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STATE OF CALIFORNIA
2 DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF LABOR STANDARDS ENFORCEMENT
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8 **BEFORE THE LABOR COMMISSIONER**
9 **OF THE STATE OF CALIFORNIA**
10

11 AIDAN HUDSON MCMILLAN, a minor
and an individual, TIFFANY HUDSON,
12 Aidan Hudson McMillan's guardian and
an individual,
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14 Petitioner,

15 vs.

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17 JET SET WORLD, LLC, a California
limited liability company, JET SET
18 ENTERPRISES, LLC, a limited liability
company, JET SET MODELS, a business
19 entity, form unknown, JET SET
AGENCY, a business entity, form
20 unknown, JET SET BABIES, a business
entity, form unknown, JET SET
21 COMMERCIALS, a business entity, form
unknown, Inclusive,
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23 Respondents.
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CASE NO. TAC 26527

**DETERMINATION OF
CONTROVERSY**

25 The above-captioned matter, a Petition to Determine Controversy under
26 Labor Code §1700.44, came on regularly for hearing on July 24, 2012 in Los Angeles,
27 California, before the undersigned attorney for the Labor Commissioner assigned to hear
28 this case. Petitioner AIDAN HUDSON MCMILLAN, a minor and an individual;

1 TIFFANY HUDSON, Aidan Hudson McMillan's guardian and an individual, appeared
2 represented by Muammar Reed, Esq. of Law Offices of Muammar Reed. Respondents
3 JET SET WORLD, LLC, a California limited liability company, JET SET
4 ENTERPRISES, LLC, a limited liability company, JET SET MODELS, a business entity,
5 form unknown, JET SET AGENCY, a business entity, form unknown, JET SET BABIES,
6 a business entity, form unknown, and JET SET COMMERCIALS, a business entity, form
7 unknown, Inclusive, (hereinafter, collectively referred to as "Respondents"), were
8 properly served with the Petition but failed to appear.

9 Based on the evidence presented at this hearing and on the other papers on
10 file in this matter, the Labor Commissioner hereby adopts the following decision:

11 FINDINGS OF FACT

12 1. Petitioner AIDAN HUDSON MCMILLAN is a minor. Petitioner
13 TIFFANY HUDSON, is the mother of minor, AIDAN HUDSON MCMILLAN, and files
14 this petition on his behalf. Petitioners AIDAN HUDSON MICMILLAN, a minor and
15 Petitioner TIFFANY HUDSON, are hereinafter collectively referred to as "Petitioner."

16 2. Respondent JET SET ENTERPRISES, LLC is a licensed talent
17 agency currently operating under Talent Agency license number 105270.¹

18 3. On September 26, 2011 Petitioner entered into a talent agency
19 agreement with Respondents wherein Respondents agreed to procure employment for
20 Petitioner in exchange for a 20% commission.

21 4. Respondents booked a print job for Petitioner with *H&M* for
22 September 26, 2011 whereby Petitioner earned \$300 plus 20% commission. A second
23 print job was booked by Respondents for Petitioner with *The Children's Place* for
24 November 9, 2011 for \$500 plus a \$100 booking fee for a total of \$500 owed.

25 ¹ The evidence established that licensed talent agency JET SET ENTERPRISES, LLC also
26 operates JET SET WORLD, LLC, a California limited liability company, JET SET
27 ENTERPRISES, LLC, a limited liability company, JET SET MODELS, a business entity,
28 form unknown, JET SET AGENCY, a business entity, form unknown, JET SET BABIES,
a business entity, form unknown, and JET SET COMMERCIALS, a business entity, form
unknown. Absent any evidence to the contrary, for purposes of this petition, they will all
be treated as the same entity.

1 print jobs at *H&M* and *The Children's Place* performed by minor AIDAN HUDSON
2 MCMILLAN on September 26, 2011 and November 9, 2011, respectively, and failed to
3 turn over a total of \$800.00 to Petitioner.

4 3. Labor Code §1700.25(e) provides:

5 If the Labor Commissioner finds, in proceedings under
6 Section 1700.44, that the licensee's failure to disburse
7 funds to an artist within the time required by
8 subdivision (a) was a willful violation, the Labor
9 Commissioner may, in addition to other relief under
10 Section 1700.44, order the following:

11 (1) Award reasonable attorney's fees to the
12 prevailing artist.

13 (2) Award interest to the prevailing artist on the
14 funds wrongfully withheld at the rate of 10
15 percent per annum during the period of the
16 violation.

17 Respondents' failure to pay Petitioner the outstanding monies owed constitutes a
18 willful violation under Labor Code §1700.25(e). Respondents have failed to pay the
19 amounts owed to date.

20 The evidence establishes that the *H&M* job was paid in November, 2011. As such,
21 interest on this job will be calculated from December 1, 2011, 30 days after payment was
22 received. The amount owed is \$300.00 plus 10% interest in the amount of \$20.22
23 calculated from December 1, 2011 to the present which equals \$320.22 owed for this job.

24 Likewise, the evidence establishes that *The Children's Place* job was paid in
25 February, 2012. Accordingly, interest is calculated on \$500 owed at 10% from March 1,
26 2011 (30 days after payment was received by Respondents) to the present for a total of
27 \$21.23 in interest and a total of \$521.23 owed for this job.

28 Petitioner is therefore awarded \$841.45 which includes interest for the unpaid print
jobs. Petitioner is also entitled to reasonable attorney's fees under Labor Code
§1700.25(e)(2) in the amount of \$2,250.00 per Counsel's Declaration.

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ORDER

For the foregoing reasons, Petitioner AIDAN HUDSON MCMILLAN, a minor and an individual; TIFFANY HUDSON, Aidan Hudson McMillan's guardian and an individual, is entitled to collect \$841.45 in unpaid earnings with interest calculated to date and \$2,250.00 in reasonable attorney's fees from Respondents JET SET WORLD, LLC, a California limited liability company, JET SET ENTERPRISES, LLC, a limited liability company, JET SET MODELS, a business entity, form unknown, JET SET AGENCY, a business entity, form unknown, JET SET BABIES, a business entity, form unknown, and JET SET COMMERCIALS, a business entity, form unknown.

DATED: August 7, 2012

Respectfully submitted,
By:


EDNA GARCIA EARLEY
Attorneys for the Labor Commissioner

ADOPTED AS THE DETERMINATION OF THE LABOR COMMISSIONER

Dated: August 6, 2012.

By: 
JULIE A. SU
State Labor Commissioner

