Electronically FILED by Superior Court of California, County of Los Angeles on 03/27/2019 06:23 PM Sherri R. Carter, Executive Officer/Clerk of Court, by K. Vargas, Deputy Clerk

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

AUDIOVOX ADVANCED ACCESSORIES GROUP LLC; 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)

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. [AVISOI 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 quiter 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 gratuitos 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 contecto 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.

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

Los Angeles Superior Court (Stanley Mosk Branch)

4.

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):

NOTICE TO THE PERSON SERVED: You are served

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

Sherri R. Carter Executive Officer / Clerk of Court

DATE: 03/27/2019

Clerk, by (Secretario)

<u>Kristina Vargas</u> :

19STCV10635

CASE NUMBER:

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citatión use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]	TORVIA CONTRACTOR
1	15 . 5519

				ued unde		ious name	of (specify)	:	
3.	1	on beha	alf of (sp	ecify): A	udiovox	Advanc	ed Access	sories Group L	LC
	unde	r: 🔽	CCP 4	16.10 (co	rporation)			CCP 416.60 (min	nor)

CCP 416.20 (defunct corporation)
CCP 416.40 (association or partnership)
Other (specify):

CCP 416.70 (conservatee)
p) CCP 416.90 (authorized person)

by personal delivery on (date):

Page 1 of 1

Reserved for Clerk's File Stamp SUPERIOR COURT OF CALIFORNIA **COUNTY OF LOS ANGELES** COURTHOUSE ADDRESS: FILED Stanley Mosk Courthouse Superior Court of California County of Los Angeles 111 North Hill Street, Los Angeles, CA 90012 03/27/2019 Sherri R. Carter, Executive Officer / Clerk of Court NOTICE OF CASE ASSIGNMENT Kristina Vargas By: Deputy UNLIMITED CIVIL CASE CASE NUMBER: Your case is assigned for all purposes to the judicial officer indicated below. 19STCV10635

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	David Sotelo	40		1		}	

Given to the Plaintiff/Cross-Complainant/Attorney of Record	Sherri R. Carter, Executive Office	r / Clerk of Court
on 03/28/2019 (Date)	By Kristina Vargas	, Deputy Clerk

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.

19STCV10635

ally FILED by Superior Court of California, County of Los Ang	geles on 03/27/2019 06:23 PM Sherri R. Carter,	Executive Officer/Clerk of Court, by K. Vargas, Deputy Clerk CM-010
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar / Vineet Dubey #243208 Custodio & Dubey LLP 448 S. Hill St., Suite 615 Los Angeles, CA 90013		FOR COURT USE ONLY
TELEPHONE NO.: (213) 593-9095 ATTORNEY FOR (Name): Plaintiff Ecological A	FAX NO.: (213) 785-2899 Iliance LLC	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LO STREET ADDRESS: 111 North Hill St. MAILING ADDRESS: Same CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk		
CASE NAME:		
Ecological Alliance,LLC v. Audiovo	x Advanced Accessories Group	LLC
CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUMBER:
✓ Unlimited Limited	Counter Joinder	
(Amount (Amount demanded demanded demanded demanded demanded demanded is	Filed with first appearance by defen	JUDGE:
exceeds \$25,000) \$25,000 or less)	(Cal. Rules of Court, rule 3.402	
Items 1–6 belo	w must be completed (see instructions	
1. Check one box below for the case type that		
Auto Tort Auto (22) Uninsured motorist (46)	Contract Breach of contract/warranty (06) Rule 3.740 collections (09)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) Antitrust/Trade regulation (03)
Other PI/PD/WD (Personal injury/Property	Other collections (09)	Construction defect (10)
Damage/Wrongful Death) Tort	Insurance coverage (18)	Mass tort (40)
Asbestos (04)	Other 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 types (41)
Non-PI/PD/WD (Other) Tort	Wrongful eviction (33) Other real property (26)	Enforcement of Judgment
Business tort/unfair business practice (07)		Enforcement of Judgment (20)
Civil rights (08)	Unlawful Detainer Commercial (31)	, , ,
Defamation (13) Fraud (16)	Residential (32)	Miscellaneous Civil Complaint
Intellectual property (19)	Drugs (38)	RICO (27) Other complaint (not specified above) (42)
Professional negligence (25)	Judicial Review	
Other non-PI/PD/WD tort (35)	Asset forfeiture (05)	Miscellaneous Civil Petition
Employment	Petition re: arbitration award (11)	Partnership and corporate governance (21)
Wrongful termination (36)	Writ of mandate (02)	Other petition (not specified above) (43)
Other employment (15)	Other judicial review (39)	
factors requiring exceptional judicial manage	ex under rule 3.400 of the California Ruement:	ules of Court. If the case is complex, mark the
a. Large number of separately represe		r of witnesses
b Extensive motion practice raising dissues that will be time-consuming c Substantial amount of documentary.	to resolve in other count	with related actions pending in one or more court ties, states, or countries, or in a federal court ostjudgment judicial supervision
3. Remedies sought (check all that apply): a.[✓ monetary b. ✓ nonmonetary; o	declaratory or injunctive relief c. punitive
 Number of causes of action (specify): One This case is is in it a class 	action suit.	
6. If there are any known related cases, file an		may use form CM-015.)
Date: March 27, 2019 Vineet Dubey		
(TYPE OR PRINT NAME)		IGNATURE OF PARTY OR ATTORNEY FOR PARTY)
 Plaintiff must file this cover sheet with the fin under the Probate Code, Family Code, or W in sanctions. File this cover sheet In addition to any cover 	elfare and Institutions Code). (Cal. Rule	g (except small claims cases or cases filed es of Court, rule 3.220.) Failure to file may result
 If this case is complex under rule 3.400 et se other parties to the action or proceeding. 	eq. of the California Rules of Court, you	must serve a copy of this cover sheet on all set will be used for statistical purposes only.

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

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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
```

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)

and fall)

Intentional Infliction of

Negligent Infliction of

Intentional Bodily Injury/PD/WD

Emotional Distress

(e.g., assault, vandalism)

Employment
Wrongful Termination (36)
Other Employment (15)

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

CASE TYPES AND EXAMPLES

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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
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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 (nondomestic 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 (nonharassment) Mechanics Llen 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

Other Judicial Review (39)
Review of Health Officer Order

Notice of Appeal-Labor

drugs, check this item; otherwise,

Writ-Mandamus on Limited Court

Writ-Other Limited Court Case

Petition Re: Arbitration Award (11)

Writ of Mandate (02)
Writ-Administrative Mandamus

Case Matter

Review

Judicial Review

Asset Forfeiture (05)

report as Commercial or Residential)

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.

- 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).

Civil Case Cover Sheet Category No	Type of Action (Check only one)	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 □ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	□ A7210 Medical Malpractice - Physicians & Surgeons □ A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	 □ A7250 Premises Liability (e.g., slip and fall) □ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) □ A7270 Intentional Infliction of Emotional Distress □ A7220 Other Personal Injury/Property Damage/Wrongful Death 	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

Tor Tor

Other Personal Injury/ Property Damage/ Wrongful Death Tort SHORT TITLE:

Ecological Alliance v. Audiovox Advanced Accessories Group LLC

CASE NUMBER

Non-Personal Injury/ Property Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 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	
0.11 (1. (00)	☐ 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 v.Audiovox Advanced Accessories Group LLC

CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2, 3, 6
ew	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
Judicial Review		☐ A6151 Writ - Administrative Mandamus	2, 8
<u></u>	Writ of Mandate (02)	☐ A6152 Writ - Mandamus on Limited Court Case Matter	2
Jud		□ A6153 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2, 8
<u>u</u>	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1, 2, 8
tigatio	Construction Defect (10)	□ A6007 Construction Defect	1, 2, 3
Provisionally Complex Litigation	Claims Involving Mass Tort (40)	□ A6006 Claims Involving Mass Tort	1, 2, 8
y Con	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1, 2, 8
sional	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
men	Enforcement of Judgment (20)	☐ A6107 Confession of Judgment (non-domestic relations)	2, 9
Enforcement of Judgment		☐ A6140 Administrative Agency Award (not unpaid taxes)	2, 8
ent of J		☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		□ A6112 Other Enforcement of Judgment Case	2, 8, 9
. 19	RICO (27)	☐ A6033 Racketeering (RICO) Case	1, 2, 8
Miscellaneous Civil Complaints		☐ A6030 Declaratory Relief Only	1, 2, 8
llan	Other Complaints	☐ A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
15 Ce	(Not Specified Above) (42)	☐ A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
Ģ. ≅		☑ 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
8 S		☐ A6123 Workplace Harassment	2, 3, 9
Miscellaneous Civil Petitions		☐ A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
i Pe	Other Petitions (Not Specified Above) (43)	☐ A6190 Election Contest	2
Mis Civi		☐ A6110 Petition for Change of Name/Change of Gender	2,7
		☐ A6170 Petition for Relief from Late Claim Law	2, 3, 8
1		☐ A6100 Other Civil Petition	2, 9

SHORT TITLE:	Ecological Alliance v.Audiovox Advanced Accessories Group LLC	CASE NUMBER
	Ecological Alliance V. Addiovox Advanced Accessories Group LEC	

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).

☐ 1. Ø 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☐ 11.		10. □ 11 .	ADDRESS: 1418 Yorkshire Lane
ciry: La Habra	STATE:	2IP 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)].

	March	27	2010	
Dated:	MICHICAL	Z# ,	2010	

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.
- 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.
- 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.

19STCV10635

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: David Sotelo

Electronically FILED by Superior Court of California, County of Los Angeles on 03/27/2019 06:23 PM Sherri R. Carter, Executive Officer/Clerk of Court, by K. Vargas, Deputy Clerk MIGUEL CUSTODIO, STATE BAR NO. 248744 VINEET DUBEY, STATE BAR NO. 243208 **CUSTODIO & DUBEY LLP** 2 448 S. Hill St., Suite 615 Los Angeles, CA 90013 3 Telephone: (213) 593-9095 Facsimile: (213) 785-2899 4 5 Attorneys for Plaintiff ECOLOGICAL ALLIANCE, LLC 6 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES 8 UNLIMITED CIVIL JURISDICTION 9 10 ECOLOGICAL ALLIANCE, LLC, a CASE NO.: 19ST CV 10635 California limited liability company, 11 Plaintiffs, COMPLAINT FOR CIVIL PENALTIES 12 AND INJUNCTIVE RELIEF VS. 13 (Health & Safety Code. § 25249.6 et seq.) AUDIOVOX ADVANCED ACCESSORIES 14 GROUP LLC, a Delaware limited liability company; and 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 quad connector 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 24, 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 Delaware 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

1	4. That the Court grant such other and further relief as may be just and proper.
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3	D / 1 M 1 07 0010
4	Dated: March 27, 2019 Respectfully Submitted, CUSTODIO & DUBEY LLP
5	COSTODIO & DOBET LLP
6	By: / 1
7	Vineet Dubey
8	Custodio & Dubey LLP Attorneys for Plaintiff ECOLOGICAL ALLIANCE, LLC
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August 24, 2018

Audiovox Advanced Accessories Group LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Dr., Ste 150N Sacramento, CA 95833

Do It Best Corp. c/o Gary Furst 6502 Nelson Rd. Fort Wayne, IN 46803-0000

Re: NOTICE OF VIOLATION AGAINST AUDIOVOX ADVANCED ACCESSORIES GROUP LLC AND DO IT BEST CORP. 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 Audiovox Advanced Accessories Group LLC, a Delaware limited liability company and Do It Best Corp., an Indiana corporation (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 quad connector kits, including but not limited to UPC #044476060809 ("Products") manufactured/distributed by Audiovox Advanced Accessories Group LLC and offered for sale by retailers, including Do It Best Corp., 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 24, 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, 213-593-9095.

Sincerely,

Vineet Dubey

Custodio & Dubey LLP

cc: see attached distribution list

Attachments:

Proposition 65 summary

Certificate of Merit

Certificate of Service

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:

Audiovox Advanced Accessories Group LLC c/o CSC-Lawyers Incorporating Service 2710 Gateway Oaks Dr., Ste 150N Sacramento, CA 95833

Do It Best Corp. c/o Gary Furst 6502 Nelson Rd. Fort Wayne, IN 46803-0000

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 24, 2018

Vineet 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
Oakland, CA 94612 Alpine County District Attorney	Los Angeles, CA 90012 Madera County District Attorney	Bridgeport, CA 93517 San Joaquin County District Attorney PO Box 990
PO Box 248 Markleeville, CA 96120	209 W Yosemite Ave Madera, CA 93637	Stockton, CA 95201-0990
Amador County District Attorney 708 Court, Suite 202 Jackson, CA 95642	Mariposa County District Attorney P.O. Box 730 Mariposa, CA 95338	San Francisco County District Attorney 850 Bryant St, Rm 322 San Francisco, CA 94103
Butte County District Attorney 25 County Center Dr.	Marin County District Attorney 3501 Civic Center Drive, #130	San Diego County District Attorney
Oroville, CA 95965-3385 Calaveras County District Attorney 891 Mountain Ranch Road	San Rafael, CA 94903 Mendocino County District Attorney P.O. Box 1000	San Diego, CA 92101-3803 San Bernardino County District Attorney 316 N Mountain View Ave
San Andreas, CA 95249 Office of the Attorney General P.O. Box 70550	Ukiah, CA 95482 Los Angeles City Attorney	San Bernardino, CA 92415-0004 San Francisco City Attorney # 1 Dr. Carlton B. Goodlett Place, Suite 234
Oakland, CA 94612-0550 Colusa County District Attorney	200 N Main St Ste 1800 Los Angeles CA 90012 Inyo County District Aftorney	San Francisco, CA 94102 Placer County District Attorney
Courthouse, 547 Market St Colusa, CA 95932	P.O. Drawer D Independence, CA 93526	10810 Justice Center Drive Suite 240 Roseville, CA 95678-6231
Contra Costa County District Attorney 725 Court St., Room 402 Martinez, CA 94553	Orange County District Attorney P0 Box 808 Santa Ana, CA 92702	Merced County District Attorney 550 W. Main St. Merced, CA 95340
Del Norte County District Attorney 450 "H" St.	Nevada County District Attorney 10075 Levon Ave.	Napa County District Attorney P0 Box 720
Crescent City, CA 95531 El Dorado County District Attorney 515 Main St.	Truckee, CA 96161 Plumas County District Attorney 520 Main Street, Rm 404	Nana, CA 94559-0720 Riverside County District Attorney 3960 Orange Street, Suite 6
Placerville, CA 95667-5697 Fresno County District Attorney 2220 Tulare St, Ste. 1000	Ouiucv, CA 95971 Sacramento County District Attorney 901 G Street	Riverside, CA 92501 San Benito County District Attorney 419 4th St
Fresno, CA 93721 Glenn County District Attorney PO Box 430	Sacramento, CA 95814 San Luis Obispo County District Attorney County Government Center, Rm 450	Hollister, CA 95023 Siskiyou County District Attorney PO Box 986
Willows, CA 95988 Humboldt County District Attorney 825 5th St., 4th Floor	San Luis Obispo, CA 93408 San Mateo County District Attorney 400 County Center	Yreka, CA 96097 Solano County District Attorney 600 Union Ave
Eureka, CA 95501 Imperial County District Attorney 939 W. Main St., 2nd Floor El Centro, CA 92243-2860	Redwood City, CA 94063 Santa Barbara County District Attorney 1112 Santa Barbara St. Santa Barbara, CA 93101	Fairfield, CA 94533 Sonoma County District Attorney 600 Administration Dr. Rm 212-J
Kern County District Attorney	Santa Clara County District Attorney	Santa Rosa, CA 95403 Shasta County District Attorney
1215 Truxtun Ave. Bakersfield, CA 93301 Kings County District Attorney	70 W Hedding St. San Jose, CA 95110 Santa Cruz County District Attorney	1355 West St. Redding, CA 96001-1632 Sierra County District Attorney
Gov't Ctr, 1400 W Lacey Blvd Hanford, CA 93230	701 Ocean St., Room 200 Santa Cruz, CA 95060	P0 Box 457 Downieville, CA 95936-0457
Lake County District Attorney 255 N Forbes St Lakeport, CA 95453-4790	Stanislaus County District Attorney P0 Box 442 Modesto, CA 95353	Trinity County District Attorney PO Box 310 Weaverville, CA 96093
Modoc County District Attorney 204 S. Court Street	Sutter County District Attorney 446 Second Street	Yuba County District Attorney 215 5th St
Alturas, CA 96101-4020 San Diego City Attorney City Center Plaza	Yuba City, CA 95991 Lassen County District Attorney 200 S Lassen St, Suite 8	Marysville, CA 95901 Monterey County District Attorney PO Box 1131
1200 3rd Ave # 1100 San Diego, CA 92101	Susanville, CA 96130	Salinas, CA 93902
Tuolumne County District Attorney 2 S Green St Sonora, CA 95370	Tulare County District Attorney County Civic Center, Rm224 Visalia, CA 93291	Yolo County District Attorney 310 Second St Woodland, CA 95695
Ventura County District Attorney 800 S Victoria Ave	Tehama County District Attorney P.O. Box 519	SanJoseCity Attorney 200 E. Santa Clara St 16th Floor
Ventura, CA 93009	Red Bluff; CA 96080	San Jose, CA 95110