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BY DAJAH RUIZ
DEPUTY, SANTA CRUZ COUNTY

6 Attorneys for Plaintiff PEOPLE
OF THE STATE OF CALIFORNIA
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8 SUPERIOR COURT OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SANTA CRUZ

10 PEOPLE OF THE STATE OF CALIFORNIA,)
11 Plaintiffs)
12 vs.)
13 JUDLAR CORPORATION, CHEFWORKS,)
and DOES 1 through 20, inclusive,)
14 Defendants.)
15

CV 153033

COMPLAINT FOR CIVIL
PENALTIES AND EQUITABLE
RELIEF

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

19 FIRST CAUSE OF ACTION

20 [Health & Safety Code §25249.6]

21 1. At all times relevant to this complaint, JUDLAR
22 CORPORATION was a California corporation doing business in Santa
23 Cruz County, California as a retailer of cookware and related
24 merchandise, under the fictitious business name of CHEFWORKS, and
25 employing ten or more persons.

26 2. Plaintiff is ignorant of the identities of Defendants
27 sued herein as DOES 1 through 20, inclusive.

28 3. Within one year prior to the filing of this complaint,

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

15 4. In doing the foregoing, Defendants and each of them
16 violated Health & Safety Code §25249.6.

17 SECOND CAUSE OF ACTION

18 [Business & Professions Code §17200]

19 5. Plaintiff realleges the allegations of Paragraphs 1
20 through 4, inclusive, of the First Cause of Action, as though set
21 forth in full.

22 6. In doing the foregoing the Defendants engage, and have
23 engaged within the previous four years, in unfair competition in
24 violation of Business & Professions Code §17200.

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

27 1. That the Defendants pay a civil penalty not to exceed
28 \$2,500 for each separate violation of Health & Safety Code

1 \$25249.6, pursuant to Health & Safety Code §25249.7.

2 2. That the Defendants pay a civil penalty not to exceed
3 \$2,500 for each separate violation of Business & Professions Code
4 §17200, pursuant to Business & Professions Code Section 17206.

5 3. That the Court grant a preliminary and a permanent
6 injunction pursuant to Health and Safety Code §25249.7 and
7 Business & Professions Code §17203, prohibiting Defendants and
8 each of them from exposing persons within the State of California
9 to lead without providing clear and reasonable warnings as
10 required by law.

11 4. That the Court grant such other and further relief as in
12 the premises it may deem just and proper.

13 DATED: November 21, 2005

BOB LEE
District Attorney

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16 MORGAN CARLOS TAYLOR
Asst. District Attorney

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