

ALVAREZ
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FILED
Superior Court of California
County of Los Angeles

MAR 20 2014

Sanchez-Gordon

Sherri R. Carter, Executive Officer/Clerk
By *[Signature]* Deputy
Nancy Alvarez

D 74 Teresa
SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES FAX FILE

8 AFS Enterprises, LLC

) Unlimited Jurisdiction

10 Plaintiff,

) CASE NO.:

BC 539 678

12 vs.

) COMPLAINT FOR CIVIL
) PENALTY AND INJUNCTIVE
) RELIEF

13 Reckitt Benckiser, PLC; Amazon.com, Inc.;
OfficeMax, Inc.; Wal-Mart Stores, Inc.; Home
14 Depot USA, Inc.; Lowe's HIW, Inc.; True
Value Co.; Do It Best Commerce Company,
15 LLC.; and DOES 1 to 10, Inclusive

) (Health and Safety Code § 25249.5
) et seq.)

) TOXIC TORT/ENVIRONMENTAL

16 Defendants.

18 Plaintiff, AFS Enterprises, LLC, hereby alleges:

19
20 **I. PRELIMINARY STATEMENT**

21 1. This complaint seeks to remedy the failure of Defendant to warn persons of exposure to
22 lead, which is a chemical known to the State of California to cause birth defects, or other reproductive
23 harm. Under the Safe Drinking Water and Toxic Enforcement Act of 1986, Cal. Health & Safety Code
24 section 25249.6, also known as "Proposition 65," businesses must provide persons with a "clear and
25 reasonable warning" before exposing individuals to chemicals known to the state to cause cancer or
26 reproductive harm.

RECEIVED: 03/20/14 02:50 PM
DATE PAID: 03/20/14
PAYMENT: \$435.00
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CIT/CASE: BC539678
LEA/DEF#:

03/25/2014

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II. PARTIES

2. Plaintiff is made up of citizens of the State of California, by and through its counsel of record, the Law Office of Daniel N. Greenbaum. Health and Safety Code section 25249.7(d) provides that actions to enforce Proposition 65 may be brought by "any person in the public interest."

3. Defendant RECKITT BENCKISER, PLC (hereinafter "RECKITT") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the manufacture, distribution, or sale of brass polish ("Brasso") for sale within the State of California, without first giving clear and reasonable warning.

4. Defendant AMAZON.COM, INC. (hereinafter "AMAZON") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of California, without first giving clear and reasonable warning

5. Defendant OFFICEMAX, INC. (hereinafter "OFFICEMAX") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of California, without first giving clear and reasonable warning.

6. Defendant WAL-MART STORES, INC. (hereinafter "WAL-MART") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of California, without first giving clear and reasonable warning.

7. Defendant HOME DEPOT, INC. (hereinafter "HOME DEPOT") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of California, without first giving clear and reasonable warning.

8. Defendant LOWE'S HIW, INC. (hereinafter "LOWE'S") is a business entity with ten or more employees that sells, or has, at times relevant to this complaint, authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of California, without first giving clear and reasonable warning.

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1 9. Defendant TRUE VALUE COMPANY (hereinafter "TRUE VALUE") is a business entity
2 with ten or more employees that sells, or has, at times relevant to this complaint, authorized the
3 distribution or sale of polish under the brand name "Brasso," for sale within the State of California,
4 without first giving clear and reasonable warning.

5 10. Defendant DO IT BEST COMMERCE COMPANY, LLC. (hereinafter "DIBCC") is a
6 business entity with ten or more employees that sells, or has, at times relevant to this complaint,
7 authorized the distribution or sale of polish under the brand name "Brasso," for sale within the State of
8 California, without first giving clear and reasonable warning.

9 11. Defendants named in paragraphs 4 - 10 are hereinafter referred to collectively as
10 "RETAILERS."

11 12. The identities of DOES 1 through 10 are unknown to Plaintiff at this time; however,
12 Plaintiff suspects that they are business entities with at least ten or more employees that have sold,
13 authorized the distribution, or sale of polish under the brand name "Brasso" and other brand names, that
14 contain lead, for sale within the State of California, without first giving clear and reasonable warning.

15 **III. JURISDICTION AND VENUE**

16 13. This Court has jurisdiction pursuant to California Constitution Article VI, section 10,
17 because this case is a cause not given by statute to other trial courts.

18 14. This Court has jurisdiction over Defendants, because they are business entities that do
19 sufficient business, have sufficient minimum contacts in California, or otherwise intentionally avail
20 themselves of the California market, through the sale, marketing, and use of its products in California, to
21 render the exercise of jurisdiction over it by the California courts consistent with traditional notions of
22 fair play and substantial justice.

23 15. Venue is proper in this Court because the cause, or part thereof, arises in Los Angeles
24 County because Defendant's products are sold and consumed in this county.

25 **IV. STATUTORY BACKGROUND**

26 **A. Proposition 65**

27 16. The Safe Drinking Water and Toxic Enforcement Act of 1986 is an initiative statute
28 passed as "Proposition 65" by a vote of the people in November of 1986.

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1 17. The warning requirement of Proposition 65 is contained in Health and Safety Code section
2 25249.6, which provides:

3 No person in the course of doing business shall knowingly and
4 intentionally expose any individual to a chemical known to the state to
5 cause cancer or reproductive toxicity without first giving clear and
6 reasonable warning to such individual, except as provided in Section
7 25249.10.

8 18. An exposure to a chemical in a consumer product is one "which results from a person's
9 acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or
10 any exposure that results from receiving a consumer service." (Cal. Code Regs., tit. 22, § 12601, subd.
11 (b).)

12 19. Proposition 65 establishes a procedure by which the state is to develop a list of chemicals
13 "known to the State to cause cancer or reproductive toxicity." (Health & Saf. Code, § 25249.8.) No
14 warning need be given concerning a listed chemical until one year after the chemical first appears on the
15 list. (*Id.*, § 25249.10, subd. (b).)

16 20. Any person "violating or threatening to violate" the statute may be enjoined in any court
17 of competent jurisdiction. (Health & Saf. Code, § 25249.7.) To "threaten to violate" is defined to mean
18 "to create a condition in which there is a substantial probability that a violation will occur." (*Id.*, §
19 25249.11, subd. (e).) In addition, violators are liable for civil penalties of up to \$2,500 per day for each
20 violation, recoverable in a civil action. (*Id.*, § 25249.7, subd. (b).)

21 21. Actions to enforce the law "may be brought by the Attorney General in the name of the
22 People of the State of California [or] by any district attorney [or] by any City Attorney of a City having a
23 population in excess of 750,000 . . ." (*Id.*, § 25249.7, subd. (c).) Private parties are given authority to
24 enforce Proposition 65 "in the public interest," but only if the private party first provides written notice of
25 a violation to the alleged violator, the Attorney General, and every District Attorney in whose jurisdiction
26 the alleged violation occurs. If no public prosecutors commence enforcement within sixty days, then the
27 private party may sue. (Health & Saf. Code, § 25249.7(d).) No such governmental action has been
28 pursued against Defendants.

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V. FACTS

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22. "Lead" was placed in the Governor's list of chemicals known to the State of California to cause reproductive toxicity on February 27, 1987. It is specifically identified under three subcategories: "developmental reproductive toxicity," which means harm to the developing fetus, "female reproductive toxicity," which means harm to the female reproductive system, and "male reproductive toxicity," which means harm to the male reproductive system. (Cal. Code Regs., tit. 22, § 12000, subd. (c).)

23. "Lead and lead compounds" were placed in the Governor's list of chemicals known to the State of California to cause cancer on October 1, 1992. (Cal. Code Regs., tit. 22, § 12000, subd. (b).)

24. RECKITT is a manufacturer, distributor and marketer of Brasso for use by individuals in the home and in other occupational endeavors. This product sold through various RETAILERS located in California for use by citizens of the State of California.

25. The product is sold to consumers under the trade names owned by RECKITT for its various brands, including Brasso, and using the associated trademarks and trade dress for those brands, including the distinctive retailer labels.

26. The process followed in manufacturing the Brasso polish for sale to the consuming public must be approved by RECKITT, including the Brasso used by individuals for personal use.

27. Individuals who purchase and/or handle Brasso are exposed to lead chiefly through: (1) contact between the byproduct of the polish on the brass items and the skin, (2) transfer of lead from the skin to the mouth, both by transfer of lead directly from the hand to mouth and by transfer of lead from the skin to objects that are put in the mouth, such as food and (3) through absorption of lead through the skin. Such individuals are thus exposed to the lead that is present on and in RECKITT products in the course of the intended and reasonably foreseeable use of those products.

28. At all times material to this complaint, Defendant RECKITT has had knowledge that Brasso contains and/or produces lead and that skin may come into contact with lead.

29. At all times material to this complaint, Defendants have had knowledge that individuals within the State of California handle lead from Brasso.

30. At all times material to this complaint, Defendants knew that Brasso is sold throughout the State of California in large numbers, and Defendants profited from such sales.

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1 31. Notwithstanding this knowledge, Defendants intentionally authorized and reauthorized the
2 sale of Brasso.

3 32. At all times material to this complaint, Defendants have knowingly and intentionally
4 exposed individuals within the State of California to lead. The exposure is knowing and intentional
5 because it is the result of the Defendants' deliberate act of authorizing the sale of products known to them
6 to contain and/or produce lead, in a manner whereby these products were, and would inevitably be, sold
7 to consumers within the state of California, and with the knowledge that the intended use of these
8 products will result in exposures to lead within the State of California.

9 33. Defendants failed to provide clear and reasonable warnings that the use of the products in
10 question in California results in exposure to a chemical known to the State of California to cause cancer,
11 birth defects and other reproductive harm, and no such warning was provided to those individuals by any
12 other person.

13
14 **VI. FIRST CAUSE OF ACTION**

15 **Violation of Proposition 65**

16 **(Against All Defendants)**

17 34. Paragraphs 1 through 33 are re-alleged as if fully set forth herein.

18 35. By committing the acts alleged above, Defendants have, in the course of doing business,
19 knowingly and intentionally exposed individuals in California to chemicals known to the State of
20 California to cause cancer or reproductive toxicity without first giving clear and reasonable warning to
21 such individuals, within the meaning of Health and Safety Code section 25249.6.

22 36. Said violations render Defendant liable to Plaintiffs for civil penalties not to exceed
23 \$2,500 per day for each violation, as well as other remedies.

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25 **PRAYER FOR RELIEF**

26 WHEREFORE, Plaintiff prays that the Court:

- 27 1. Pursuant to the First Cause of Action, grant civil penalties according to proof;
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2. Pursuant to Cal. Health & Safety Code section 25249.7, enter such temporary restraining orders, preliminary injunctions, permanent injunctions, or other orders prohibiting Defendant from exposing persons within the State of California to Listed Chemicals caused by the use of their products without providing clear and reasonable warnings, as Plaintiff shall specify in further application to the court;

3. Award Plaintiff its costs of suit;

4. Grant such other and further relief as the court deems just and proper.

Respectfully submitted,

DATED: March 20, 2014



By: DANIEL N. GREENBAUM
Attorney for Plaintiff
AFS Enterprises LLC

03/25/2014

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Daniel N. Greenbaum, Esq. (SBN: 268104)
LAW OFFICE OF DANIEL N. GREENBAUM
14752 Otsego Street
Sherman Oaks CA 91403

TELEPHONE NO.: 310.200.2631 FAX NO.: 424.243.7689

ATTORNEY FOR (Name): Plaintiff AFS Enterprises, LLC

FOR COURT USE ONLY

FILED
Superior Court of California
County of Los Angeles

MAR 20 2014

Sherri R. Carter, Executive Officer/Clerk
Deputy
Nancy Alvarez

CASE NUMBER:

JUDGE:

DEPT:

BC 539 678

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 N. Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles CA 90012

BRANCH NAME: Stanley Mosk Courthouse

FAX FILE

CASE NAME:

AFS Enterprises, LLC v. Reckitt Benckiser, PLC, et al.

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)

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:

Auto Tort

Auto (22)
 Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
 Product liability (24)
 Medical malpractice (45)
 Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

Business tort/unfair business practice (07)
 Civil rights (08)
 Defamation (13)
 Fraud (16)
 Intellectual property (19)
 Professional negligence (25)
 Other non-PI/PD/WD tort (35)

Employment

Wrongful termination (36)
 Other employment (15)

Contract

Breach of contract/warranty (06)
 Rule 3.740 collections (09)
 Other collections (09)
 Insurance coverage (18)
 Other contract (37)

Real Property

Eminent domain/Inverse condemnation (14)
 Wrongful eviction (33)
 Other real property (26)

Unlawful Detainer

Commercial (31)
 Residential (32)
 Drugs (38)

Judicial Review

Asset forfeiture (05)
 Petition re: arbitration award (11)
 Writ of mandate (02)
 Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

Antitrust/Trade regulation (03)
 Construction defect (10)
 Mass tort (40)
 Securities litigation (28)
 Environmental/Toxic tort (30)
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

Enforcement of judgment (20)

Miscellaneous Civil Complaint

RICO (27)
 Other complaint (not specified above) (42)

Miscellaneous Civil Petition

Partnership and corporate governance (21)
 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. Large number of separately represented parties
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. 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): Health and Safety Code 25249.5, et seq.

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: March 20, 2014
Daniel N. Greenbaum, Esq.

(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.

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties In Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)—Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>)	Breach of Rental/Lease	Construction Defect (10)
	Contract (<i>not unlawful detainer or wrongful eviction</i>)	Claims Involving Mass Tort (40)
	Contract/Warranty Breach—Seller	Securities Litigation (28)
	Plaintiff (<i>not fraud or negligence</i>)	Environmental/Toxic Tort (30)
	Negligent Breach of Contract/Warranty	Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other Breach of Contract/Warranty	Enforcement of Judgment
Asbestos (04)	Collections (e.g., money owed, open book accounts) (09)	Enforcement of Judgment (20)
Asbestos Property Damage	Collection Case—Seller Plaintiff	Abstract of Judgment (Out of County)
Asbestos Personal Injury/Wrongful Death	Other Promissory Note/Collections Case	Confession of Judgment (<i>non-domestic relations</i>)
Product Liability (<i>not asbestos or toxic/environmental</i>) (24)	Insurance Coverage (<i>not provisionally complex</i>) (18)	Sister State Judgment
Medical Malpractice (45)	Auto Subrogation	Administrative Agency Award (<i>not unpaid taxes</i>)
Medical Malpractice—Physicians & Surgeons	Other Coverage	Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Professional Health Care Malpractice	Other Contract (37)	Other Enforcement of Judgment Case
Other PI/PD/WD (23)	Contractual Fraud	Miscellaneous Civil Complaint
Premises Liability (e.g., slip and fall)	Other Contract Dispute	RICO (27)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Real Property	Other Complaint (<i>not specified above</i>) (42)
Intentional Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	Declaratory Relief Only
Negligent Infliction of Emotional Distress	Wrongful Eviction (33)	Injunctive Relief Only (<i>non-harassment</i>)
Other PI/PD/WD	Other Real Property (e.g., quiet title) (26)	Mechanics Lien
Non-PI/PD/WD (Other) Tort	Writ of Possession of Real Property	Other Commercial Complaint Case (<i>non-tort/non-complex</i>)
Business Tort/Unfair Business Practice (07)	Mortgage Foreclosure	Other Civil Complaint (<i>non-tort/non-complex</i>)
Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08)	Quiet Title	Miscellaneous Civil Petition
Defamation (e.g., slander, libel) (13)	Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>)	Partnership and Corporate Governance (21)
Fraud (16)	Unlawful Detainer	Other Petition (<i>not specified above</i>) (43)
Intellectual Property (19)	Commercial (31)	Civil Harassment
Professional Negligence (25)	Residential (32)	Workplace Violence
Legal Malpractice	Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>)	Elder/Dependent Adult Abuse
Other Professional Malpractice (<i>not medical or legal</i>)	Judicial Review	Election Contest
Other Non-PI/PD/WD Tort (35)	Asset Forfeiture (05)	Petition for Name Change
Employment	Petition Re: Arbitration Award (11)	Petition for Relief From Late Claim
Wrongful Termination (36)	Writ of Mandate (02)	Other Civil Petition
Other Employment (15)	Writ—Administrative Mandamus	
	Writ—Mandamus on Limited Court Case Matter	
	Writ—Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal—Labor Commissioner Appeals	

SHORT TITLE: AFS Enterprises LLC v. Reckitt Benckiser, PLC	CASE NUMBER BC 539678
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**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 3 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)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

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

Auto Tort
 Other Personal Injury/Property Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage	2.
	<input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	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	1., 4.
	<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
	<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
	<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
	<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE: AFS Enterprises LLC v. Reckitt Benckiser, PLC	CASE NUMBER
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Non-Personal Injury/Property
Damage/ Wrongful Death Tort

A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons See Step 3 Above
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	1, 2, 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	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	1, 2, 3.
	<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.

Contract

Breach of Contract/Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5.
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2, 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1, 2, 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2, 5, 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	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	1, 2, 3, 5.
	<input type="checkbox"/> A6031 Tortious Interference	1, 2, 3, 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 8.

Real Property
Unlawful Detainer

Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
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	2, 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6.
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.

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A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
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 <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8.
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 (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 9. 2, 6. 2, 9. 2, 8. 2, 8. 2, 8., 9.
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 <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8. 2, 8. 1, 2, 8. 1, 2, 8.
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 <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9. 2, 3, 9. 2, 3, 9. 2. 2, 7. 2, 3, 4, 8. 2, 9.

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

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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.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <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 Street	
	CITY: Los Angeles	STATE: CA

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 Stanley 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, subs. (b), (c) and (d)].

Dated: March 20, 2014



(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.