SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

MINISO DEPOT FRANCHISOR LLC, a California limited liability company; and DOES 1 through 10, inclusive,

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

ECOLOGICAL ALLIANCE, LLC, a California limited liability company.

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)

CONFORMED COPY
ORIGINAL FILED
Superior Coart of California

DEC 18 2018

Shewi N. Carter, Executive Officer/Gierls. By: Cristine Grijaive, Deputy

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), 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), the California Courts Online Self-Help Center (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), 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 guitar 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 gratuítos 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), en el Centro de Ayuda de las Cortes de California, (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.

CASE NUMBER:

Carry and the same

STCV08

The name and address of the court is: (El nombre y dirección de la corte es):

DEC 4 0 pose

Los Angeles Superior Court (Stanley Mosk Branch)

111 North Hill St., Los Angeles, CA 90012

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): Custodio & Dubey LLP; 448 S. Hill St., Suite 615, Los Angeles, CA 90013; (213) 593-9095

DATE: (Fecha)		0 Z	1109	المناس ال	Clerk, by (Secretario)		THA CHILINIVA	, Deputy (Adjunto)
				mons, use Proof of Service of a citatión use el formulario Pro			0)).	
[SEAL]				as an individual def as the person sued			:	
				3. on behalf of (specify	y): Miniso Depot Fr	anchisor L	CC	
					0 (corporation) 0 (defunct corporation) 0 (association or partne		CCP 416.60 (minor) CCP 416.70 (conservated CCP 416.90 (authorized p	,
				other (spec	• •			Page 1 of 1

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES

COURTHOUSE ADDRESS:

Stanley Mosk Courthouse

111 North Hill Street, Los Angeles, CA 90012

NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE

Reserved for Clerk's File Stamp

FILED
Superior Court of California
County of Los Angelas

12/18/2018

Short R. Carter, Executive Officer : Central Court

By: Cristina Grijalva Deputy

CASE NUMBER:

Your case is assigned for all purposes to the judicial officer indicated below.

18STCV08864

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM	ASSIGNE	D JUDGE	DEPT	ROOM
V	Susan Bryant-Deason	52					

Given to the Plaintiff/Cross-Complainant/Attorney of Record

Sherri R. Carter, Executive Officer / Clerk of Court

on 12/18/2018

By Cristina Grijalva

, Deputy Clerk

(Date)

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

*Provisionally Complex Cases

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bei	number, and address):	FOR COURT USE ONLY
Vineet Dubey #243208		
Custodio & Dubey LLP		77 50 to 100 mm
448 S. Hill St., Suite 615 Los Angeles, CA 90013		CONFORMED COPY
TELEPHONE NO.: (213) 593-9095	FAX NO.: (213) 785-2899	ORIGINAL FILED Superior Court of California
ATTORNEY FOR (Name): Plaintiff Ecological	Alliance, LLC	Laborator of the Landson 1975.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF L		DEC 1 8 2018
STREET ADDRESS: 111 North Hill St.		Shewi R. Carter, Executive Officer/Glerk
MAILING ADDRESS: Same		By: Cristina Grijalva, Deputy
CITY AND ZIP CODE: Los Angeles 90012		- Justa, Oopully
BRANCH NAME: Stanley Mosk		<u> </u>
CASE NAME:		
Ecological Alliance, LLC vs. Minisc	o Depot Franchisor LLC	
CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUMBER:
✓ Unlimited Limited		1857CV08864
(Amount (Amount	Counter Joinder	JUDGE GVORRA
demanded demanded is	Filed with first appearance by defenda	ant Jubes 90004
exceeds \$25,000) \$25,000 or less)	(Cal. Rules of Court, rule 3.402)	DEPT:
Items 1–6 be	low must be completed (see instructions o	n page 2).
1. Check one box below for the case type that	at best describes this case:	
Auto Tort		Provisionally Complex Civil Litigation
Auto (22)	Breach of contract/warranty (06)	Cal. Rules of Court, rules 3.400-3.403)
Uninsured motorist (46)	Rule 3.740 collections (09)	Antitrust/Trade regulation (03)
		Construction defect (10)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other collections (09)	-
	Insurance coverage (18)	Mass tort (40)
Asbestos (04)	United Contract (37)	Securities litigation (28)
Product liability (24)	Real Property	Environmental/Toxic tort (30)
Medical malpractice (45)	Eminent domain/Inverse	Insurance coverage claims arising from the
Other PI/PD/WD (23)	condemnation (14)	above listed provisionally complex case
Non-PI/PD/WD (Other) Tort	Wrongful eviction (33)	types (41)
Business tort/unfair business practice (07	Other real property (26)	Inforcement of Judgment
Civil rights (08)	Unlawful Detainer	Enforcement of judgment (20)
Defamation (13)	Commercial (31)	Alscellaneous Civil Complaint
Fraud (16)	Residential (32)	RICO (27)
1 -	Drugs (38)	
Intellectual property (19)	Indiated Bardens	✓ Other complaint (not specified above) (42)
Professional negligence (25)		fiscellaneous Civil Petition
Other non-PI/PD/WD tort (35)	Asset forfeiture (05)	Partnership and corporate governance (21)
Employment	Petition re: arbitration award (11)	Other petition (not specified above) (43)
Wrongful termination (36)	Writ of mandate (02)	
Other employment (15)	Other judicial review (39)	
		es of Court. If the case is complex, mark the
factors requiring exceptional judicial mana		
a. Large number of separately repre	esented parties d. Large number	of witnesses
b. Extensive motion practice raising		vith related actions pending in one or more courts
issues that will be time-consumin		es, states, or countries, or in a federal court
		stjudgment judicial supervision
c. Substantial amount of documenta	ary evidence 1 Substantial po	stjudgment judicial supervision
3. Remedies sought (check all that apply): a	. monetary b. nonmonetary: de	eclaratory or injunctive relief c. punitive
4. Number of causes of action (specify): Of		, ,
	ss action suit.	construction CM 045 h
6. If there are any known related cases, file	and serve a notice of related case. (You m	ay use form CM-015.)
Date: December 17, 2018		
Vineet Dubey) / -	
(TYPE OR PRINT NAME)	(Sid	GNATURE 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
	Welfare and Institutions Code). (Cal. Rule	s of Court, rule 3.220.) Failure to file may result
in sanctions.	or shoot required by local court mile	
• File this cover sheet in addition to any cover life this case is complex under rule 3 400 et	rer sneet required by local court rule.	must serve a copy of this cover sheet on all
other parties to the action or proceeding.	. seq. of the Cambrilla Rules of Court, you	inder solve a copy of this cover sheet on all
 Unless this is a collections case under rule 	e 3.740 or a complex case, this cover shee	et will be used for statistical purposes only.
_ Street and is a someonio successification (all	in ai ai ai airillian amant sina aasan onoo	Sano 4 of 2

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.

Auto Tort

Auto (22)-Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

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

Asbestos (04)

Asbestos Property Damage Asbestos Personal Injury/ Wrongful Death

Product Liability (not asbestos or toxic/environmental) (24)

Medical Malpractice (45)

Medical Malpractice-

Physicians & Surgeons Other Professional Health Care

Malpractice

Other PI/PD/WD (23) Premises Liability (e.g., slip

and fall)

Intentional Bodily Injury/PD/WD

(e.g., assault, vandalism) Intentional Infliction of

Emotional Distress Negligent Infliction of

Emotional Distress Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business

Practice (07)

Civil Rights (e.g., discrimination,

false arrest) (not civil harassment) (08)

Defamation (e.g., slander, libel)

(13)

Fraud (16) Intellectual Property (19)

Professional Negligence (25)

Legal Malpractice

Other Professional Malpractice (not medical or legal)

Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36) Other Employment (15)

CASE TYPES AND EXAMPLES

Contract Breach of Contract/Warranty (06)

Breach of Rental/Lease

Contract (not unlawful detainer or wrongful eviction)

Contract/Warranty Breach-Seller

Plaintiff (not fraud or negligence)

Negligent Breach of Contract/

Warranty

Other Breach of Contract/Warranty

Collections (e.g., money owed, open

book accounts) (09)

Collection Case-Seller Plaintiff

Other Promissory Note/Collections Case

Insurance Coverage (not provisionally complex) (18)

Auto Subrogation

Other Coverage

Other Contract (37)

Contractual Fraud

Other Contract Dispute

Real Property

Eminent Domain/Inverse

Condemnation (14)

Wrongful Eviction (33)

Other Real Property (e.g., quiet title) (26)

Writ of Possession of Real Property

Mortgage Foreclosure

Quiet Title

Other Real Property (not eminent

domain, landlord/tenant, or

foreclosure)

Unlawful Detainer

Commercial (31)

Residential (32)

Drugs (38) (if the case involves illegal drugs, check this item; otherwise,

report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)

Petition Re: Arbitration Award (11)

Writ of Mandate (02)
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 Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03)

Construction Defect (10)

Claims Involving Mass Tort (40)

Securities Litigation (28)

Environmental/Toxic Tort (30)

Insurance Coverage Claims

(arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)

Abstract of Judgment (Out of County)

Confession of Judgment (non-

domestic relations) Sister State Judgment

Administrative Agency Award

(not unpaid taxes)

Petition/Certification of Entry of

Judgment on Unpaid Taxes

Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)

Other Complaint (not specified

above) (42)

Declaratory Relief Only Injunctive Relief Only (non-

harassment)

Mechanics Lien

Other Commercial Complaint

Case (non-tort/non-complex)

Other Civil Complaint

(non-tort/non-complex)

Miscellaneous Civil Petition Partnership and Corporate

Governance (21)

Other Petition (not specified

above) (43)

Civil Harassment

Workplace Violence Elder/Dependent Adult

Abuse

Election Contest

Petition for Name Change

Petition for Relief From Late Claim

Other Civil Petition



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 2.3 in all new civil case filings in the Los Angeles Superior Court.

- **Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.
- Step 2: In Column B, check the box for the type of action that best describes the nature of the case.
- **Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
- 2. Permissive filing in central district.
- 3. Location where cause of action arose.
- 4. Mandatory personal injury filing in North District.
- 5. Location where performance required or defendant resides.
- 6. Location of property or permanently garaged vehicle.

- 7. Location where petitioner resides.
- 8. Location wherein defendant/respondent functions wholly.
- 9. Location where one or more of the parties reside.
- 10. Location of Labor Commissioner Office.
- 11. Mandatory filing location (Hub Cases unlawful detainer, limited non-collection, limited collection, or personal injury).

200	Tort	
orner resonar mijary rroperty	Damage/ Wrongful Death Tort	

Civil Case Cover Sheet Category No.	Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	
Auto (22)	□ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11	
Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11	
Asbestos (04)	☐ A6070 Asbestos Property Damage	1, 11	
Asbestos (04)	□ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11	
Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11	
Medical Malarastics (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons	1, 4, 11	
Medical Malpractice (45)	□ A7240 Other Professional Health Care Malpractice	1, 4, 11	
Other Personal	☐ A7250 Premises Liability (e.g., slip and fall)	1, 4, 11	
Injury Property Damage Wrongful	☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1, 4, 11	
Death (23)	☐ A7270 Intentional Infliction of Emotional Distress	1, 4, 11	
	□ A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 =	

SHORT TITLE:

Ecological Alliance vs. Miniso Depot Franchisor LLC

CASE NUMBER

Contract Employment Damage/ Wrongful Death Tort

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step Above
Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	□ A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	☐ A6013 Fraud (no contract)	1, 2, 3
	☐ A6017 Legal Malpractice	1, 2, 3
Professional Negligence (25)	☐ A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3
Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	☐ A6037 Wrongful Termination	1, 2, 3
	□ A6024 Other Employment Complaint Case	1, 2, 3
Other Employment (15)	☐ A6109 Labor Commissioner Appeals	10
	A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
Breach of Contract/ Warranty	A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2, 5
(06) (not insurance)	□ A6019 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
	□ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1, 2, 5
	□ A6002 Collections Case-Seller Plaintiff	5, 6, 11
Collections (09)	□ A6012 Other Promissory Note/Collections Case	5, 11
	☐ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	□ A6009 Contractual Fraud	1, 2, 3, 5
Other Contract (37)	□ A6031 Tortious Interference	1, 2, 3, 5
	A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	□ A7300 Eminent Domain/Condemnation Number of parcels	2, 6
Wrongful Eviction (33)	□ A6023 Wrongful Eviction Case	2, 6
	□ A6018 Mortgage Foreclosure	2, 6
Other Real Property (26)	□ A6032 Quiet Title	2, 6
	A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	□ A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: Ecological Alliance vs. Miniso Depot Franchisor LLC

CASE NUMBER

	A			B	0
	Civil Case Cover Sheet Category No.			Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
	Asset Forfeiture (05)	□ A6108 Asset Forfeiture Case		Asset Forfeiture Case	2, 3, 6
M	Petition re Arbitration (11)		□ A6115 Petition to Compel/Confirm/Vacate Arbitration		2, 5
Judicial Review			A6151	Writ - Administrative Mandamus	2, 8
<u>ख</u>	Writ of Mandate (02)		A6152	Writ - Mandamus on Limited Court Case Matter	2
Judi			A6153	Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)		A6150	Other Writ /Judicial Review	2, 8
5	Antitrust/Trade Regulation (03)	0	A6003	Antitrust/Trade Regulation	1, 2, 8
tigatio	Construction Defect (10)	0	A6007	Construction Defect	1, 2, 3
Provisionally Complex Litigation	Claims Involving Mass Tort (40)		A6006	Claims Involving Mass Tort	1, 2, 8
у Сош	Securities Litigation (28)	0	A6035	Securities Litigation Case	1, 2, 8
sionall	Toxic Tort Environmental (30)		A6036	Toxic Tort/Environmental	1, 2, 3, 8
Prov	Insurance Coverage Claims from Complex Case (41)		A6014	Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
			A6141	Sister State Judgment	2, 5, 11
			A6160	Abstract of Judgment	2,6
Enforcement of Judgment	Enforcement		A6107	Confession of Judgment (non-domestic relations)	2,9
	of Judgment (20)			Administrative Agency Award (not unpaid taxes)	2, 8
e i				Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
шо				Other Enforcement of Judgment Case	2, 8, 9
	RICO (27)		A6033	Racketeering (RICO) Case	1, 2, 8
Miscellaneous Civil Complaints	-				1.00
Miscellaneous ivil Complaint		_		Declaratory Relief Only	1, 2, 8
	Other Complaints			Injunctive Relief Only (not domestic/harassment)	2, 8
Miso ivii ((Not Specified Above) (42)			Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
- 0			A6000	Other Civil Complaint (non-tort/non-complex)	1, 2, 8
	Partnership Corporation Governance (21)		A6113	Partnership and Corporate Governance Case	2, 8
			A6121	Civil Harassment	2, 3, 9
SUS TIS			A6123	Workplace Harassment	2, 3, 9
ig ig	I	□ A6124 Elder/Dependent Adult Abuse Case			2, 3, 9
E E					
cellane Il Petitic	Other Petitions (Not Specified Above) (43)		A6190	Election Contest	2
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)				2 7
Miscellane Civil Petitic			A6110	Petition for Change of Name/Change of Gender Petition for Relief from Late Claim Law	2, 7
Miscellane Civil Petitic		0	A6110 A6170	Petition for Change of Name/Change of Gender	1

SHORT TITLE:	Ecological Alliance vs. Miniso Depot Franchisor LLC	CASE NUMBER

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON:	_		ADDRESS: 1418 Yorkshire Lane
□ 1. ☑ 2. □ 3. □ 4. □ 5. □ 6. □ 7. □	8. 🗆 9. 🗀	10. 🗆 11.	
сіту: La Habra	STATE:	ZIP CODE: 90631	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central

District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: December 17, 2018

(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. 02/16).
- 5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
- 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.
- 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.

MIGUEL CUSTODIO, STATE BAR NO. 248744 1 CONFORMED COPY VINEET DUBEY, STÂTE BAR NO. 243208 ORIGINAL FILED **CUSTODIO & DUBEY LLP** 2 448 S. Hill St., Suite 615 Los Angeles, CA 90013 DEC 1 8 2018 3 Telephone: (213) 593-9095 Sheari R. Carrer, Executive Onless/Gierk Facsimile: (213) 785-2899 By: Cristina Grijalva, Deputy 4 5 Attorneys for Plaintiff ECOLOGICAL ALLIANCE, LLC 6 SUPERIOR COURT OF THE STATE OF CALIFORNIA 7 **COUNTY OF LOS ANGELES** 8 UNLIMITED CIVIL JURISDICTION 9 CASE NO.: 1857CV08864 10 ECOLOGICAL ALLIANCE, LLC, a California limited liability company, 11 Plaintiffs, COMPLAINT FOR CIVIL PENALTIES 12 AND INJUNCTIVE RELIEF VS. 13 (Health & Safety Code. § 25249.6 et seg.) MINISO DEPOT FRANCHISOR LLC, a California limited liability company; and 14 DOES 1 through 10, inclusive, 15 Defendants. 16 17 18 19 20 21 22 23 24 25 26 27 28

COMPLAINT FOR CIVIL PENALTIES AND INJUNCTIVE RELIEF

NATURE OF THE ACTION

- 1. This Complaint is brought by plaintiff ECOLOGICAL ALLIANCE, LLC ("Plaintiff") in the public interest of the People of the State of California to enforce their right to be informed of the presence of chemicals listed by the State of California, pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.6 et seq. ("Proposition 65"), including Di(2-ethylhexy)phthalate [DEHP].
- 2. Plaintiffs seek to remedy Defendants' failure to warn citizens of the State of California, in violation of Proposition 65, about the presence of DEHP ("Listed Chemical") in Defendant's travel kits offered for sale throughout the State of California ("Products").
 - Defendant's Products contain the Listed Chemical and consumers of Products in the State of California are exposed to the Listed Chemical through dermal exposure and ingestion of Products.
 - 4. Defendants know and intend that their Products expose consumers in the State of California to the Listed Chemical.
 - 5. Attached hereto and incorporated by reference are copies of a letter ("60-Day Notices"), dated August 7, 2018, which Plaintiff sent to Defendant and California's Attorney General. Identical letters were sent to every District Attorney in the state, to the City Attorneys of every California city with a population greater than 750,000, and to all Defendants. Attached to the 60-Day Notices were Certificates of Merit attesting to the reasonable and meritorious basis for this action, Certificates of Service attesting to service of the letters on each entity described above, and a description of Proposition 65 prepared by the California Office of Environmental Health Hazard Assessment. Furthermore, factual information sufficient to establish the basis of the Certificates of Merit was enclosed with the 60-Day Notice sent to California's Attorney General.
 - 6. After receiving the claims asserted in the 60-Day Notice, the public enforcement agencies identified in Paragraph 5 have failed to commence and diligently prosecute a cause of action against Defendants under Proposition 65.

- 7. Plaintiff seeks preliminary and permanent injunctive relief to compel Defendants to provide the warning required under Proposition 65 regarding the Products.
- 8. Pursuant to Health and Safety Code section 25249.7(b), Plaintiff also seeks civil penalties against Defendants for violations of Proposition 65.

PARTIES

- 9. Plaintiff is a California limited liability company. It brings this action in the public interest pursuant to Health and Safety Code section 25249.7(d).
- 10. The Defendant is a "Person" in the course of doing business within the meaning of Health and Safety Code section 25249.11(a) "Person" means an individual, trust, firm, joint stock company, corporation, company, partnership, limited liability company, and association."
- 11. The Defendant is a California limited liability company that manufactures, distributes, and/or offers for sale in the State of California, Products that contain the Listed Chemical.
- 12. Defendants DOES 1-10, which manufacture, distribute, and/or offers for sale in the State of California Products that contain the Listed Chemical, are each persons in the course of doing business within the meaning of Health and Safety Code section 25249.11. At this time, the true names and capacities of defendants DOES 1 through 10, inclusive, are unknown to Plaintiff, who, therefore, sues said defendants by their fictitious names pursuant to Code of Civil Procedure section 474. Plaintiff is informed and believes, and on that basis alleges, that each of the fictitiously named defendants is responsible for the acts and occurrences alleged herein. When ascertained, their true names and capacities shall be reflected in an amended complaint.

VENUE AND JURISDICTION

13. The Court has jurisdiction over this action pursuant to Health and Safety Code section 25249.7. Pursuant to California Constitution Article VI, section 10, the California Superior Court has "original jurisdiction in all causes except those given by statute to other trial

courts." The statute under which this action is brought does not specify any other trial courts that should have jurisdiction.

- 14. The Court has jurisdiction over Defendants based on Plaintiff's information and good faith belief that each Defendant is a person, firm, corporation, or association that is a citizen of the State of California, has sufficient minimum contacts in the State of California, and/or otherwise purposefully avails itself of the California market. Defendants' purposeful availment renders the exercise of personal jurisdiction by the Court consistent with traditional notions of fair play and substantial justice.
- 15. Venue is proper in this Court because Defendants manufacture, distribute, offer for sale, sell, and/or serve Products that contain the Listed Chemical. Liability for Plaintiff's causes of action, or some parts thereof, has accordingly arisen during the times relevant to this Complaint and Plaintiff accordingly seeks civil penalties and forfeitures imposed by statutes.

FIRST CAUSE OF ACTION

(Violation of Proposition 65 - Against All Defendants)

- 16. Plaintiff realleges and incorporates by reference, as if fully set forth herein, Paragraphs 1 through 15, inclusive.
- 17. Pursuant to Health and Safety Code section 25249.7(b), as a consequence of the above-described acts, Defendants are liable for a violation of Proposition 65.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment against Defendants as follows:

- 1. That the Court, pursuant to Health and Safety Code section 25249.7(a), preliminarily and permanently enjoin Defendants from manufacturing, distributing, offering for sale, selling, and/or serving in the State of California Products that contain the Listed Chemical without first providing a "clear and reasonable warning" under Proposition 65;
 - 2. That the Court grant Plaintiff's reasonable attorneys' fees and costs of suit;
- 3. That the Court, pursuant to Health and Safety Code section 25249.7(b), assess civil penalties against Defendants in such amount as the Court deems appropriate; and

That the Court grant such other and further relief as may be just and proper. 4.

Dated: December 17, 2018

Respectfully Submitted, CUSTODIO & DUBEY LLP

Vineet Dubey

Custodio & Dubey LLP

Attorneys for Plaintiff ECOLOGICAL ALLIANCE, LLC



August 7, 2018

Miniso Depot Franchisor LLC c/o Pyng Soon 200 S. Los Robles Ave., Ste 200 Pasadena, CA 91101

Re: NOTICE OF VIOLATION AGAINST MINISO DEPOT FRANCHISOR LLC OF CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6

To Whom It May Concern and to Public Prosecutors:

Ecological Alliance, LLC, a California limited liability company ("Alliance") is a California company acting in the interest of the general public seeking to further, 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. As described below, Alliance has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Act"), codified at Cal. Health & Safety Code §25249.5 et seq. by Miniso Depot Franchisor LLC, a California limited liability company (collectively the "Violators"). This letter serves to provide Alliance's notification of these violations to the Violators and elected prosecutors. Pursuant to §25249.7(d) of the statute, Alliance intends to bring an enforcement action sixty (60) days or more after effective service of this notice unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

The products which are causing an exposure without a warning in violation of Proposition 65, are travel kits, including but not limited to UPC #4580302141312 ("Products") manufactured/distributed by Miniso Depot Franchisor LLC and offered for sale by retailers to California consumers.

A copy of the Proposition 65 summary prepared by the Office of Environmental Health Hazard Assessment is attached, to the copy of this letter served to the Violators.

Because of this lack of a warning, consumers were exposed to the following chemicals without the proper required Proposition 65 warnings: 1) Di(2-ethylhexyl)phthalate [DEHP]. The routes of exposure for this chemical are ingestion and dermal. Such exposure can cause cancer, birth defects and other reproductive harm. Exposures to the listed chemical from the use of the Products have been occurring without the clear and reasonable warnings required by Proposition 65, dating as far back as August 7,

2017, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is removed from the Products. Without proper warnings regarding the toxic effects of exposures to the listed chemical resulting from contact with the Products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the listed chemical from reasonable foreseeable use of the Products.

Alliance intends to file a private enforcement action as provided for in the Act for the alleged violations by the Violators, unless Violaters agree 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 for products sold in the future or reformulate such products to eliminate the exposures; and (3) pay an appropriate civil penalty.

Consistent with the public interest goals of Proposition 65, Alliance is interested in seeking a constructive resolution to this matter, and invites Violators, should they seek early resolution of this matter, to communicate directly with Alliance's attorneys. Such resolution will avoid further unwarned consumer exposures, as well as resource intensive litigation.

Please direct all questions concerning this notice to Alliance's attorney, Vineet Dubey (dubey@cd-lawyers.com), Custodio & Dubey LLP, 448 S. Hill St., Suite 615, Los Angeles, CA 90013, 213-785-2909.

Sincerely,

Vineet Dubey

Custodio & Dubey LLP

cc: see attached distribution list

Attachments:
Proposition 65 summary
Certificate of Merit
Certificate of Service

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

Re: Ecological Alliance, LLC's Notice of Proposition 65 Violations by Miniso Depot Franchisor LLC

- I, Vineet Dubey, hereby declare:
- 1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties 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 and have assembled evidence attached to the copy for the California Attorney General as Exhibit 1 to this Certificate of Merit regarding the lack of warnings for the listed chemical that is the subject of the notice.
- 4. Based on the information obtained 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).

Dated: August 7, 2018

Vineet Dubey, Attorney at Law

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 448 S. Hill St., Ste 615, Los Angeles, CA 90013.

On the date shown below, I served the following:

- 1) 60-Day Notice of Intent to Sue Under Health and Safety Code section 25249.6
- 2) Certificate of Merit; Health and Safety Code Section 25249.7(d)
- 3) Certificate of Merit (Attorney General Copy); Factual information sufficient to establish the basis of the certificate of merit (only sent to Attorney General)
- 4) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65); A Summary

on the alleged violator listed below via First Class Certified Mail through the United States Postal Service by placing a true and correct copy in a sealed envelope, addressed to the entity listed below and providing such envelope to a United States Postal Service Representative:

Miniso Depot Franchisor LLC c/o Pyng Soon 200 S. Los Robles Ave., Ste 200 Pasadena, CA 91101

as well as providing copies of the notice to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to the parties listed on the attached Distribution List.

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

August 7, 2018

Vineet Dubey

		dubey
Alameda County District Attorney 1225 Fallon St, Room 900	Los Angeles County District Attorney 210 W Temple St, 18th Floor	Mono County District Attorney P0 Box 617 Bridgeport, CA 93517
Oakland, CA 94612 Alpine County District Attorney	Los Angeles, CA 90012 Madera County District Attorney	San Joaquin County District Attorney
PO Box 248	209 W Yosemite Ave	PO Box 990
Markleeville, CA 96120 Amador County District Attorney	Madera, CA 93637 Mariposa County District Attorney	Stockton, CA 95201 -0990 San Francisco County District Attorney
708 Court, Suite 202	P.O. Box 730	850 Bryant St, Rm 322
Jackson, CA 95642	Mariposa, CA 95338	San Francisco, CA 94103 San Diego County District Attorney
Butte County District Attorney 25 County Center Dr.	Marin County District Attorney 3501 Civic Center Drive, #130	220 W Droadway etc 1200
Oroville, CA 95965-3385	San Rafael, CA 94903	San Diego, CA 92101-3803
Calaveras County District Attorney	Mendocino County District Attorney P.O. Box 1000	San Bernardino County District Attorney 316 N Mountain View Ave
891 Mountain Ranch Road San Andreas, CA 95249	Ukiab, CA 95482	San Bernardino, CA 92415-0004
Office of the Attorney General	Los Angeles City Attorney	San Francisco City Attorney
P.O. Box 70550	200 N Main St Ste 1800	# 1 Dr. Carlton B. Goodlett Place, Suite 234
Oakland, CA 94612-0550 Colusa County District Attorney	Los Angeles CA 90012 Inyo County District Attorney	San Francisco, CA 94102 Placer County District Attorney
Courthouse, 547 Market St	P.O. Drawer D	10810 Justice Center Drive
Colusa, CÁ 95932	Independence, CA 93526	Suite 240 Roseville, CA 95678-6231
Contra Costa County District Attorney	Orange County District Attorney	Merced County District Attorney
725 Court St., Room 402	P0 Box 808	550 W. Main Št.
Martinez, CA 94553	Santa Ana, CA 92702 Nevada County District Attorney	Merced, CA 95340 Napa County District Attorney
Del Norte County District Attorney 450 "H" St.	10075 Levon Ave.	P0 Box 720
Crescent City, CA 95531	Truckee, CA 96161	Nana, CA 94559-0720
El Dorado County District Attorney 515 Main St.	Plumas County District Attorney 520 Main Street, Rm 404	Riverside County District Attorney 3960 Orange Street, Suite 6
Placerville, CA 95667-5697	Ouincy, CA 95971	Riverside, CA 92501
Fresno County District Attorney	Sacramento County District Attorney	San Benito County District Attorney 419 4th St
2220 Tulare St, Ste. 1000 Fresno, CA 93721	901 G Street Sacramento, CA 95814	Hollister, CA 95023
Glenn County District Attorney	San Luis Obispo County District Attorney	Siskiyou County District Attorney
PO Box 430	County Government Center, Rm 450 San Luis Obispo, CA 93408	PO Box 986 Yreka, CA 96097
Willows, CA 95988 Humboldt County District Attorney	San Mateo County District Attorney	Solano County District Attorney
825 5th St., 4th Floor	400 County Center	600 Union Ave
Eureka, CA 95501 Imperial County District Attorney	Redwood City, CA 94063 Santa Barbara County District Attorney	Fairfield, CA 94533 Sonoma County District Attorney
939 W. Main St., 2nd Floor	1112 Santa Barbara St.	600 Administration Dr.
El Centro, CA 92243-2860	Santa Barbara, CA 93101	Rm 212-J Santa Rosa, CA 95403
Kern County District Attorney	Santa Clara County District Attorney	Shasta County District Attorney
1215 Truxtun Ave.	70 W Hedding St.	1355 West St.
Bakersfield, CA 93301	San Jose, CA 95110 Santa Cruz County District Attorney	Redding, CA 96001-1632 Sierra County District Attorney
Kings County District Attorney Gov't Ctr, 1400 W Lacey Blvd	701 Ocean St., Room 200	P0 Box 457
Hanford, CA 93230	Santa Cruz, CA 95060	Downieville, CA 95936-0457
Lake County District Attorney 255 N Forbes St	Stanislaus County District Attorney P0 Box 442	Trinity County District Attorney PO Box 310
Lakeport, CA 95453-4790	Modesto, CA 95353	Weaverville, CA 96093
Modoc County District Attorney	Sutter County District Attorney	Yuba County District Attorney
204 S. Court Street	446 Second Street	215 5th St Marysville, CA 95901
Alturas, CA 96101-4020 San Diego City Attorney	Yuba City, CA 95991 Lassen County District Attorney	Monterey County District Attorney
City Center Plaza	200 S Lassen St, Suite 8	PO Box 1131
1200 3rd Ave # 1100	Susanville, CA 96130	Salinas, CA 93902
San Diego, CA 92101 Fuolumne County District Attorney	Tulare County District Attorney	Yolo County District Attorney
2 S Green St	County Civic Center, Rm 224	310 Second St
Sonora, CA 95370 Ventura County District Attorney	Visalia, CA 93291 Tehama County District Attorney	Woodland, CA 95695 SanJoseCityAttorney
Ventura County District AUGINGV		
800 S Victoria Ave	P.O. Box 519 Red Bluff; CA 96080	200 E. Santa Clara St 16th Floor