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10 Attorneys for Plaintiff,  
11 Consumer Advocacy Group, Inc.

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF ALAMEDA**

14 CONSUMER ADVOCACY GROUP, INC.,  
15 in the public interest,

16 Plaintiff,

17 v.

18 THE SPICE LAB, INC. a Florida Profit  
19 Corporation; DVC INDUSTRIES, INC., a  
20 Florida Profit Corporation; MARSHALLS  
21 OF CA, INC, a business entity form  
22 unknown; THE TJX COMPANIES, INC., a  
23 Delaware Corporation; MARSHALLS OF  
24 MA, INC., a Massachusetts Domestic Profit  
25 Corporation; MARMAXX OPERATING  
26 CORP., a Delaware Corporation and DOES  
27 1-30;

28 Defendants.

CASE NO. RL-17868410

COMPLAINT FOR PENALTY AND  
INJUNCTION

Violation of Proposition 65, the Safe  
Drinking Water and Toxic Enforcement  
Act of 1986 (*Health & Safety Code*, §  
25249.5, *et seq.*)

ACTION IS AN UNLIMITED CIVIL  
CASE (exceeds \$25,000)

Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges a cause of action against  
Defendants THE SPICE LAB, INC., DVC INDUSTRIES, INC., MARSHALLS OF CA, INC.,  
THE TJX COMPANIES, INC., MARSHALLS OF MA, INC., MARMAXX OPERATING  
CORP., and DOES 1-30 as follows:

ENDORSED  
FILED  
ALAMEDA COUNTY

JUL 20 2017

CLERK OF THE SUPERIOR COURT  
By: D. OLIVER, Deputy

BY FAX

**THE PARTIES**

1. Plaintiff CONSUMER ADVOCACY GROUP, INC. (“Plaintiff” or “CAG”) is an organization qualified to do business in the State of California. CAG is a person within the meaning of Health and Safety Code section 25249.11, subdivision (a). CAG, acting as a private attorney general, brings this action in the public interest as defined under Health and Safety Code section 25249.7, subdivision (d).
2. Defendant THE SPICE LAB, INC. (“SPICE LAB”) is a Florida Profit Corporation, doing business in the State of California at all relevant times herein.
3. Defendant DVC INDUSTRIES, INC. (“DVC”) is a Florida Profit Corporation, doing business in the State of California at all relevant times herein.
4. Defendant MARSHALLS OF CA, INC. (“MARSHALLS CA”) is a business entity form unknown, doing business in the State of California at all relevant times herein.
5. Defendant THE TJX COMPANIES, INC. (“TJX”) is a Delaware Corporation, doing business in the State of California at all relevant times herein.
6. Defendant MARSHALLS OF MA, INC. (“MARSHALLS MA”) is a Massachusetts Domestic Profit Corporation, doing business in the State of California at all relevant times herein.
7. Defendant MARMAXX OPERATING CORP., (“MARMAXX”) is a Delaware Corporation, doing business in the State of California at all relevant times herein.
8. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-30, and therefore sues these defendants by such fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained. Plaintiff is informed, believes, and thereon alleges that each fictitiously named defendant is responsible in some manner for the occurrences herein alleged and the damages caused thereby.
9. At all times mentioned herein, the term “Defendants” includes SPICE LAB, DVC, MARSHALLS CA, TJX, MARSHALLS MA, MARMAXX and DOES 1-30.

1 10. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all  
2 times mentioned herein have conducted business within the State of California.

3 11. Upon information and belief, at all times relevant to this action, each of the Defendants,  
4 including DOES 1-20, was an agent, servant, or employee of each of the other  
5 Defendants. In conducting the activities alleged in this Complaint, each of the  
6 Defendants was acting within the course and scope of this agency, service, or  
7 employment, and was acting with the consent, permission, and authorization of each of  
8 the other Defendants. All actions of each of the Defendants alleged in this Complaint  
9 were ratified and approved by every other Defendant or their officers or managing  
10 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated  
11 the alleged wrongful conduct of each of the other Defendants.

12 12. Plaintiff is informed, believes, and thereon alleges that at all relevant times, each of the  
13 Defendants was a person doing business within the meaning of Health and Safety Code  
14 section 25249.11, subdivision (b), and that each of the Defendants had ten (10) or more  
15 employees at all relevant times.

16 **JURISDICTION**

17 13. The Court has jurisdiction over this lawsuit pursuant to California Constitution Article  
18 VI, Section 10, which grants the Superior Court original jurisdiction in all causes except  
19 those given by statute to other trial courts. This Court has jurisdiction over this action  
20 pursuant to Health and Safety Code section 25249.7, which allows enforcement of  
21 violations of Proposition 65 in any Court of competent jurisdiction.

22 14. This Court has jurisdiction over Defendants named herein because Defendants either  
23 reside or are located in this State or are foreign corporations authorized to do business in  
24 California, are registered with the California Secretary of State, or who do sufficient  
25 business in California, have sufficient minimum contacts with California, or otherwise  
26 intentionally avail themselves of the markets within California through their  
27 manufacture, distribution, promotion, marketing, or sale of their products within  
28

1 California to render the exercise of jurisdiction by the California courts permissible  
2 under traditional notions of fair play and substantial justice.

3 15. Venue is proper in the County of Alameda because one or more of the instances of  
4 wrongful conduct occurred, and continues to occur, in the County of Alameda and/or  
5 because Defendants conducted, and continue to conduct, business in the County of  
6 Alameda with respect to the consumer product that is the subject of this action.

7 **BACKGROUND AND PRELIMINARY FACTS**

8 16. In 1986, California voters approved an initiative to address growing concerns about  
9 exposure to toxic chemicals and declared their right “[t]o be informed about exposures  
10 to chemicals that cause cancer, birth defects, or other reproductive harm.” Ballot Pamp.,  
11 Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking  
12 Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code sections  
13 25249.5, *et seq.* (“Proposition 65”), helps to protect California’s drinking water sources  
14 from contamination, to allow consumers to make informed choices about the products  
15 they buy, and to enable persons to protect themselves from toxic chemicals as they see  
16 fit.

17 17. Proposition 65 requires the Governor of California to publish a list of chemicals known  
18 to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety*  
19 *Code* § 25249.8. The list, which the Governor updates at least once a year, contains  
20 over 700 chemicals and chemical families. Proposition 65 imposes warning  
21 requirements and other controls that apply to Proposition 65-listed chemicals.

22 18. All businesses with ten (10) or more employees that operate or sell products in  
23 California must comply with Proposition 65. Under Proposition 65, businesses are: (1)  
24 prohibited from knowingly discharging Proposition 65-listed chemicals into sources of  
25 drinking water (*Health & Safety Code* § 25249.5), and (2) required to provide “clear and  
26 reasonable” warnings before exposing a person, knowingly and intentionally, to a  
27 Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).

1 19. Proposition 65 provides that any person "violating or threatening to violate" the statute  
2 may be enjoined in any court of competent jurisdiction. *Health & Safety Code* §  
3 25249.7. "Threaten to violate" means "to create a condition in which there is a  
4 substantial probability that a violation will occur." *Health & Safety Code* § 25249.11(e).  
5 Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation,  
6 recoverable in a civil action. *Health & Safety Code* § 25249.7(b).

7 20. Plaintiff identified certain practices of manufacturers and distributors of products  
8 bearing Lead and Lead compounds ("LEAD") of exposing, knowingly and intentionally,  
9 persons in California to the Proposition 65-listed chemicals of such products without  
10 first providing clear and reasonable warnings of such to the exposed persons prior to the  
11 time of exposure. Plaintiff later discerned that Defendants engaged in such practice.

12 21. On February 27, 1987, the Governor of California added lead to the list of chemicals  
13 known to the State to cause reproductive toxicity (Cal. Code Regs. tit. 27, § 27001(c)).  
14 lead is known to the State to cause developmental, female, and male reproductive  
15 toxicity. Pursuant to Health and Safety Code sections 25249.9 and 25249.10, twenty (20)  
16 months after addition of lead to the list of chemicals known to the State to cause  
17 reproductive toxicity, lead became fully subject to Proposition 65 warning requirements  
18 and discharge prohibitions.

19 22. On October 1, 1992, the Governor of California added lead and lead compounds to the  
20 list of chemicals known to the State to cause cancer (Cal. Code Regs. tit. 27, § 27001(b)).  
21 Pursuant to Health and Safety Code sections 25249.9 and 25249.10, twenty (20) months  
22 after addition of lead and lead compounds to the list of chemicals known to the State to  
23 cause cancer, lead and lead compounds became fully subject to Proposition 65 warning  
24 requirements and discharge prohibitions.

25 **SATISFACTION OF PRIOR NOTICE**

26 23. On or about April 7, 2017, Plaintiff served two notices of alleged violations of Health  
27 and Safety Code section 25249.6, concerning consumer products exposures, subject to a  
28 private action to SPICE LAB, DVC, MARSHALLS CA, TJX, MARSHALLS MA,

1 MARRMAXX, and to the California Attorney General, County District Attorneys, and  
2 City Attorneys for each city containing a population of at least 750,000 people in whose  
3 jurisdictions the violations allegedly occurred, concerning the product Ground  
4 Cinnamon containing LEAD.

5 24. On or about April 7, 2017, Plaintiff served notice of alleged violations of Health and  
6 Safety Code section 25249.6, concerning consumer products exposures, subject to a  
7 private action to SPICE LAB, DVC, MARSHALLS CA, TJX, MARSHALLS MA,  
8 MARRMAXX, and to the California Attorney General, County District Attorneys, and  
9 City Attorneys for each city containing a population of at least 750,000 people in whose  
10 jurisdictions the violations allegedly occurred, concerning the product Ground Ginger  
11 containing LEAD.

12 25. On or about April 7, 2017, Plaintiff served notice of alleged violations of Health and  
13 Safety Code section 25249.6, concerning consumer products exposures, subject to a  
14 private action to SPICE LAB, DVC, MARSHALLS CA, TJX, MARSHALLS MA,  
15 MARRMAXX, and to the California Attorney General, County District Attorneys, and  
16 City Attorneys for each city containing a population of at least 750,000 people in whose  
17 jurisdictions the violations allegedly occurred, concerning the product Ground Turmeric  
18 containing LEAD.

19 26. Before sending the notice of alleged violations, Plaintiff investigated the consumer  
20 products involved, the likelihood that such products would cause users to suffer  
21 significant exposures to LEAD, and the corporate structure of each of the Defendants.

22 27. Plaintiff's notice of alleged violation included a Certificate of Merit executed by the  
23 attorney for the noticing party, CAG. The Certificate of Merit stated that the attorney  
24 for Plaintiff who executed the certificate had consulted with at least one person with  
25 relevant and appropriate expertise who reviewed data regarding the exposures to LEAD,  
26 the subject Proposition 65-listed chemicals of this action. Based on that information, the  
27 attorney for Plaintiff who executed the Certificate of Merit believed there was a  
28 reasonable and meritorious case for this private action. The attorney for Plaintiff

1 attached to the Certificate of Merit served on the Attorney General the confidential  
2 factual information sufficient to establish the basis of the Certificate of Merit.

3 28. Plaintiff's notices of alleged violations also included a Certificate of Service and a  
4 document entitled "The Safe Drinking Water & Toxic Enforcement Act of 1986  
5 (Proposition 65) A Summary." *Health & Safety Code* § 25249.7(d).

6 29. Plaintiff is commencing this action more than sixty (60) days from the dates that  
7 Plaintiff gave notices of the alleged violation to SPICE LAB, DVC, MARSHALLS CA,  
8 TJX, MASHALLS MA, MARMAXX and the public prosecutors referenced in  
9 Paragraph 23-25.

10 30. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor  
11 any applicable district attorney or city attorney has commenced and is diligently  
12 prosecuting an action against the Defendants.

### 13 **FIRST CAUSE OF ACTION**

14 **(By CONSUMER ADVOCACY GROUP, INC. and against SPICE LAB, DVC,**  
15 **MARSHALLS CA, TJX, MARSHALLS MA, MARMAXX and DOES 1-10 for Violations**  
16 **of Proposition 65, The Safe Drinking Water and Toxic Enforcement Act of 1986 (*Health &***  
***Safety Code*, §§ 25249.5, *et seq.*)**

### 17 **Ground Cinnamon**

18 31. Plaintiff CONSUMER ADVOCACY GROUP, INC. repeats and incorporates by  
19 reference paragraphs 1 through 30 of this complaint as though fully set forth herein.  
20 Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
21 distributor, promoter, or retailer of Ground Cinnamon, identified as (1) "The Spice  
22 Lab"; "Gourmet Spices"; "Ground Cinnamon"; "Premium No. 1"; "Net Wt. 1.8 oz";  
23 1285-054460892-00399-24-9; 85404040078197 FLA1 and (2) "The Spice Lab";  
24 "Gourmet Spices"; "Ground Cinnamon"; "Premium No. 1"; "Net Wt. 1.8 oz"; 1285-  
25 059725327-00399-06-9; 85404040143222 FLA7 (CINNAMON").

26 32. CINNAMON contains LEAD.

27 33. Defendants knew or should have known that LEAD has been identified by the State of  
28 California as a chemical known to cause cancer and reproductive toxicity and therefore

1 was subject to Proposition 65 warning requirements. Defendants were also informed of  
2 the presence of LEAD in CINNAMON within Plaintiff's notice of alleged violations  
3 further discussed above at Paragraph 23.

4 34. Plaintiff's allegations regarding CINNAMON concerns "[c]onsumer products  
5 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,  
6 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
7 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*  
8 *25602(b)*. CINNAMON are consumer products, and, as mentioned herein, exposures to  
9 LEAD took place as a result of such normal and foreseeable use.

10 35. Plaintiff is informed, believes, and thereon alleges that between April 7, 2014, and the  
11 present, each of the Defendants knowingly and intentionally exposed California  
12 consumers and users of CINNAMON, which Defendants manufactured, distributed, or  
13 sold as mentioned above, to LEAD, without first providing any type of clear and  
14 reasonable warning of such to the exposed persons before the time of exposure.  
15 Defendants have distributed and sold CINNAMON in California. Defendants know and  
16 intend that California consumers will use CINNAMON, thereby exposing them to  
17 LEAD. Defendants thereby violated Proposition 65.

18 36. The principal routes of exposure were through ingestion, including hand to mouth  
19 pathways, and inhalation and trans-dermal absorption. Persons sustained exposures by  
20 eating and consuming CINNAMON, handling CINNAMON without wearing gloves or  
21 by touching bare skin or mucus membranes with gloves after handling CINNAMON or  
22 through direct and indirect hand to mouth contact, hand to food to mouth, direct contact  
23 to food then to mouth, hand to mucous membrane, or breathing in particulate matter  
24 emanating from CINNAMON as well as through environmental mediums that carry the  
25 LEAD once contained within the CINNAMON.

26 37. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
27 Proposition 65 as to CINNAMON have been ongoing and continuous to the date of the  
28 signing of this complaint, as Defendants engaged and continue to engage in conduct



1 which violates Health and Safety Code section 25249.6, including the manufacture,  
2 distribution, promotion, and sale of CINNAMON, so that a separate and distinct  
3 violation of Proposition 65 occurred each and every time a person was exposed to  
4 LEAD by CINNAMON as mentioned herein.

5 38. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
6 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
7 violations alleged herein will continue to occur into the future.

8 39. Based on the allegations herein, Defendants are liable for civil penalties of up to  
9 \$2,500.00 per day per individual exposure to LEAD from CINNAMON, pursuant to  
10 Health and Safety Code section 25249.7(b).

11 40. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
12 filing this Complaint.

13 **SECOND CAUSE OF ACTION**

14 **(By CONSUMER ADVOCACY GROUP, INC. and against SPICE LAB, DVC,**  
15 **MARSHALLS CA, TJX, MARSHALLS MA, MARMAXX and DOES 11-20 for Violations**  
16 **of Proposition 65, The Safe Drinking Water and Toxic Enforcement Act of 1986 (*Health &***  
***Safety Code, §§ 25249.5, et seq.*)**

17 **Ground Ginger**

18 41. Plaintiff CONSUMER ADVOCACY GROUP, INC. repeats and incorporates by  
19 reference paragraphs 1 through 40 of this complaint as though fully set forth herein.  
20 Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
21 distributor, promoter, or retailer of Ground Ginger, identified as The Spice Lab”;  
22 “Gourmet Spices”; “Ground Ginger”; “Premium No. 1”; “Net Wt. 1.8 oz”; 1285-  
23 012836000-00399-24-9; 85404040078203 FLA2 (GINGER”).

24 42. GINGER contains LEAD.

25 43. Defendants knew or should have known that LEAD has been identified by the State of  
26 California as a chemical known to cause cancer and reproductive toxicity and therefore  
27 was subject to Proposition 65 warning requirements. Defendants were also informed of  
28

1 the presence of LEAD in GINGER within Plaintiff's notice of alleged violations further  
2 discussed above at Paragraph 24.

3 44. Plaintiff's allegations regarding GINGER concerns "[c]onsumer products exposure[s],"  
4 which "is an exposure that results from a person's acquisition, purchase, storage,  
5 consumption, or other reasonably foreseeable use of a consumer good, or any exposure  
6 that results from receiving a consumer service." *Cal. Code Regs.* tit. 27, § 25602(b).  
7 GINGER are consumer products, and, as mentioned herein, exposures to LEAD took  
8 place as a result of such normal and foreseeable use.

9 45. Plaintiff is informed, believes, and thereon alleges that between April 7, 2014, and the  
10 present, each of the Defendants knowingly and intentionally exposed California  
11 consumers and users of GINGER which Defendants manufactured, distributed, or sold  
12 as mentioned above, to LEAD, without first providing any type of clear and reasonable  
13 warning of such to the exposed persons before the time of exposure. Defendants have  
14 distributed and sold GINGER in California. Defendants know and intend that California  
15 consumers will use GINGER thereby exposing them to LEAD. Defendants thereby  
16 violated Proposition 65.

17 46. The principal routes of exposure were through ingestion, including hand to mouth  
18 pathways, and inhalation and trans-dermal absorption. Persons sustained exposures by  
19 eating and consuming GINGER, handling GINGER without wearing gloves or by  
20 touching bare skin or mucus membranes with gloves after handling GINGER through  
21 direct and indirect hand to mouth contact, hand to food to mouth, direct contact to food  
22 then to mouth, hand to mucous membrane, or breathing in particulate matter emanating  
23 from GINGER as well as through environmental mediums that carry the LEAD once  
24 contained within the GINGER.

25 47. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
26 Proposition 65 as to GINGER have been ongoing and continuous to the date of the  
27 signing of this complaint, as Defendants engaged and continue to engage in conduct  
28 which violates Health and Safety Code section 25249.6, including the manufacture,

1 distribution, promotion, and sale of GINGER so that a separate and distinct violation of  
2 Proposition 65 occurred each and every time a person was exposed to LEAD by  
3 GINGER as mentioned herein.

4 48. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
5 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
6 violations alleged herein will continue to occur into the future.

7 49. Based on the allegations herein, Defendants are liable for civil penalties of up to  
8 \$2,500.00 per day per individual exposure to LEAD from GINGER, pursuant to Health  
9 and Safety Code section 25249.7(b).

10 50. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
11 filing this Complaint.

### 12 **THIRD CAUSE OF ACTION**

13 **(By CONSUMER ADVOCACY GROUP, INC. and against SPICE LAB, DVC,**  
14 **MARSHALLS CA, TJX, MARSHALLS MA, MARMAXX and DOES 21-30 for Violations**  
15 **of Proposition 65, The Safe Drinking Water and Toxic Enforcement Act of 1986 (*Health &***  
16 ***Safety Code, §§ 25249.5, et seq.*)**

#### 17 **Ground Turmeric**

18 51. Plaintiff CONSUMER ADVOCACY GROUP, INC. repeats and incorporates by  
19 reference paragraphs 1 through 50 of this complaint as though fully set forth herein.  
20 Each of the Defendants is, and at all times mentioned herein was, a manufacturer,  
21 distributor, promoter, or retailer of Ground Turmeric, identified as “The Spice Lab”;  
22 “Gourmet Spices”; “Ground Turmeric”; “Premium No. 1”; “Net Wt. 1.8 oz”; 1285-  
23 060498535-0039-07-9; 85404060153158 FLA11 (“TURMERIC”).

24 52. TURMERIC contains LEAD.

25 53. Defendants knew or should have known that LEAD has been identified by the State of  
26 California as a chemical known to cause cancer and reproductive toxicity and therefore  
27 was subject to Proposition 65 warning requirements. Defendants were also informed of  
28 the presence of LEAD in TURMERIC within Plaintiff's notice of alleged violations  
further discussed above at Paragraph 25.

1 54. Plaintiff's allegations regarding TURMERIC concerns "[c]onsumer products  
2 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,  
3 storage, consumption, or other reasonably foreseeable use of a consumer good, or any  
4 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*  
5 *25602(b)*. TURMERIC are consumer products, and, as mentioned herein, exposures to  
6 LEAD took place as a result of such normal and foreseeable use.

7 55. Plaintiff is informed, believes, and thereon alleges that between April 7, 2014, and the  
8 present, each of the Defendants knowingly and intentionally exposed California  
9 consumers and users of TURMERIC, which Defendants manufactured, distributed, or  
10 sold as mentioned above, to LEAD, without first providing any type of clear and  
11 reasonable warning of such to the exposed persons before the time of exposure.  
12 Defendants have distributed and sold TURMERIC in California. Defendants know and  
13 intend that California consumers will use TURMERIC, thereby exposing them to  
14 LEAD. Defendants thereby violated Proposition 65.

15 56. The principal routes of exposure were through ingestion, including hand to mouth  
16 pathways, and inhalation and trans-dermal absorption. Persons sustained exposures by  
17 eating and consuming TURMERIC, handling TURMERIC without wearing gloves or by  
18 touching bare skin or mucus membranes with gloves after handling TURMERIC, or  
19 through direct and indirect hand to mouth contact, hand to food to mouth, direct contact  
20 to food then to mouth, hand to mucous membrane, or breathing in particulate matter  
21 emanating from TURMERIC as well as through environmental mediums that carry the  
22 LEAD once contained within the TURMERIC.

23 57. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of  
24 Proposition 65 as to TURMERIC have been ongoing and continuous to the date of the  
25 signing of this complaint, as Defendants engaged and continue to engage in conduct  
26 which violates Health and Safety Code section 25249.6, including the manufacture,  
27 distribution, promotion, and sale of TURMERIC, so that a separate and distinct violation  
28

1 of Proposition 65 occurred each and every time a person was exposed to LEAD by  
2 TURMERIC as mentioned herein.

3 58. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65  
4 mentioned herein is ever continuing. Plaintiff further alleges and believes that the  
5 violations alleged herein will continue to occur into the future.

6 59. Based on the allegations herein, Defendants are liable for civil penalties of up to  
7 \$2,500.00 per day per individual exposure to LEAD from TURMERIC, pursuant to  
8 Health and Safety Code section 25249.7(b).

9 60. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to  
10 filing this Complaint.

11 **PRAYER FOR RELIEF**

12 Plaintiff demands against each of the Defendants as follows:

- 13 1. A permanent injunction mandating Proposition 65-compliant warnings;  
14 2. Penalties pursuant to Health and Safety Code section 25249.7, subdivision (b);  
15 3. Costs of suit;  
16 4. Reasonable attorney fees and costs; and  
17 5. Any further relief that the court may deem just and equitable.

18  
19 Dated: July 19, 2017

YEROUSHALMI & YEROUSHALMI

20  
21  
22 BY: 

23 Reuben Yeroushalmi  
24 Attorneys for Plaintiff,  
25 Consumer Advocacy Group, Inc.  
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