Reporting Year). Employers were required to submit the following annual pay data reports:

- 2024 Reporting Year – due May 14, 2025
- 2025 Reporting Year – due May 13, 2026

13. Section 12999’s pay data reporting requirements are mandatory, annual, and continuing. Employers are not permitted to withhold, delay, or otherwise refuse compliance.

14. **CRD is authorized to seek an order compelling compliance and recover costs and penalties.**

15. When an employer fails to submit an annual pay data report, the Department “may seek an order” compelling compliance with Government Code section 12999’s requirements and recover the costs, including attorneys’ fees, associated with such action. (Gov. Code, § 12999, subd. (f).) During the time periods at issue, for the 2024 and 2025 Reporting Years, CRD is entitled to seek penalties for employers who fail to timely file their pay data reports “not to exceed one hundred dollars (\$100) per employee upon any employer who fails to file the required report and not to exceed two hundred dollars (\$200) per employee upon any employer for a subsequent failure to file the required report.” (*Ibid.*)

16. A petition seeking an order to compel compliance is an appropriate vehicle for such an action. (See *City of Santa Monica v. Gonzalez* (2008) 43 Cal.4th 905 [approving trial court’s grant of order upon petition pursuant to Health and Safety Code section 17980.7, providing that agency “may seek” an order]; see also *CRD v. JPMorgan Chase Bank, N.A.* (Super. Ct. Alameda County, Aug. 26, 2022, No. 22CV012663) [stipulated judgment entered against employer that failed to file pay data report after CRD proceeded by petition to compel compliance]; see also *CRD v. Cambrian Homecare, Inc.* (Super. Ct. Los Angeles County, Sept. 26, 2023, No. 23STCP02329 [same].)

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1 17. **Respondent Coast 2 Coast violated Section 12999 by failing to submit the**
2 **required pay data reports for Reporting Years 2024 and 2025 by the statutory deadline.**

3 18. During Reporting Years 2024 and 2025, Respondent was subject to the reporting
4 obligations of Section 12999 as a private employer with 100 or more employees. (Gov. Code,
5 § 12999, subd. (a)(1).)

6 19. Respondent has employed and continues to employ thousands of employees
7 throughout California during all relevant time periods at issue.

8 20. Respondent was aware of its reporting obligations under Section 12999. Indeed,
9 Respondent submitted certified pay data reports for Reporting Years 2021, 2022, and 2023 to CRD
10 reflecting Respondent's status as a covered employer.

11 21. Respondent failed to submit a pay data report for Reporting Year 2024 by
12 May 14, 2025.

13 22. On September 19, 2025, CRD sent Respondent a Notice of Potential
14 Noncompliance, by United States Postal Service First-Class Mail reminding Respondent of the
15 reporting obligations under Section 12999. (**Exhibit A.**) The notice stated that CRD had not
16 received a pay data report for Reporting Year 2024 and requested that Respondent submit the
17 outstanding report within 30 days (i.e., no later than October 19, 2025). (**Exhibit A.**) The notice
18 also informed Respondent that CRD could pursue legal action if Respondent failed to submit
19 required pay data reports in a timely fashion. (**Exhibit A.**)

20 23. On January 27, 2026, CRD sent Respondent a Notice of Noncompliance by United
21 States Postal Service First-Class Mail, again reiterating Respondent's obligation to report under
22 Section 12999. (**Exhibit B.**) The notice again indicated that CRD had not received Respondent's
23 pay data report for Reporting Year 2024 and directed Respondent to file a complete and accurate
24 2024 Pay Data Report within 45 days (i.e., by no later than March 13, 2026). (**Exhibit B.**) The
25 notice again advised Respondent that CRD could pursue legal action for ongoing noncompliance.
26 (**Exhibit B.**)

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24. Due to Respondent's continued noncompliance, CRD sent Respondent a Notice of Impending Court Action by United States Postal Service Certified Mail on April 28, 2026. **(Exhibit C.)** The notice stated that the Reporting Year 2024 pay data report remained outstanding and directed Respondent to submit the report within 45 days (i.e., by no later than June 12, 2026). **(Exhibit C.)** It further advised that CRD would pursue legal action if Respondent failed to submit the report in a timely fashion. **(Exhibit C.)** To date, Respondent has not responded to any of CRD's notices.

25. Respondent once again failed to submit a pay data report for Reporting Year 2025 by the statutory deadline of May 13, 2026. Although CRD is not required to issue notices before enforcing Section 12999, CRD has sent several notices to Respondent. Respondent’s repeated noncompliance with Section 12999 and its failure to submit pay data reports for two consecutive reporting years—2024, and now 2025—warrants bringing all known outstanding reporting failures to the Court’s attention at this time.

26. To date, CRD has not received any pay data reports from the Respondent for Reporting Years 2024 and 2025.

PRAYER FOR RELIEF

Wherefore, it is prayed that the Court:

1. Find the petition sets forth good cause for relief, and issue an order to show cause to Respondent, pursuant to Government Code section 12999, subdivision (f);

2. Impose a civil penalty of one hundred dollars (\$100) per each employee employed by Respondent Coast 2 Coast for its failure to file the required report for the 2024 Reporting Year and a civil penalty of two hundred dollars (\$200) per each employee employed by Coast 2 Coast for its failure to file the required report for the 2025 Reporting Year, payable to the Civil Rights Enforcement and Litigation Fund, pursuant to Government Code section 12999, subdivision (f);

3. Set a hearing on the order to show cause no earlier than 30 days after the filing of the petition and no later than 60 days after the filing of the petition;

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1 4. Grant the petition and order Respondent to submit its certified pay data reports for
2 Reporting Years 2024 and 2025 via CRD's pay data portal, within 30 days after the effective date
3 of the order granting this petition, order Respondent to file future reports on or before the annual
4 deadline, pursuant to Government Code section 12999, subdivision (a)(1), and retain jurisdiction
5 to enforce the terms of this order;

6 5. Award CRD its costs in pursuing this action, including attorneys' fees. (Gov. Code,
7 § 12999, subd. (f).)

8 6. For such other relief as the Court deems just and proper.
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10 DATED: September 14, 2026

CALIFORNIA CIVIL RIGHTS DEPARTMENT

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12 By: Derek Matthews
13 DEREK S. MATTHEWS
14 Attorney for Petitioner California Civil
Rights Department
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