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ENDORSED
FILED
ALAMEDA COUNTY

OCT 24 2012
CLERK OF THE SUPERIOR COURT

Anita Dhir

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ALAMEDA

12 CENTER FOR ENVIRONMENTAL HEALTH,)
13 a non-profit corporation,)

14 Plaintiff,)

15 v.)

16 LULU NYC LLC, *et al.*, and Defendant DOES 1)
17 through 500, inclusive,)

18 Defendants.)

19 CENTER FOR ENVIRONMENTAL HEALTH,)
20 a non-profit corporation,)

21 Plaintiff,)

22 v.)

23 BIOWORLD MERCHANDISING, INC., *et al.*,)
and Defendant DOES 1 through 500, inclusive,)

24 Defendants.)
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Lead Case No. RG 09-459448

[Consolidated with Case Nos. RG 10-494289; RG 10-494513; RG 10-494517; RG 11-598595; RG 11-598596; and RG 11-603764]

ASSIGNED FOR ALL PURPOSES TO:
Judge Steven A. Brick, Department 17

**C.C.P. §474 AMENDMENT TO
COMPLAINT - CENTER FOR
ENVIRONMENTAL HEALTH V.
BIOWORLD MERCHANDISING,
INC.; CASE NO. RG 11-598596**

Complaint filed: June 24, 2009
Trial date: None set

1 On October 5, 2011, Plaintiff Center for Environmental Health (“CEH”) filed its
2 original Complaint in *Bioworld Merchandising, Inc., et al.*, Alameda County Superior Court
3 Case No. RG 11-598596 (“*Bioworld Case*”). On February 8, 2012, the *Bioworld Case* was
4 consolidated under the above-captioned lead case. On April 12, 2012, CEH filed its First
5 Amended Complaint in the *Bioworld Case* (“First Amended Complaint”).

6 Pursuant to California Code of Civil Procedure §474, CEH hereby amends the
7 First Amended Complaint by inserting the name THE WHEAT GROUP, INC. in place of the
8 reference to DOE 5 in each place that it appears in the First Amended Complaint.

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10 Date: October 24, 2012

Respectfully submitted,

LEXINGTON LAW GROUP

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14 Victoria Hartanto
15 Attorneys for Plaintiff
16 CENTER FOR ENVIRONMENTAL HEALTH
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1 **PROOF OF SERVICE**

2 I declare that:

3 I am employed in San Francisco County, California. I am over the age of 18 years and
4 not a party to the within cause; my business address is 503 Divisadero Street, San Francisco, CA
94117. My electronic notification address is cfisher@lexlawgroup.com.

5 On October 24, 2012, I served true copies of the following document:

6 **C.C.P. §474 AMENDMENT TO COMPLAINT - CENTER FOR**
7 **ENVIRONMENTAL HEALTH V. BIOWORLD MERCHANDISING, INC.;**
CASE NO. RG 11-598596

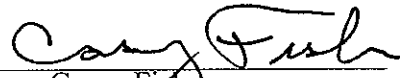
8 I transmitted via electronic mail the document listed above to the electronic mail
9 addresses set forth below at 10 :04 A.m. on October 24, 2012:

10 *Please see attached service list.*

11 The transmission was reported as complete and without error.

12 I declare under penalty of perjury that the foregoing is true and correct, and that this
13 declaration was executed on October 24, 2012 at San Francisco, California.

14 Signed:


Casey Fisher

SERVICE LIST
CEH v. Lulu NYC LLC, et al.
Lead Case No. RG 09-459448

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