

JUL 08 2011

John A. Clarke, Executive Officer/Clerk  
By SHAUNYA WESLEY, Deputy

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7 Attorneys for Plaintiff  
8 Environmental Research Center

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF LOS ANGELES

BC 465087

11 ENVIRONMENTAL RESEARCH CENTER, )  
12 a non-profit California corporation; )  
13 Plaintiff, )  
14 v. )  
15 NNC dba NATURADE, a Delaware limited )  
16 liability company; DOES 1 through 10; )  
17 Defendant(s). )

Case No. \_\_\_\_\_

**COMPLAINT FOR INJUNCTIVE  
RELIEF AND CIVIL PENALTIES**

Health & Safety Code §25249.5, *et seq.*

18 Plaintiff Environmental Research Center brings this action in the interests of the  
19 general public and, on information and belief, hereby alleges:

**INTRODUCTION**

21 1. Defendant(s) manufactures, packages, distributes, markets, and/or sells in  
22 California certain herbal products including: Naturade 100% Soy Protein Booster – Natural;  
23 Naturade Calcium Shake – Vanilla; Naturade Complete Cleanse Step 1 All-Natural Herbs;  
24 Naturade Cleanse Step 2 Bio-Active Fiber; Naturade Veg. Protein Booster Natural Flavor;  
25 Naturade N-R-G Protein Booster Vanilla Flavor; Naturade Total Soy Meal Replacement  
26 Vanilla and Naturade Total Soy Meal Replacement Chocolate alleged to contain lead (the

1 “PRODUCTS”).

2 2. Lead and lead compounds (hereinafter, the “LISTED CHEMICALS”) are  
3 substances known to the State<sup>1</sup> of California to cause cancer, birth defects and other  
4 reproductive harm.

5 3. The use and/or handling of the PRODUCTS is alleged to cause exposures to  
6 the LISTED CHEMICALS at levels requiring a “clear and reasonable warning” under  
7 California's Safe Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code  
8 (“H&S Code”) §25249.5, *et seq.* (also known as “Proposition 65”).

9 4. Plaintiff seeks injunctive relief enjoining Defendant(s) from the continued  
10 manufacturing, packaging, distributing, marketing and/or sales of the PRODUCTS in  
11 California without provision of clear and reasonable warnings regarding the risks of cancer,  
12 birth defects and other reproductive harm posed by exposure to the LISTED CHEMICALS  
13 through the use and/or handling of the PRODUCTS. In addition to injunctive relief, Plaintiff  
14 seeks an assessment of civil penalties to remedy Defendant(s)' failure to provide clear and  
15 reasonable warnings regarding exposures to the LISTED CHEMICALS.

16 **JURISDICTION AND VENUE**

17 5. This Court has jurisdiction over this action pursuant to California Constitution  
18 Article VI, Section 10, which grants the Superior Court “original jurisdiction in all causes  
19 except those given by statute to other trial courts.” The statute under which this action is  
20 brought does not specify any other basis for jurisdiction.

21 6. This Court has jurisdiction over Defendant(s) because, based on information  
22 and belief, Defendant(s) is a business having sufficient minimum contacts with California, or  
23 otherwise intentionally availing itself of the California market through the distribution and sale  
24 of the PRODUCTS in the State of California to render the exercise of jurisdiction over it by the  
25 California courts consistent with traditional notions of fair play and substantial justice.

26 \_\_\_\_\_  
<sup>1</sup> All statutory and regulatory references herein are to California law, unless otherwise specified.



1 No person in the course of doing business shall knowingly and intentionally  
2 expose any individual to a chemical known to the state to cause cancer or  
3 reproductive toxicity without first giving clear and reasonable warning to such  
4 individual....

5 15. Proposition 65 provides that any person "violating or threatening to violate" the  
6 statute may be enjoined in a court of competent jurisdiction. (H&S Code §25249.7.) The phrase  
7 "threatening to violate" is defined to mean creating "a condition in which there is a substantial  
8 likelihood that a violation will occur." (H&S Code §25249.11(e).) Violators are liable for civil  
9 penalties of up to \$2,500 per day for each violation of the Act. (H&S Code §25249.7.)

### 10 FACTUAL BACKGROUND

11 16. On February 27, 1987, the State of California officially listed the chemical lead  
12 as a chemical known to cause reproductive toxicity. Lead became subject to the warning  
13 requirement one year later and was therefore subject to the "clear and reasonable" warning  
14 requirements of Proposition 65 beginning on February 27, 1988. (27 California Code of  
15 Regulations ("CCR") §25000, *et seq.*; H&S Code §25249.5, *et seq.*)

16 17. On October 1, 1992, the State of California officially listed the chemicals lead  
17 and lead compounds as chemicals known to cause cancer. Lead and lead compounds became  
18 subject to the warning requirement one year later and were therefore subject to the "clear and  
19 reasonable" warning requirements of Proposition 65 beginning on October 1, 1993. (27 CCR §  
20 25000, *et seq.*; H&S Code §25249.6, *et seq.*)

21 18. PLAINTIFF is informed and believes, and based on such information and belief  
22 alleges the PRODUCTS have been distributed and/or sold to individuals in California since at  
23 least October 8, 2009. The PRODUCTS continue to be distributed and sold in California.

24 19. PLAINTIFF alleges that individuals using or handling the PRODUCTS are  
25 exposed to the LISTED CHEMICALS in excess of the "maximum allowable daily" and "no  
26 significant risk" levels determined by the State of California, as applicable, within the  
meaning of H&S Code §25249.10(c).

1  
2 **FIRST CAUSE OF ACTION**

3 **(Injunctive Relief for Violations of Health and Safety Code § 25249.5, *et seq.* concerning**  
4 **the PRODUCTS described in PLAINTIFF's September 23, 2010 and December 24, 2010**  
5 **60-Day Notices of Violation)**

6 **Against All DEFENDANT(S) and DOES**

7 20. PLAINTIFF realleges and incorporates by reference Paragraphs 1 through 19,  
8 inclusive, as if specifically set forth herein.

9 21. On September 23, 2010 and December 24, 2010, PLAINTIFF sent 60-Day  
10 Notice of Proposition 65 violations to the requisite public enforcement agencies, and to all  
11 DEFENDANT(S) ("Notices") attached hereto as Exhibit A. The Notices were issued pursuant  
12 to, and in compliance with, the requirements of H&S Code §25249.7(d) and the statute's  
13 implementing regulations regarding the notice of the violations to be given to certain public  
14 enforcement agencies and to the violator. The Notices given included, *inter alia*, the following  
15 information: the name, address, and telephone number of the noticing individual; the name of  
16 the alleged violator; the statute violated; the approximate time period during which violations  
17 occurred; and descriptions of the violations, including the chemicals involved, the routes of  
18 toxic exposure, and the specific product or type of product causing the violations, and was  
19 issued as follows:

- 20 a. DEFENDANT(S) and the California Attorney General were provided  
21 copies of the Notices by Certified Mail.
- 22 b. DEFENDANT(S) was provided a copy of a document entitled "The Safe  
23 Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A  
24 Summary," which is also known as Appendix A to Title 27 of CCR  
25 §25903.
- 26 c. The California Attorney General was provided with a Certificate of Merit  
by the attorney for the noticing party, stating that there is a reasonable  
and meritorious case for this action, and attaching factual information  
sufficient to establish a basis for the certificate, including the identify of

1 the persons consulted with and relied on by the certifier, and the facts  
2 studies, or other data reviewed by those persons, pursuant to H&S Code  
3 §25249.7(h) (2).

4 22. The appropriate public enforcement agencies have failed to commence and  
5 diligently prosecute a cause of action under H&S Code §25249.5, *et seq.* against  
6 DEFENDANT(S) based on the allegations herein.

7 23. Plaintiff alleges that DEFENDANT(S) has violated H&S Code §25249.6 by, in  
8 the course of doing business, knowingly and intentionally exposing individuals who use or  
9 handle the PRODUCTS set forth in the Notice to the LISTED CHEMICALS, without first  
10 providing a clear and reasonable warning to such individuals pursuant to H&S Code §§  
11 25249.6 and 25249.11(f).

12 24. An action for injunctive relief under Proposition 65 is specifically authorized by  
13 Health & Safety Code §25249.7(a).

14 Wherefore, PLAINTIFF prays judgment against DEFENDANT(S), as set forth  
15 hereafter.

16 **SECOND CAUSE OF ACTION**  
17 **(Civil Penalties for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**  
18 **PRODUCTS described in PLAINTIFF's September 23, 2010 and December 24, 2010 60-**  
19 **Day Notices of Violation)**  
20 **Against all DEFENDANT(S) and DOES**

21 25. PLAINTIFF realleges and incorporates by reference Paragraphs 1 through 24,  
22 inclusive, as if specifically set forth herein.

23 26. On September 23, 2010 and December 24, 2010, PLAINTIFF sent the Notices to  
24 the requisite public enforcement agencies, and to DEFENDANT(S) attached hereto as Exhibit  
25 A. The Notices were issued pursuant to, and in compliance with, the requirements of H&S  
26 Code §25249.7(d) and the statute's implementing regulations regarding the notice of the  
violations to be given to certain public enforcement agencies and to the violator. The Notice  
given included, *inter alia*, the following information: the name, address, and telephone number

1 of the noticing individual; the name of the alleged violator; the statute violated; the approximate  
2 time period during which violations occurred; and descriptions of the violations, including the  
3 chemicals involved, the routes of toxic exposure, and the specific product or type of product  
4 causing the violations, and was issued as follows:

5 a. DEFENDANT(S) and the California Attorney General were provided  
6 copies of the Notices by Certified Mail.

7 b. DEFENDANT(S) was provided a copy of a document entitled "The Safe  
8 Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A  
9 Summary," which is also known as Appendix A to Title 27 of CCR  
10 §25903.

11 c. The California Attorney General was provided with a Certificate of Merit  
12 by the attorney for the noticing party, stating that there is a reasonable  
13 and meritorious case for this action, and attaching factual information  
14 sufficient to establish a basis for the certificate, including the identify of  
15 the persons consulted with and relied on by the certifier, and the facts  
16 studies, or other data reviewed by those persons, pursuant to H&S Code  
17 §25249.7(h) (2).

18 27. The appropriate public enforcement agencies have failed to commence and  
19 diligently prosecute a cause of action under H&S Code §25249.5, *et seq.* against  
20 DEFENDANT(S) based on the allegations herein.

21 28. By the above-described acts, DEFENDANT(S) is liable, pursuant to H&S Code  
22 §25249.7(b), for a civil penalty of \$2,500 per day per violation for each unlawful exposure to a  
23 LISTED CHEMICAL from the PRODUCTS.

24 Wherefore, PLAINTIFF prays judgment against DEFENDANT(S), as set forth  
25 hereafter.  
26

1 **PRAYER FOR RELIEF**

2 Wherefore, PLAINTIFF accordingly prays for the following relief:

3 A. a preliminary and permanent injunction, pursuant to H&S Code §25249.7(b),  
4 enjoining DEFENDANT(S), its agents, employees, assigns and all persons acting in concert or  
5 participating with DEFENDANT(S), from distributing or selling the PRODUCTS in California  
6 without first providing a clear and reasonable warning, within the meaning of Proposition 65;


7 B. an assessment of civil penalties pursuant to Health & Safety Code §25249.7(b),  
8 against Defendant for each violation of Proposition 65;

9 C. an award to PLAINTIFF of its reasonable attorneys fees and costs of suit  
10 pursuant to California Code of Civil Procedure §1021.5, as PLAINTIFF shall specify in further  
11 application to the Court; and,

12 D. such other and further relief as may be just and proper.

13  
14 DATED: 7/8, 2011

LAW OFFICE OF GIDEON KRACOV

  
\_\_\_\_\_  
Gideon Kracov  
Attorneys for Plaintiff  
Environmental Research Center



SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
 NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE  
 Case Number \_\_\_\_\_

BC 465087

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

Your case is assigned for all purposes to the judicial officer indicated below (Local Rule 7.3(c)). There is additional information on the reverse side of this form.

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
Hon. Carolyn B. Kuhl	1	534	Hon. Holly E. Kendig	42	416
Hon. J. Stephen Czuleger	3	224	Hon. Mel Red Recana	45	529
Hon. Luis A. Lavin	13	630	Hon. Debre Katz Weintraub	47	507
Hon. Terry A. Green	14	300	Hon. Elizabeth Allen White	48	506
Hon. Richard Fruin	15	307	Hon. Deirde Hill	49	509
Hon. Rita Miller	16	306	Hon. John Shepard Wiley Jr.	50	508
Hon. Richard E. Rico	17	309	Hon. Abraham Khan	51	511
Hon. Rex Heeseman	19	311	Hon. Susan Bryant-Deason	52	510
Hon. Kevin C. Brazile	20	310	Hon. John P. Shook	53	513
Hon. Zaven V. Sinanian	23	315	Hon. Ernest M. Hiroshige	54	512
Hon. Robert L. Hess	24	314	Hon. Malcolm H. Mackey	55	515
Hon. Mary Ann Murphy	25	317	Hon. Michael Johnson	56	514
Hon. James R. Dunn	26	316	Hon. Ralph W. Dau	57	517
Hon. Yvette M. Palazuelos	28	318	Hon. Rolf M. Treu	58	516
Hon. Barbara Scheper	30	400	Hon. David L. Minning	61	632
Hon. Alan S. Rosenfield	31	407	Hon. Michael L. Stern	62	600
Hon. Mary H. Strobel	32	406	Hon. Kenneth R. Freeman	64	601
Hon. Charles F. Palmer	33	409	Hon. Mark Mooney	68	617
Hon. Amy D. Hogue	34	408	Hon. Ramona See	69	621
Hon. Daniel Buckley	35	411	Hon. Soussan G. Bruguera	71	729
Hon. Gregory Alarcon	36	410	Hon. Ruth Ann Kwan	72	731
Hon. Joanne O'Donnell	37	413	Hon. Teresa Sanchez-Gordon	74	735
Hon. Maureen Duffy-Lewis	38	412	Hon. William F. Fahey	78	730
Hon. Michael C. Solner	39	415	<b>Hon. Emilie H. Elias*</b>	<b>324</b>	<b>CCW</b>
Hon. Michelle R. Rosenblatt	40	414	Other		
Hon. Ronald M. Sohigian	41	417			

**\*Class Actions**

All class actions are initially assigned to Judge Emilie H. Elias in Department 324 of the Central Civil West Courthouse (600 S. Commonwealth Ave., Los Angeles 90005). This assignment is for the purpose of assessing whether or not the case is complex within the meaning of California Rules of Court, rule 3.400. Depending on the outcome of that assessment, the class action case may be reassigned to one of the judges of the Complex Litigation Program or reassigned randomly to a court in the Central District.

Given to the Plaintiff/Cross-Complainant/Attorney of Record on \_\_\_\_\_ **JOHN A. CLARKE**, Executive Officer/Clerk  
 By \_\_\_\_\_, Deputy Clerk

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE**

[CRC 3.221 Information about Alternative Dispute Resolution]

For additional ADR information and forms visit the Court ADR web application at [www.lasuperiorcourt.org](http://www.lasuperiorcourt.org) (click on ADR).

The plaintiff shall serve a copy of this Information Package on each defendant along with the complaint (**Civil only**).

**What Is ADR:**

Alternative Dispute Resolution (ADR) is the term used to describe all the other options available for settling a dispute which once had to be settled in court. ADR processes, such as arbitration, mediation, neutral evaluation (NE), and settlement conferences, are less formal than a court process and provide opportunities for parties to reach an agreement using a problem-solving approach.

There are many different kinds of ADR. All of them utilize a "neutral", an impartial person, to decide the case or help the parties reach an agreement.

**Mediation:**

In mediation, a neutral person called a "mediator" helps the parties try to reach a mutually acceptable resolution of the dispute. The mediator does not decide the dispute but helps the parties communicate so they can try to settle the dispute themselves. Mediation leaves control of the outcome with the parties.

**Cases for Which Mediation May Be Appropriate**

Mediation may be particularly useful when parties have a dispute between or among family members, neighbors, or business partners. Mediation is also effective when emotions are getting in the way of resolution. An effective mediator can hear the parties out and help them communicate with each other in an effective and nondestructive manner.

**Cases for Which Mediation May Not Be Appropriate**

Mediation may not be effective if one of the parties is unwilling to cooperate or compromise. Mediation also may not be effective if one of the parties has a significant advantage in power over the other. Therefore, it may not be a good choice if the parties have a history of abuse or victimization.

**Arbitration:**

In arbitration, a neutral person called an "arbitrator" hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration may be either "binding" or "nonbinding." *Binding arbitration* means that the parties waive their right to a trial and agree to accept the arbitrator's decision as final. *Nonbinding arbitration* means that the parties are free to request a trial if they do not accept the arbitrator's decision.

**Cases for Which Arbitration May Be Appropriate**

Arbitration is best for cases where the parties want another person to decide the outcome of their dispute for them but would like to avoid the formality, time, and expense of a trial. It may also be appropriate for complex matters where the parties want a decision-maker who has training or experience in the subject matter of the dispute.

**Cases for Which Arbitration May Not Be Appropriate**

If parties want to retain control over how their dispute is resolved, arbitration, particularly binding arbitration, is not appropriate. In binding arbitration, the parties generally cannot appeal the arbitrator's award, even if it is not supported by the evidence or the law. Even in nonbinding arbitration, if a party requests a trial and does not receive a more favorable result at trial than in arbitration, there may be penalties.

**Neutral Evaluation:**

In neutral evaluation, each party gets a chance to present the case to a neutral person called an "evaluator." The evaluator then gives an opinion on the strengths and weaknesses of each party's evidence and arguments and about how the dispute could be resolved. The evaluator is often an expert in the subject matter of the dispute. Although the evaluator's opinion is not binding, the parties typically use it as a basis for trying to negotiate a resolution of the dispute.

**Cases for Which Neutral Evaluation May Be Appropriate**

Neutral evaluation may be most appropriate in cases in which there are technical issues that require special expertise to resolve or the only significant issue in the case is the amount of damages.

**Cases for Which Neutral Evaluation May Not Be Appropriate**

Neutral evaluation may not be appropriate when there are significant personal or emotional barriers to resolving the dispute.

**Settlement Conferences:**

Settlement conferences may be either mandatory or voluntary. In both types of settlement conferences, the parties and their attorneys meet with a judge or a neutral person called a "settlement officer" to discuss possible settlement of their dispute. The judge or settlement officer does not make a decision in the case but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Settlement conferences are appropriate in any case where settlement is an option. Mandatory settlement conferences are often held close to the date a case is set for trial.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
 Gideon Kracov (SBN 179815)  
 801 S. Grand Ave., 11th Fl., Los Angeles, CA 90017

TELEPHONE NO.: 213-629-2071 FAX NO.:  
 ATTORNEY FOR (Name): Environmental Research Center

SUPERIOR COURT OF CALIFORNIA, COUNTY OF  
 STREET ADDRESS: 111 N. Hill St.  
 MAILING ADDRESS: 111 N. Hill St.  
 CITY AND ZIP CODE: Los Angeles, CA 90012  
 BRANCH NAME: Mosk

CASE NAME:

FOR COURT USE ONLY  
**CONFIRMED COPY OF ORIGINAL FILED**  
 Los Angeles Superior Court

JUL 08 2011

John A. Clarke, Executive Officer/Clerk  
 By SHAUKYA WESLEY, Deputy

**CIVIL CASE COVER SHEET**

**Unlimited** (Amount demanded exceeds \$25,000)       **Limited** (Amount demanded is \$25,000 or less)

**Complex Case Designation**

**Counter**       **Joinder**

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:  
**BC465087**

JUDGE:  
 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p><b>Auto Tort</b></p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b></p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other PI/PD/WD (23)</p> <p><b>Non-PI/PD/WD (Other) Tort</b></p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p><b>Employment</b></p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p><b>Contract</b></p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p><b>Real Property</b></p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p><b>Unlawful Detainer</b></p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p><b>Judicial Review</b></p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p><b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b></p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input checked="" type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p><b>Enforcement of Judgment</b></p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p><b>Miscellaneous Civil Complaint</b></p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p><b>Miscellaneous Civil Petition</b></p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
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2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision


3. Remedies sought (check all that apply): a.  monetary    b.  nonmonetary; declaratory or injunctive relief    c.  punitive

4. Number of causes of action (specify): 2

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 7/8/11

GIDEON KRACOV      

(TYPE OR PRINT NAME)      (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.