

DEC 21 2012

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

1 GIDEON KRACOV (SBN 179815)  
801 S. Grand Avenue, Ste. 1100  
2 Los Angeles, CA 90017  
213.629.2071  
3 FAX 213.623.7755  
gk@gideonlaw.net

4 Attorney for Plaintiff  
5 As You Sow

6  
7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES

10  
11 AS YOU SOW, a non-profit California  
corporation,

12 Plaintiff,

13 v.

14 NATURE'S SUNSHINE PRODUCTS, INC.,  
15 DOES 1 through 10,

16 DEFENDANT(S).

Case No. BC497900

17  
18 **COMPLAINT FOR INJUNCTIVE  
RELIEF AND CIVIL PENALTIES**

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

20  
21 Plaintiff As You Sow brings this action in the interests of the general public and, on  
22 information and belief, hereby alleges:

23 **INTRODUCTION**

24 1. This action seeks to remedy DEFENDANT(S)' continuing failure to warn  
25 consumers in California that they are being exposed to progesterone, a substance known to the  
26 State of California to cause cancer. DEFENDANT(S) manufactures, packages, distributes,  
markets, and/or sells in California certain consumer creams, gels and/or lotion products  
containing progesterone (the "PRODUCT(S)"), including but not limited to Pro G Yam.

2. Progesterone (hereinafter, the "LISTED CHEMICAL") is a substance known to

1 the State of California<sup>1</sup> to cause cancer.

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

6 4. DEFENDANT(S) has failed to provide the health hazard warnings required by  
7 Proposition 65.

8 5. PLAINTIFF seeks injunctive relief enjoining DEFENDANT(S) from the  
9 continued manufacturing, packaging, distributing, marketing and/or sales of the PRODUCT(S)  
10 in California without provision of clear and reasonable warnings regarding the risks of cancer  
11 posed by exposure to the LISTED CHEMICAL through the use and/or handling of the  
12 PRODUCT(S). PLAINTIFF seeks an injunctive order compelling DEFENDANT(S) into  
13 compliance with Proposition 65 by providing a clear and reasonable warning to each individual  
14 who has been and who in the future may be exposed to LISTED CHEMICAL from the use of  
15 the PRODUCT(S). In addition to injunctive relief, PLAINTIFF seeks an assessment of civil  
16 penalties.

17 **JURISDICTION AND VENUE**

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

22 7. This Court has jurisdiction over DEFENDANT(S) because, based on  
23 information and belief, DEFENDANT(S) is a business having sufficient minimum contacts  
24 with California, or otherwise intentionally availing itself of the California market through the  
25 distribution and sale of the PRODUCT(S) in the State of California to render the exercise of  
26 \_\_\_\_\_

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

1 jurisdiction over it by the California courts consistent with traditional notions of fair play and  
2 substantial justice.

3 8. Venue in this action is proper in the Los Angeles Superior Court because the  
4 Defendant has violated California law in the County of Los Angeles.

5 **PARTIES**

6 9. PLAINTIFF As You Sow (“PLAINTIFF” or “AYS”) is a corporation  
7 organized under California’s Corporation Law. AYS is dedicated to, among other causes,  
8 reducing the use and misuse of hazardous and toxic substances, consumer protection, worker  
9 safety and corporate responsibility.

10 10. AYS is a person within the meaning of H&S Code § 25118 and brings this  
11 enforcement action in the public interest pursuant to H&S Code § 25249.7(d).

12 11. PLAINTIFF is informed and believes that Defendant NATURE’S SUNSHINE  
13 PRODUCTS, INC., is organized under the laws of the State of Utah and a person doing  
14 business with more than 10 employees within the meaning of H&S Code § 25249.11.

15 12. Upon information and belief, and upon that basis, PLAINTIFF alleges that the  
16 true names, or capacities of DOES 1 through 10, inclusive (the “DOES”), whether individual,  
17 corporate, associate or otherwise, are presently unknown to PLAINTIFF, who therefore sue  
18 said DEFENDANTS by such fictitious names. PLAINTIFF will amend this Complaint to  
19 show their true names and capacities when the same have been ascertained.

20 13. DEFENDANT(S) manufactures, packages, distributes, markets and/or sells the  
21 PRODUCT(S) for sale or use in California and in Los Angeles County.

22 **STATUTORY BACKGROUND**

23 14. The People of the State of California have declared in Proposition 65 their right  
24 “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or other  
25 reproductive harm.” (Section 1(b) of Initiative Measure, Proposition 65).

26 15. To effect this goal, Proposition 65 requires that individuals be provided with a  
“clear and reasonable warning” before being exposed to substances listed by the State of

1 California as causing cancer or reproductive toxicity. H&S Code § 25249.6 states, in pertinent  
2 part:

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

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

11 **FACTUAL BACKGROUND**

12 17. On January 1, 1988, the State of California officially listed the chemical  
13 progesterone as a chemical known to cause cancer. Progesterone became subject to the  
14 warning requirement one year later and was therefore subject to the "clear and reasonable"  
15 warning requirements of Proposition 65 beginning on January 1, 1989. (27 California Code of  
16 Regulations ("CCR") § 25000, *et seq.*; H&S Code § 25249.5, *et seq.*)

17 18. To test the PRODUCT(S) for progesterone, PLAINTIFF hired a well-respected  
18 and accredited testing laboratory. The testing results undertaken by PLAINTIFF of the  
19 PRODUCT(S) show concentrations of progesterone in violation of Proposition 65.

20 19. As a proximate result of acts by DEFENDANT(S), as persons in the course of  
21 doing business within the meaning of Health & Safety Code § 25249.11, individuals  
22 throughout the State of California, including in the County of Los Angeles, have been exposed  
23 to the LISTED CHEMICAL without clear and reasonable warning.

24 ///

26 ///

1 FIRST CAUSE OF ACTION

2 (Injunctive Relief for Violations of Health and Safety Code § 25249.5 concerning the  
3 PRODUCT(S) described in PLAINTIFF's March 20, 2012 60-Day Notice of Violation)  
4 Against DEFENDANT(S) and DOES

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

7 21. On March 20, 2012 PLAINTIFF sent a 60-Day Notice of Proposition 65  
8 violations to the requisite public enforcement agencies, and to all DEFENDANT(S)  
9 ("Notice") attached hereto as Exhibit A. The Notice was issued pursuant to, and in  
10 compliance with, the requirements of H&S Code § 25249.7(d) and the statute's implementing  
11 regulations regarding the notice of the violations to be given to certain public enforcement  
12 agencies and to the violator. The notice given included, *inter alia*, the following information:  
13 the name, address, and telephone number of the noticing individual; the name of the alleged  
14 violator; the statute violated; the approximate time period during which violations occurred;  
15 and descriptions of the violations, including the chemicals involved, the routes of toxic  
16 exposure, and the specific product or type of product causing the violations, and was issued as  
17 follows:

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

1 studies, or other data reviewed by those persons, pursuant to H&S Code  
2 § 25249.7(h)(2).

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

6 23. By committing the acts alleged in this Complaint DEFENDANT(S) at all times  
7 relevant to this action, and continuing through the present, has violated H&S Code § 25249.6  
8 by, in the course of doing business, knowingly and intentionally exposing individuals who use  
9 or handle the PRODUCT(S) set forth in the Notices to the LISTED CHEMICAL, without first  
10 providing a clear and reasonable warning to such individuals pursuant to H&S Code §§ 25249.6  
11 and 25249.11(f).

12 24. By the above-described acts, DEFENDANT(S) has violated H&S Code  
13 § 25249.6 and is therefore subject to an injunction ordering DEFENDANT(S) to stop violating  
14 Proposition 65, to provide warnings to all present and future customers.

15 25. An action for injunctive relief under Proposition 65 is specifically authorized by  
16 Health & Safety Code § 25249.7(a).

17 26. Continuing commission by DEFENDANT(S), of the acts alleged above will  
18 irreparably harm the citizens of the State of California, for which harm they have no plain,  
19 speedy, or adequate remedy at law.

20 Wherefore, PLAINTIFF prays judgment against DEFENDANT(S), as set forth  
21 hereafter.

22 **SECOND CAUSE OF ACTION**  
23 **(Civil Penalties for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**  
24 **PRODUCT(S) described in PLAINTIFF's NOTICE)**  
25 **Against DEFENDANT(S) and DOES**

26 27. PLAINTIFF realleges and incorporates by reference Paragraphs 1 through 26,  
inclusive, as if specifically set forth herein.

28. By the above-described acts, DEFENDANT(S) is liable, pursuant to H&S Code

1 § 25249.7(b), for a civil penalty of \$2,500 per day per violation for each unlawful exposure to a  
2 LISTED CHEMICAL from the PRODUCT(S),.

3 Wherefore, PLAINTIFF prays judgment against DEFENDANT(S), as set forth  
4 hereafter.

5 **PRAYER FOR RELIEF**

6 Wherefore, PLAINTIFF accordingly prays for the following relief:

7 A. a preliminary and permanent injunction, pursuant to H&S Code § 25249.7(b),  
8 enjoining DEFENDANT(S), its agents, employees, assigns and all persons acting in concert or  
9 participating with DEFENDANT(S), from distributing or selling the PRODUCT(S) in  
10 California without first providing a clear and reasonable warning, within the meaning of  
11 Proposition 65, that the users and/or handlers of the PRODUCT(S) are exposed to the LISTED  
12 CHEMICAL.

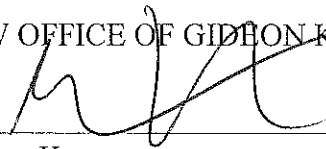
13 B. an assessment of civil penalties pursuant to Health & Safety Code § 25249.7(b),  
14 against DEFENDANT(S) for each violation of Proposition 65;

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

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

19  
20  
21  
22 DATED: 12/21, 2012

LAW OFFICE OF GIDEON KRACOV

  
\_\_\_\_\_  
Gideon Kracov  
Attorney for Plaintiff  
As You Sow





GIDEON KRACOV

Attorney at Law

801 South Grand Avenue  
11th Floor  
Los Angeles, California 90017

(213) 629-2071  
Fax: (213) 623-7755

gk@gideonlaw.net  
www.gideonlaw.net

March 20, 2012

MICHAEL D. DEAN  
President and Chief Executive Officer  
Nature's Sunshine Products, Inc.  
75 East 1700 South  
Provo, Utah 84606

Re: NOTICE OF VIOLATION AGAINST NATURE'S SUNSHINE PRODUCTS, INC.  
(AYS FILE # 14.232.01) OF CALIFORNIA HEALTH & SAFETY CODE SECTION  
25249.6

Dear Nature's Sunshine Products, Inc. and Appropriate Public Enforcement Agencies,

As You Sow ("AYS") is a California 501(c)(3) non-profit corporation dedicated to, among other causes, the protection of the environment, toxics reduction, the promotion and improvement of human health, the improvement of workers and consumer rights, environmental education and corporate accountability. AYS is located at 311 California Street, Suite 510, San Francisco, CA 94104, and tel. (415) 391-3212 c/o President Larry Fahn, who shall serve as the responsible individual within the noticing entity. AYS has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Act"), which is codified at Cal. Health & Safety Code §25249.5 *et seq.*

AYS has documented violations of Proposition 65 by Nature's Sunshine Products, Inc. ("Nature's Sunshine"). This letter serves to provide AYS' notification of these violations to Nature's Sunshine. Nature's Sunshine has its Principal Executive Offices at 75 East 1700 South, Provo, Utah 84606, and lists C T Corporation Systems, 818 W. Seventh Street, Los Angeles CA 90017, as the agent for service of process with the California Secretary of State. Pursuant to §25249.7(d) of the statute, AYS intends to bring an enforcement action sixty (60) days after effective service of this notice unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

Information available to AYS as of the date of this letter indicates that ongoing violations have occurred every day since at least March 16, 2009, as well as every day since the products were introduced into the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

A copy of the Proposition 65 summary prepared by the Office of Environmental Health Hazard Assessment is attached, as Appendix A, to the copy of this letter served to Nature's Sunshine.



In the course of its business, Nature's Sunshine knowingly and intentionally manufactures and distributes products that have exposed and continue to expose numerous individuals within California to progesterone without first giving clear and reasonable warning to such individuals. Progesterone has been a listed carcinogen under Proposition 65 since 1988 (Title 27, CCR §27001). Known risks include increased incidence of cancer, including breast carcinoma and tumor development. Further risks include dangerous drug interactions.

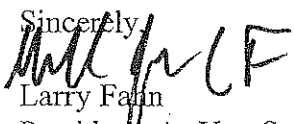
Exposure to progesterone results from the following Nature's Sunshine product: *Pro G Yam*.

Consumer exposure that is the subject of this notice results from the purchase, acquisition and recommended use of the listed product. Specific routes of exposure include dermal absorption directly through the scalp, skin or eyes when consumers touch, use, handle or apply the product.

AYS intends to file a private enforcement action as provided for in the Act for the alleged violations by Nature's Sunshine, unless Nature's Sunshine agrees in an enforceable written instrument to: (1) recall the listed products so as to eliminate further exposures to the identified chemicals; or (2) affix clear and reasonable Proposition 65 warning labels; and (3) pay an appropriate civil penalty. Consistent with the public interest goals of Proposition 65, AYS is interested in seeking a constructive resolution to this matter, and invites violator, should it seek early resolution of this matter, to communicate directly with AYS President Larry Fahn. Such resolution will avoid further unwarned consumer exposures, as well as resource intensive litigation.

Please direct all other questions concerning this notice to AYS attorney, Gideon Kracov, 801 S. Grand Ave., 11<sup>th</sup> Fl., Los Angeles, CA 90017, 213-629-2071, [gk@gideonlaw.net](mailto:gk@gideonlaw.net).

Sincerely,

  
Larry Fahn  
President, As You Sow

cc:

Attachments  
Certificate of Merit  
Certificate of Service  
List of Service

**CERTIFICATE OF MERIT**  
Health and Safety Code Section 25249.7(d)

**Re: As You Sow's Notice of Proposition 65 Violations by Nature's Sunshine Products, Inc.**

I, Gideon Kracov, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the notice.
4. Based on the information obtained through those consultants, and on other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and that the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in California Health & Safety Code §25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: March 20, 2012

  
\_\_\_\_\_  
Gideon Kracov, Attorney At Law

## CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States, over the age of 18 years of age, and am not a party to the within entitled action. My business address is 801 S. Grand Av., 11<sup>th</sup> Fl., Los Angeles, CA 90017.

On March 21, 2012, I served the following documents: NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; "THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY" on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it at my business address in a US Postal Service Office for delivery by Certified Mail with the postage thereon fully prepaid:

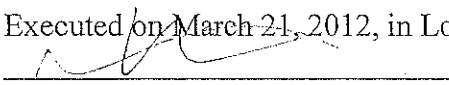
MICHAEL D. DEAN  
President and Chief Executive Officer  
Nature's Sunshine Products, Inc.  
75 East 1700 South  
Provo, Utah 84606

On March 21, 2012, I served the following documents: NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1) on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it at my business address in a US Postal Service Office for delivery by Certified Mail with the postage thereon fully prepaid:

Office of the California Attorney General  
Prop 65 Enforcement Reporting  
1515 Clay Street, Suite 2000  
Post Office Box 70550  
Oakland, CA 94612-0550

On March 21, 2012, I served the following documents: NOTICE OF VIOLATION, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the Service List attached hereto, and depositing it at my business address with the U.S. Postal Service for delivery by Priority Mail with the postage thereon fully prepaid.

Executed on March 21, 2012, in Los Angeles, CA

  
Gideon Kracov

## SERVICE LIST

District Attorney of Alameda County 1225 Fallon Street, Room 900 Oakland, CA 94612	District Attorney of Butte County 25 County Center Drive Orville, CA 95965	District Attorney of Contra Costa County 725 Court Street, Room 402 Martinez, CA 94553
District Attorney of Fresno County 2220 Tulare Street, #1000 Fresno, CA 93721	District Attorney of Imperial County 939 Main Street El Centro, CA 92243	District Attorney of Kings County 1400 West Lacey Hanford, CA 93230
District Attorney of Los Angeles County 210 W. Temple Street, Room 345 Los Angeles, CA 90012	District Attorney of Mariposa County P.O. Box 730 Mariposa, CA 95338	District Attorney of Modoc County 204 S Court Street Alturas, CA 96101-4020
District Attorney of Napa County 931 Parkway Mall Napa, CA 94559	District Attorney of Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney of Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249
District Attorney of Del Norte County 450 H Street, Ste 171 Crescent City, CA 95531	District Attorney of Glenn County P.O. Box 430 Willows, CA 95988	District Attorney of Inyo County P.O. Drawer D Independence, CA 93526
District Attorney of Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney of Mendocino County P.O. Box 1000 Ukiah, CA 95482
District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93517	District Attorney of Nevada County 110 Union Street Nevada City, CA 95959	District Attorney of Amador County 708 Court Street, #202 Jackson, CA 95642
District Attorney of Colusa County 547 Market Street Colusa, CA 95932	District Attorney of El Dorado County 515 Main Street Placerville, CA 95667	District Attorney of Humboldt County 825 5th Street Eureka, CA 95501
District Attorney of Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney of Lassen County 220 S. Lassen St., Ste 8 Susanville, CA 96130	District Attorney of Marin County 3501 Civic Center Dr., Room 183 San Rafael, CA 94903

District Attorney of Merced County 2222 "M" Street Merced, CA 95340	District Attorney of Monterey County PO Box 1131 Salinas, CA 93901	District Attorney of Orange County 401 Civic Ctr Drive West Santa Ana, CA 92701
District Attorney of Placer County 10810 Justice Center Drive Suite 240 Roseville, CA 95678	District Attorney of Sacramento County 901 "G" Street Sacramento, CA 95814	District Attorney of San Diego County 330 West Broadway, Suite 1320 San Diego, CA 92112
District Attorney of San Luis Obispo County 1050 Monterey St, Room 450 San Luis Obispo, CA 93408	District Attorney of Santa Clara County 70 West Hedding Street San Jose, CA 95110	District Attorney of Sierra County Courthouse, P.O. Box 457 Downieville, CA 95936
District Attorney of Sonoma County 600 Administration Drive, Room 212J Santa Rosa, CA 95403	District Attorney of Tehama County P.O. Box 519 Red Bluff, CA 96080	District Attorney of Tuolumne County 2 South Green Sonora, CA 95370
District Attorney of Yuba County 215 Fifth Street Marysville, CA 95901	District Attorney of Plumas County 520 Main Street, Room 404 Quincy, CA 95971	District Attorney of San Benito County 419 Fourth Street, 2 <sup>nd</sup> Floor Hollister, CA 95023
District Attorney of San Francisco County 850 Bryant Street, Rm 325 San Francisco, CA 94103	District Attorney of San Mateo County 400 County Ctr, 3 <sup>rd</sup> Fl Redwood City, CA 94063	District Attorney of Santa Cruz County 701 Ocean Street, Room 200 Santa Cruz, CA 95061
District Attorney of Siskiyou County P.O. Box 986 Yreka, CA 96097	District Attorney of Stanislaus County 800 11 <sup>th</sup> Street, Room 200 Modesto, CA 95353	District Attorney of Trinity County P.O. Box 1310 Weaverville, CA 96093
District Attorney of Ventura County 800 South Victoria Ave Ventura, CA 93009	Los Angeles City Attorney's Office Room 1800, City Hall East 200 N. Main Street Los Angeles, CA 90012	District Attorney of Riverside County 4075 Main Street, 1st Floor Riverside, CA 92501
District Attorney of San Bernardino County 316 N. Mountain View Avenue San Bernardino, CA 92415-0004	District Attorney of San Joaquin County P.O. Box 990 Stockton, CA 95201	District Attorney of Santa Barbara County 1105 Santa Barbara Street Santa Barbara, CA 93101

District Attorney of Shasta County 1525 Court Street, Third Floor Redding, CA 96001-1632	District Attorney of Solano County 600 Union Avenue Fairfield, CA 94533	District Attorney of Sutter County 446 Second Street Yuba City, CA 95991
District Attorney of Tulare County 221 S. Mooney Ave, Room 224 Visalia, CA 93291	District Attorney of Yolo County 301 Second Street Woodland, CA 95695	San Diego City Attorney's Office 1200 3rd Avenue, 12th Floor San Diego, CA 92101
San Francisco City Attorney's Office 1 Dr. Carleton B. Goodlett Place Room 234 San Francisco, CA 94102	San Jose City Attorney's Office 200 East Santa Clara Street San Jose, CA 95113	Ms. Laura Zuckerman Deputy Attorney General OFFICE OF THE ATTORNEY GENERAL - Prop. 65 Enforcement Reporting Coordinator 1515 Clay Street, Ste. 2000 Oakland, CA 94612

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)  
**CONFORMED COPY  
OF ORIGINAL FILED**  
Los Angeles Superior Court

DEC 21 2012

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

NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):

NATURE'S SUNSHINE PRODUCTS, INC., DOES 1 through 10

YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

AS YOU SOW, a non-profit California corporation

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): L.A. Superior Mosk  
111 N. Hill. St., LA, CA 90012

CASE NUMBER:  
(Número del Caso):  
**BC497900**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Gideon Kracov, 801 S. Grand Av., 11th Fl., LA, CA 90014, 213-629-2071

DATE: 12/21/12  
(Fecha)

DEC 21 2012

Clerk, by JOHN A. CLARKE, Deputy  
(Secretario) Shaunya Wesley (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):
 

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4.  by personal delivery on (date):



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Gideon Kracov (SBN 179815)  
801 S. Grand Av., 11th Fl.  
LA, CA 90017  
TELEPHONE NO.: 213-629-2071 FAX NO.:  
ATTORNEY FOR (Name): As You Sow

**FOR COURT USE ONLY**  
**CONFORMED COPY**  
**OF ORIGINAL FILED**  
**Los Angeles Superior Court**  
  
DEC 21 2012  
  
John A. Clarke, Executive Officer/Clerk  
By SHAUNYA WESLEY Deputy

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

CASE NAME:  
As You Sow v. Nature's Sunshine Products

**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:  
**BC497900**  
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:
- |  |  |   |
|--|--|---|
| <b>Auto Tort</b><br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)<br><b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b><br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PD/WD (23)<br><b>Non-PI/PD/WD (Other) Tort</b><br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PD/WD tort (35)<br><b>Employment</b><br><input type="checkbox"/> Wrongful termination (36)<br><input type="checkbox"/> Other employment (15) | <b>Contract</b><br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37)<br><b>Real Property</b><br><input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)<br><b>Unlawful Detainer</b><br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)<br><b>Judicial Review</b><br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39) | <b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b><br><input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input checked="" type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)<br><b>Enforcement of Judgment</b><br><input type="checkbox"/> Enforcement of judgment (20)<br><b>Miscellaneous Civil Complaint</b><br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)<br><b>Miscellaneous Civil Petition</b><br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> Other petition (not specified above) (43) |
|--|--|---|

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: 12/21/12  
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.

SHORT TITLE: As You Sow v. Nature's Sunshine	CASE NUMBER
--	-------------

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL <sup>2</sup>  HOURS/  DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>1. Class actions must be filed in the Stanley Mosk Courthouse, central district.</li> <li>2. May be filed in central (other county, or no bodily injury/property damage).</li> <li>3. Location where cause of action arose.</li> <li>4. Location where bodily injury, death or damage occurred.</li> <li>5. Location where performance required or defendant resides.</li> </ul> | <ul style="list-style-type: none"> <li>6. Location of property or permanently garaged vehicle.</li> <li>7. Location where petitioner resides.</li> <li>8. Location wherein defendant/respondent functions wholly.</li> <li>9. Location where one or more of the parties reside.</li> <li>10. Location of Labor Commissioner Office</li> </ul> |
|---|---|

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Auto Tort</b>	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
<b>Other Personal Injury/ Property Damage/Wrongful Death Tort</b>	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE:

As You Sow v. Nature's Sunshine

CASE NUMBER

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2.,3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels_____	2.
Real Property	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
		<input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

As You Sow v. Nature's Sunshine

CASE NUMBER

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input checked="" type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)		1., 2., 8.	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
		<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
		<input type="checkbox"/> A6190 Election Contest	2.
		<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2., 3., 4., 8.	
	<input type="checkbox"/> A6100 Other Civil Petition	2., 9.	


SHORT TITLE: As You Sow v. Nature's Sunshine	CASE NUMBER
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**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.</b>  <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.			ADDRESS: 111 N. Hill St.
CITY: LA	STATE: CA	ZIP CODE: 90012	

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 12/21/12

  
 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE (NON-CLASS ACTION)**

Case Number \_\_\_\_\_

BC497900

**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 3.3(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. Debre Katz Weintraub	47	507
Hon. Michael P. Linfield	10	631	Hon. Elizabeth Allen White	48	506
Hon. Barbara A. Meiers	12	636	Hon. Deirdre Hill	49	509
Hon. Terry A. Green	14	300	Hon. John L. Segal	50	508
Hon. Richard Fruin	15	307	Hon. Abraham Khan	51	511
X Hon. Rita Miller	16	306	Hon. Susan Bryant-Deason	52	510
Hon. Richard E. Rico	17	309	Hon. Steven J. Kleifield	53	513
Hon. Kevin C. Brazile	20	310	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. Mark Mooney	68	617
Hon. Charles F. Palmer	33	409	Hon. Ramona See	69	621
Hon. Amy D. Hogue	34	408	Hon. Soussan G. Bruguera	71	729
Hon. Daniel Buckley	35	411	Hon. Ruth Ann Kwan	72	731
Hon. Gregory Alarcon	36	410	Hon. Teresa Sanchez-Gordon	74	735
Hon. Joanne O'Donnell	37	413	Hon. William F. Fahey	78	730
Hon. Maureen Duffy-Lewis	38	412	<b>Hon. Emilie H. Elias</b>	<b>324</b>	<b>CCW</b>
Hon. Michelle R. Rosenblatt	40	414	<b>Hon. Elihu M. Berle</b>	<b>323</b>	<b>CCW</b>
Hon. Ronald M. Sohigian	41	417	other		
Hon. Holly E. Kendig	42	416			
Hon. Mel Red Recana	45	529			
Hon. Fredrick C. Shaller	46	601			

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

By \_\_\_\_\_, Deputy Clerk