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**CONFORMED COPY  
ORIGINAL FILED**  
Superior Court of California  
County of Los Angeles

OCT 05 2022

Sherri R. Carter, Executive Officer/Clerk of Court  
By: Heather Malone, Deputy

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES  
12

13 **PEOPLE OF THE STATE OF CALIFORNIA,**

14 Plaintiff,

15 v.

16  
17 **EYAL DAHAN** (DOB: [REDACTED]),

18 Defendant.  
19

Case No. NA119080

**FIRST AMENDED FELONY  
COMPLAINT**

20 The Attorney General of the State of California, through Deputy Attorney General Vikram  
21 Mandla, by this complaint, accuses defendant EYAL DAHAN of the following crimes which are  
22 connected to each other in their commission:  
23

24 **COUNT ONE**

25 **[COUNTERFEIT OF REGISTERED TRADEMARK]**

26 On or about October 10, 2018, at and in the County of Los Angeles, State of California,  
27 defendant EYAL DAHAN, without the consent of the registrant, knowingly possessed for sale, a  
28 counterfeit of a mark registered with the Secretary of State and registered on the Principal

1 Register of the United States Patent and Trademark Office, in violation of Penal Code section  
2 350(a)(2), a **felony**, to wit: Items displaying trademarks owned by Van Doren Rubber Company,  
3 Inc.

4 It is further alleged that the retail or fair market value of the counterfeit items referenced  
5 herein is over \$950.

6  
7 **COUNT TWO**

8 **[COUNTERFEIT OF REGISTERED TRADEMARK]**

9 On or about October 10, 2018, at and in the County of Los Angeles, State of California,  
10 defendant EYAL DAHAN, without the consent of the registrant, knowingly possessed for sale, a  
11 counterfeit of a mark registered with the Secretary of State and registered on the Principal  
12 Register of the United States Patent and Trademark Office, in violation of Penal Code section  
13 350(a)(2), a **felony**, to wit: Items displaying trademarks owned by Columbia Sportswear  
14 Company.

15 It is further alleged that the retail or fair market value of the counterfeit items referenced  
16 herein is over \$950.

17  
18 **COUNT THREE**

19 **[COUNTERFEIT OF REGISTERED TRADEMARK]**

20 On or about October 10, 2018, at and in the County of Los Angeles, State of California,  
21 defendant EYAL DAHAN, without the consent of the registrant, knowingly possessed for sale, a  
22 counterfeit of a mark registered with the Secretary of State and registered on the Principal  
23 Register of the United States Patent and Trademark Office, in violation of Penal Code section  
24 350(a)(2), a **felony**, to wit: Items displaying trademarks owned by Adidas AG, Adidas  
25 Sportschuhfabriken Adi Dassler KG, Adidas International B.V., and Adidas-Salomon AG.

26 It is further alleged that the retail or fair market value of the counterfeit items referenced  
27 herein is over \$950.

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**COUNT FOUR**

**[FALSE PAYROLL TAX RETURN]**

On or about April 30, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED] did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period January 1, 2016 through March 31, 2016, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT FIVE**

**[FAILURE TO PAY TAX]**

On or about April 30, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED] did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period January 1, 2016 through March 31, 2016, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT SIX**

**[FALSE PAYROLL TAX RETURN]**

On or about July 31, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED] did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period April 1, 2016 through June 30, 2016, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

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**COUNT SEVEN**

**[FAILURE TO PAY TAX]**

On or about July 31, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED] did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period April 1, 2016 through June 3, 2016, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT EIGHT**

**[FALSE PAYROLL TAX RETURN]**

On or about October 31, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period July 1, 2016 through September 30, 2016, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT NINE**

**[FAILURE TO PAY TAX]**

On or about October 31, 2016, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED] did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period July 1, 2016 through September 30, 2016, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

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**COUNT TEN**

**[FALSE PAYROLL TAX RETURN]**

On or about January 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period October 1, 2016 through December 31, 2016, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT ELEVEN**

**[FAILURE TO PAY TAX]**

On or about January 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period October 1, 2016 through December 31, 2016, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT TWELVE**

**[FALSE PAYROLL TAX RETURN]**

On or about April 30, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period January 1, 2017 through March 31, 2017, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

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**COUNT THIRTEEN**

**[FAILURE TO PAY TAX]**

On or about April 30, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period January 1, 2017 through March 31, 2017, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT FOURTEEN**

**[FALSE PAYROLL TAX RETURN]**

On or about July 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period April 1, 2017 through June 30, 2017, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT FIFTEEN**

**[FAILURE TO PAY TAX]**

On or about July 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period April 1, 2017 through June 30, 2017, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

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**COUNT SIXTEEN**

**[FALSE PAYROLL TAX RETURN]**

On or about October 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period July 1, 2017 through September 30, 2017, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT SEVENTEEN**

**[FAILURE TO PAY TAX]**

On or about October 31, 2017, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period July 1, 2017 through September 30, 2017, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT EIGHTEEN**

**[FALSE PAYROLL TAX RETURN]**

On or about January 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period October 1, 2017 through December 31, 2017, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

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**COUNT NINETEEN**

**[FAILURE TO PAY TAX]**

On or about January 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period October 1, 2017 through December 31, 2017, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT TWENTY**

**[FALSE PAYROLL TAX RETURN]**

On or about April 30, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period January 1, 2018 through March 31, 2018, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT TWENTY-ONE**

**[FAILURE TO PAY TAX]**

On or about April 30, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period January 1, 2018 through March 31, 2018, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

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**COUNT TWENTY-TWO**

**[FALSE PAYROLL TAX RETURN]**

On or about July 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period April 1, 2018 through June 30, 2018, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT TWENTY-THREE**

**[FAILURE TO PAY TAX]**

On or about July 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period April 1, 2018 through June 30, 2018, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT TWENTY-FOUR**

**[FALSE PAYROLL TAX RETURN]**

On or about October 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period July 1, 2018 through September 30, 2018, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

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**COUNT TWENTY-FIVE**  
**[FAILURE TO PAY TAX]**

On or about October 31, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period July 1, 2018 through September 30, 2018, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT TWENTY-SIX**  
**[FALSE PAYROLL TAX RETURN]**

On or about January 31, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period October 1, 2018 through December 31, 2018, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT TWENTY-SEVEN**  
**[FAILURE TO PAY TAX]**

On or about January 31, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period October 1, 2018 through December 31, 2018, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

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**COUNT TWENTY-EIGHT**

**[FALSE PAYROLL TAX RETURN]**

On or about April 30, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period January 1, 2019 through March 31, 2019, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

**COUNT TWENTY-NINE**

**[FAILURE TO PAY TAX]**

On or about April 30, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period January 1, 2019 through March 31, 2019, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT THIRTY**

**[FALSE PAYROLL TAX RETURN]**

On or about July 31, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required by law, to file any return or report, or to supply any information, for account number [REDACTED], did willfully make, render, sign or verify a false or fraudulent return, report, or statement for the period April 1, 2019 through June 30, 2019, with the intent to evade tax, in violation of Unemployment Insurance Code section 2117.5, a **felony**, to wit: Payroll tax return for Cavalier Closeouts, Inc.

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**COUNT THIRTY-ONE**

**[FAILURE TO PAY TAX]**

On or about July 31, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, being a person required to collect, account for, and pay over any tax or amount required to be withheld, for account number [REDACTED], did willfully fail to collect or truthfully account for, and pay over the tax or amount required to be withheld, for the period April 1, 2019 through June 30, 2019, in violation of Unemployment Insurance Code section 2118.5, a **felony**, to wit: Payroll taxes for Cavalier Closeouts, Inc.

**COUNT THIRTY-TWO**

**[COUNTERFEIT OF REGISTERED TRADEMARK]**

On or about March 21, 2019, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, without the consent of the registrant, knowingly sold a counterfeit of a mark registered with the Secretary of State and registered on the Principal Register of the United States Patent and Trademark Office, in violation of Penal Code section 350(a)(2), a **felony**, to wit: Items displaying trademarks owned by Lululemon Athletica Canada, Inc.

It is further alleged that the retail or fair market value of the counterfeit items referenced herein is over \$950.

**COUNT THIRTY-THREE**

**[COUNTERFEIT OF REGISTERED TRADEMARK]**

On or about August 23, 2018, at and in the County of Los Angeles, State of California, defendant EYAL DAHAN, without the consent of the registrant, knowingly sold a counterfeit of a mark registered with the Secretary of State and registered on the Principal Register of the United States Patent and Trademark Office, in violation of Penal Code section 350(a)(2), a **felony**, to wit: Items displaying trademarks owned by Columbia Sportswear Company.

It is further alleged that the retail or fair market value of the counterfeit items referenced herein is over \$950.

1 **SPECIAL ALLEGATION ONE**

2 **[WHITE COLLAR CRIME ENHANCEMENT IN EXCESS OF \$100,000]**

3 It is further alleged, pursuant to Penal Code Section 186.11(a)(1), that the offenses set  
4 forth in Counts One through Thirty-Three are related felonies, a material element of which is  
5 fraud, which involve a pattern of related felony conduct, and the pattern of related felony conduct  
6 involves the taking of more than one hundred thousand dollars (\$100,000).

7 NOTICE: A conviction of this offense excludes the defendant from a sentence of  
8 imprisonment in the county jail pursuant to Penal Code section 1170(h).

9  
10 **SPECIAL ALLEGATION TWO**

11 **[STATUTE OF LIMITATIONS – DISCOVERY WITHIN FOUR YEARS]**

12 It is alleged pursuant to Penal Code section 801.5, that prosecution for the offenses  
13 alleged in Counts One through Three, Thirty-Two and Thirty-Three, is four years after the  
14 discovery of the commission of the offense. It is alleged pursuant to Penal Code section 803(c),  
15 that the offenses set forth in Counts One through Three were not discovered until at least October  
16 10, 2018, when the California Department of Justice, along with other state and federal law  
17 enforcement agencies executed a search warrant at multiple locations linked to the defendant. It  
18 was during the executions of the search warrants that law enforcement discovered counterfeit  
19 apparel bearing trademarks registered to Columbia, Adidas and Vans. It is alleged pursuant to  
20 Penal Code section 803(c), that the offense set forth in Count Thirty-Two was not discovered  
21 until November 29, 2021, when California Department of Justice, Investigator James Harbin  
22 conducted a search of lawsuits pertaining to the defendant, and learned about a federal lawsuit  
23 filed by Lululemon Athletica Canada, Inc. against the defendant, alleging counterfeiting and  
24 infringement of trademark. It is also alleged pursuant to Penal Code section 803(c), that the  
25 offense set forth in Count Thirty-Three was not discovered until March 18, 2021, when California  
26 Department of Justice, Special Agent Jacob Svoboda interviewed Coastal Farm & Home Supply  
27 LLC employee Molly Nelson, and learned she had purchased Columbia branded apparel from the

1 defendant. Prior to October 10, 2018, law enforcement did not have actual or constructive  
2 knowledge about the nature or extent of the possessed and or sold by the defendant.

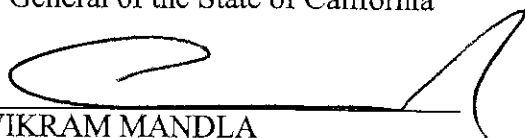
3 It is further alleged pursuant to Penal Code section 803(c) and Unemployment Insurance  
4 Code section 2125, that the offenses set forth in Counts Four through Thirty-One were not  
5 discovered until at least October 10, 2018, when the California Department of Justice, along with  
6 other state and federal law enforcement agencies executed a search warrant at multiple locations  
7 linked to the defendant. During the execution of the search warrants, investigators conducted  
8 employee interviews and learned about unreported wages paid to employees. Subsequently,  
9 California Employment Development Department (EDD) Criminal Investigator Amelia Fong,  
10 initiated a criminal tax evasion investigation of the defendant. Prior to October 10, 2018, the  
11 EDD did not have actual or constructive knowledge about the nature or extent of the unreported  
12 wages by the defendant.

13  
14 **DECLARATION**

15 I declare under penalty of perjury under the laws of the State of California that the  
16 foregoing is true and correct.

17  
18 Dated: 10/4/22

19 ROB BONTA  
Attorney General of the State of California

20 By:   
21 VIKRAM MANDLA  
22 Deputy Attorney General  
23 *Attorneys for People of the State of*  
24 *California*