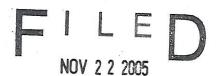
BOB LEE; #123686 1 District Attorney MORGAN C. TAYLOR; #89474 Asst. District Attorney 701 Ocean St., Room 200 Santa Cruz, CA 95060 Tel: (831) 454-2553 Fax: (831) 454-2227 5 6



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Attorneys for Plaintiff PEOPLE OF THE STATE OF CALIFORNIA

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SUPERIOR COURT OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CRUZ

PEOPLE OF THE STATE OF CALIFORNIA,

RELIEF

Plaintiffs

COMPLAINT FOR CIVIL PENALTIES AND EQUITABLE

VS.

JUDLAR CORPORATION, CHEFWORKS,

and DOES 1 through 20, inclusive,

Defendants.

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Come now the PEOPLE OF THE STATE OF CALIFORNIA, and for cause of action against defendants and each of them, alleges as follows, upon information and belief:

FIRST CAUSE OF ACTION

[Health & Safety Code §25249.6]

- 1. At all times relevant to this complaint, JUDLAR CORPORATION was a California corporation doing business in Santa Cruz County, California as a retailer of cookware and related merchandise, under the fictitious business name of CHEFWORKS, and employing ten or more persons.
- 2. Plaintiff is ignorant of the identities of Defendants sued herein as DOES 1 through 20, inclusive.
 - 3. Within one year prior to the filing of this complaint,

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Defendants and each of them were and are persons who, in the 2 course of doing business, knowingly and intentionally exposed individuals to lead, a chemical known to the state of California 3 4 to cause cancer or reproductive toxicity, and failed to first give clear and reasonable warnings to such individuals within the 5 6 meaning of Health and Safety Code section 25249.6. The products 7 through which such exposure was and are being made are glass oil bottles and other glassware intended for the consumption of food 8 or beverages with colored artwork or designs, containing lead on the exterior, including but not limited to the following item: 10 11 Oil Bottle, #BT2-H. The manner of exposure is and was through ingestion and/or dermal contact. The types of harm which can be 12

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harm.

4. In doing the foregoing, Defendants and each of them violated Health & Safety Code \$25249.6.

SECOND CAUSE OF ACTION

caused by such exposure are birth defects and other reproductive

[Business & Professions Code §17200]

- 5. Plaintiff realleges the allegations of Paragraphs 1 through 4, inclusive, of the First Cause of Action, as though set forth in full.
- 6. In doing the foregoing the Defendants engage, and have engaged within the previous four years, in unfair competition in violation of Business & Professions Code §17200.

WHEREFORE, Plaintiff prays judgment against Defendants and each of them as follows:

1. That the Defendants pay a civil penalty not to exceed \$2,500 for each separate violation of Health & Safety Code

\$25249.6, pursuant to Health & Safety Code \$25249.7.

2. That the Defendants pay a civil penalty not to exceed \$2,500 for each separate violation of Business & Professions Code \$17200, pursuant to Business & Professions Code Section 17206.

- 3. That the Court grant a preliminary and a permanent injunction pursuant to Health and Safety Code §25249.7 and Business & Professions Code §17203, prohibiting Defendants and each of them from exposing persons within the State of California to lead without providing clear and reasonable warnings as required by law.
- 4. That the Court grant such other and further relief as in the premises it may deem just and proper.

DATED: November 21, 2005

BOB LEE District Attorney

MORGAN CARLOS TAYLOR Asst. District Attorney