

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Daniel N. Greenbaum (SBN 268104) LAW OFFICE OF DANIEL N. GREENBAUM 7120 Hayvenhurst Ave., Suite 320 Van Nuys CA 91406 TELEPHONE NO.: 818.809.2199 FAX NO. (Optional): 424.243.7689 E-MAIL ADDRESS (Optional): dgreenbaum@greenbaumlawfirm.com ATTORNEY FOR (Name): Plaintiff SHEFA LMV LLC	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> JUL 26 2016 JAMES M. KIM, Court Executive Officer MARIN COUNTY SUPERIOR COURT By: <i>E. Chris Deady</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Marin STREET ADDRESS: 3501 Civic Center Dr., C10 MAILING ADDRESS: CITY AND ZIP CODE: San Rafael 9949033 BRANCH NAME: Marin County Courthouse	CASE NUMBER: CIV 1503341 CIV 1504431
PLAINTIFF/PETITIONER: Shefa LMV LLC DEFENDANT/RESPONDENT: Concept II Cosmetics, et al.	Ref. No. or File No.:
PROOF OF SERVICE OF SUMMONS	

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): See Notice & Acknowledgment attached

BY FAX

3. a. Party served (specify name of party as shown on documents served):

COLOUR PREVAILS LLC as DOE 37

- b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):

Albert Cohen, Esq., Counsel for Defendant

4. Address where the party was served:
10100 Santa Monica Blvd., Suite 2200, Los Angeles CA 90067

5. I served the party (check proper box)
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): _____ (2) at (time): _____
 - b. **by substituted service.** On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): _____

- (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or a declaration of mailing is attached.
- (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: Shefa LMV LLC	CASE NUMBER: CIV 1503341
DEFENDANT/RESPONDENT: Concept II Cosmetics, LLC, et al.	

5. c. **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on *(date)* July 13, 2016 (2) from *(city)*: Van Nuys
- (3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. **by other means** (*specify means of service and authorizing code section*):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (*specify*): DOE # 37
- c. as occupant.
- d. On behalf of (*specify*): COLOUR PREVAILS LLC

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input checked="" type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name: Nathan Ford
- b. Address: 7120 Hayvenhurst Ave., Suite 320, Van Nuys CA 91406
- c. Telephone number: 818.809.2199
- d. **The fee** for service was: \$N/A
- e. I am:

- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) a registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.:
- (iii) County:


8. **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: July 26, 2016

Nathan A. Ford
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Daniel N. Greenbaum, Esq. (SBN 268104) Law Office of Daniel N. Greenbaum 7120 Hayvenhurst Ave., Suite 320 Van Nuys CA 91406 TELEPHONE NO.: 818.809.2199 FAX NO. (Optional): 424.243-7689 E-MAIL ADDRESS (Optional): dgreenbaum@greenbaumlawfirm.com ATTORNEY FOR (Name): Plaintiff Shefa LMV, LLC</p>	<p style="text-align: center;">FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Marin STREET ADDRESS: 3501 Civic Center Drive, C10 MAILING ADDRESS: CITY AND ZIP CODE: San Rafael 94903 BRANCH NAME: Marin County Courthouse</p>	
<p>PLAINTIFF/PETITIONER: Shefa LMV LLC DEFENDANT/RESPONDENT: Concept II Cosmetics, Inc.</p>	
<p style="text-align: center;">NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL</p> <p style="text-align: right;">CASE NUMBER: CIV 1503341</p>	

TO (insert name of party being served): Colour Prevails LLC as DOE 37

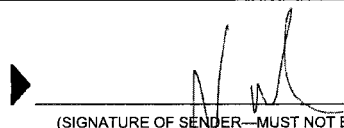
NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: July 13, 2016

Nathan Ford
(TYPE OR PRINT NAME)


(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of *(to be completed by sender before mailing)*:

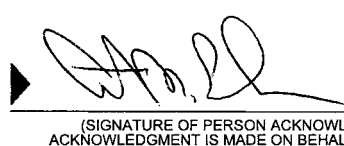
1. A copy of the summons and of the complaint.
2. Other (specify):

1) Summons; 2) Complaint; 3) Civil Case Cover Sheet; 4) ADR forms; 5) DOE Amendment; 6) Notice of Settlement; 7) CMC Statement

(To be completed by recipient):

Date this form is signed: July 23 2016

Albert M. Cohen, Esq.
(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY, ON WHOSE BEHALF THIS FORM IS SIGNED)

 Albert M. Cohen, Esq.
(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

1 Daniel N. Greenbaum, Esq. (SBN 268104)
2 LAW OFFICE OF DANIEL N. GREENBAUM
3 The Hathaway Building
4 7120 Hayvenhurst Ave., Suite 320
5 Van Nuys CA 91406
6 Telephone: (818) 809-2199
7 Facsimile: (424) 243-7689
8 Email: dgreenbaum@greenbaumlawfirm.com

FILED

MAY 23 2016

JAMES M. KIM, Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: J. Chen, Deputy

5 Attorney for Respondent
6 SHEFA LMV, LLC

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF MARIN

9 SHEFA LMV, LLC., a California limited
10 liability company,

11 Plaintiff,

12 vs.

13 CONCEPT II COSMETICS, LLC; and DOES
14 1 through 50, inclusive,

15 Defendants.

) Case No.: CIV 1503341

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) CALIFORNIA CODE OF CIVIL
11 PROCEDURE § 474 AMENDMENT TO
12 COMPLAINT

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) Health and Safety Code §25249.6, *et seq.*

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BY FAX

19 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

20 Pursuant to California Code of Civil Procedure §474, Shefa LMV, LLC hereby amends the
21 Complaint in *Shefa LMV, LLC v. Concept II Cosmetics, LLC, et al.*, Marin Superior Court Case No.
22 CIV 1503341, which has been related to *Held v. Levlad, LLC, et al.*, Marin Case No. CIV 1402798,
23 as follows:
24


- 25 1. By inserting the name THE ESTEE LAUDER COMPANIES, INC. in place of the
26 reference to DOE 36 in each place that it appears in the Complaint in *Shefa LMV, LLC*
27 *v. Concept II Cosmetics, LLC, et al.*

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2. By inserting the name COLOUR PREVAILS LLC in place of the reference to DOE 37 in each place that it appears in the Complaint in *Shefa LMV, LLC v. Concept II Cosmetics, LLC, et al.*

Respectfully submitted,

DATED: May 20, 2016



By: DANIEL N. GREENBAUM
Attorney for Plaintiff
Shefa LMV, LLC

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PROOF OF SERVICE

1013a (3) CCP Revised 5/1/88
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My electronic address is: nford@greenbaumlawfirm.com

On May 20, 2016. I served the foregoing document described as **DOE AMENDMENT TO COMPLAINT** on the interested parties in this action addressed as follows:

SEE ATTACHED SERVICE LIST

By E-MAIL as follows: I am "readily familiar" with the Law Office of Daniel N. Greenbaum's practice of collection and processing correspondence for e-mailing. Under that practice it would be sent electronically on that same day in the ordinary course of business. I am aware that on motion of party served, service shall be presumed invalid if sent date is more than one (1) day after date for e-mailing in affidavit.

(State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

Executed on May 20, 2016, at Santa Monica, California.



Nathan Ford

**SERVICE LIST
JCCP 4765**

ADDRESS	PARTY
GREENBERG TRAUIG, LLP James Mattesich, Esq. Anthony Cortez, Esq. Greg Sperla, Esq. 1201 K Street, Suite 1100 Sacramento, CA 95814 mattesichj@gtlaw.com cortezan@gtlaw.com sperlag@gtlaw.com	Beiersdorf, Inc.; L'Oreal USA, Inc.
ARNOLD & PORTER LLP Trenton H. Norris Stephanie Fine Three Embarcadero Center, 10th Floor San Francisco, CA 94111 trent.norris@aporter.com stephanie.fine@aporter.com	Physicians Formula, Inc.; Markwins Beauty Products, Inc.; The Hain Celestial Group
NORTON ROSE FULLBRIGHT LLP Jade Jurdi, Esq. Jeff Margulies, Esq. 555 South Flower Street 41st Floor Los Angeles CA 90071 jade.jurdi@nortonrosefulbright.com jeff.margulies@notronrosefullbright.com	Amazon, Inc.; Overstock.com; Supergoop
MORRISON & FOERESTER Michelle B. Corash, Esq. Alejandro Bras, Esq. 425 Market Street San Francisco, CA 94105 mcorash@mofocom abras@mofocom	Origins Natural Resources, Inc.; Clinique Laboratories, Inc. The Estee Lauder Companies, Inc.

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<p>ROGERS JOSEPH O'DONNELL, A LAW CORP. Renee Wasserman, Esq. Alecia Cotton, Esq. 311 California Street 10th Floor San Francisco, CA 94104 rwasserman@rjo.com ACotton@rjo.com</p>	<p>Drugstore.com, Inc.; Beauty.com; Rite Aid; Walgreens Co.; CVS Pharmacy, Inc.; Bristol Farms</p>
<p>PEG CAREW TOLEDO, LAW CORPORATION Peg Toledo, Esq. 3001 Douglas Blvd. Suite 340 Roseville, CA 95661 peg@toledolawcorp.com</p>	<p>Kiss My Face</p>
<p>Gary Roberts, Esq. Sarah Choi, Esq. Dentons US LLP 601 South Figueroa Street, Suite 2500 Los Angeles, CA 90017 gary.roberts@dentons.com sarah.choi@dentons.com</p>	<p>Galderma Laboratories, LP</p>
<p>Vilma Palma-Solana, Esq. Perkins Coie LLP 1888 Century Park East Suite 1700 Los Angeles, CA 90067-1721 VPalma@perkinscoie.com</p>	<p>Cosmetic Dermatology</p>
<p>Michael Best & Freidrich Seth A. Mailhot, Esq. Donald Best, Esq. Seth Mailhot 601 Pennsylvania Ave. NW Suite 700 South Washington DC 20004</p> <p>Don Best P.O. Box 1806 Madison, WI 53701-1806 samailhot@michaelbest.com jdbest@michaelbes.com</p>	<p>Carma Laboratories, Inc.</p>

1	adams nye becht LLP Bruce Nye, Esq. 222 Kearny Street 7th Floor San Francisco, CA 94108-4521 bnye@adamsnye.com	Crown Laboratories, Inc.
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5	James R. Lawrence, III, Esq. 1400 Crescent Green, Suite 300 Cary, North Carolina 27518 jlawrence@coatsandbennett.com	
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12	Jason Kerr PRICE PARKINSON & KERR 5742 Harold Gatty Salt Lake City UT 84116 Email: jasonkerr@ppktrial.com	StriVectin Operating Co., Inc.; Niadyne, Inc.
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16	John Conkle, Esq. H. Kim Sim, Esq. CONKLE, KREMER & ENGEL 3130 Wilshire Boulevard, Suite 500 Santa Monica, California 90403-2351 Email: j.conkle@conklelaw.com Email: k.sim@conklelaw.com	H&K LLC dba COOLA; Beyond Coastal
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21	Todd L. Lemanski Australian Gold, Inc. 5311 Kane Road Eau Claire, WI 54703 Email: tlemansk@menard-inc.com	Australian Gold, Inc.
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Judith M. Praitis Sidley Austin LLP 555 West Fifth Street Los Angeles, CA 90013	Rite Aid Corporation; MDS Consumer Care, Inc.
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