

To: Alameda County Superior Court Page 2 of 6

2019-08-08 21:24:53 (GMT)

From: Lexington Law Group

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LEXINGTON LAW GROUP
Eric S. Somers, State Bar No. 139050
Ryan Berghoff, State Bar No. 308812
503 Divisadero Street
San Francisco, CA 94117
Telephone: (415) 913-7800
Facsimile: (415) 759-4112
esomers@lexlawgroup.com
rberghoff@lexlawgroup.com

Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

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

CENTER FOR ENVIRONMENTAL
HEALTH, a non-profit corporation,

Plaintiff,

v.

TOTAL SWEETENERS, INC.; et al.,

Defendants.

FILED BY FAX

ALAMEDA COUNTY

August 08, 2019

CLERK OF
THE SUPERIOR COURT
By Cheryl Clark, Deputy

CASE NUMBER:

RG19001951

Case No. RG 19-001951

ASSIGNED FOR ALL PURPOSES TO:
Judge Brad Seligman, Dept. 23

**C.C.P. § 474 AMENDMENT TO
COMPLAINT**

Complaint Filed: January 9, 2019
Trial date: None set

1 On January 9, 2019, Plaintiff Center for Environmental Health ("CEH") filed its
2 original Complaint in *CEH v. Total Sweeteners, Inc., et al.*, Alameda County Superior Court
3 Case No. RG 19-001951.

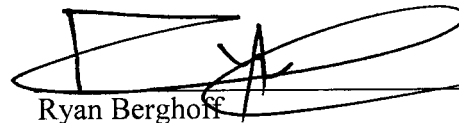
4 Pursuant to California Code of Civil Procedure § 474, CEH hereby amends the
5 Complaint as follows:

- 6 1. By inserting the name GOOD FOOD, INC. in place of the reference to DOE 6 in
7 each place that it appears in the Complaint;
- 8 2. By inserting the name THE WEBSTAURANT STORE, INC. in place of the
9 reference to DOE 7 in each place that it appears in the Complaint;

10
11
12 Dated: August 8, 2019

Respectfully submitted,

13 LEXINGTON LAW GROUP

14
15 

16 Ryan Berghoff
17 Attorney for Plaintiff
18 Center for Environmental Health
19
20
21
22
23
24
25
26
27
28

1 **PROOF OF SERVICE**

2

3 I, Nick Redfield, declare:

4 I am a citizen of the United States and employed in the County of San Francisco, State of
5 California. I am over the age of eighteen (18) years and not a party to this action. My business
6 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is
nredfield@lexlawgroup.com.

7 On August 8, 2019, I served the following document(s) on all interested parties in this
8 action by placing a true copy thereof in the manner and at the addresses indicated below:

9 **C.C.P. § 474 AMENDMENT TO COMPLAINT**

10 ☐ **BY MAIL:** I am readily familiar with the firm's practice for collecting and processing mail
11 with the United States Postal Service ("USPS"). Under that practice, mail would be deposited
12 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the
13 ordinary course of business. On this date, I placed sealed envelopes containing the above
14 mentioned documents for collection and mailing following my firm's ordinary business practices.

15 ☐ **BY FACSIMILE:** I caused all pages of the document(s) listed above to be transmitted via
16 facsimile to the fax number(s) as indicated and said transmission was reported as complete and
17 without error.

18 ☒ **BY ELECTRONIC MAIL:** I transmitted a PDF version of the document(s) listed above via
19 email to the email address(es) indicated on the attached service list [or noted above] before 5 p.m.
20 on the date executed.

21 *Please see attached service list.*

22 ☐ **BY PERSONAL DELIVERY:** I placed all pages of the document(s) listed above in a sealed
23 envelope addressed to the party(ies) listed above, and caused such envelope to be delivered by
24 hand to the addressee(s) as indicated.

25 ☐ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility
26 regularly maintained by FedEx, or delivered such document(s) to a courier or driver authorized by
27 FedEx, with delivery fees paid or provided for, and addressed to the person(s) being served.

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

Executed on August 8, 2019 at San Francisco, California.



Nick Redfield

SERVICE LIST
CEH v. Total Sweeteners, Inc., et al.
RG 19-001951

ADDRESS	DEFENDANT
Eric Somers Ryan Berghoff Nick Redfield 503 Divisadero Street San Francisco, CA 94117 esomers@lexlawgroup.com rberghoff@lexlawgroup.com nredfield@lexlawgroup.com	<i>Plaintiff</i> Center for Environmental Health
Kevin T. Haroff Alexa Shasteen Erin Herlihy Sydney L. Romero Marten Law LLP 4 Embarcadero Center, Suite 1400 San Francisco, CA 94111 kharoff@martenlaw.com ashasteen@martenlaw.com eherlihy@martenlaw.com sromero@martenlaw.com	Barkman Honey, LLC Honeytree, Inc.
Mike Delehunt Megan Curran Foley & Lardner LLP 555 California St. San Francisco, CA 94104 mdelehunt@foley.com mcurran@foley.com	Natural American Foods, Inc. Smart & Final Stores LLC
James G. Scadden Dayna Guichard Gordon & Rees 1111 Broadway, Suite 1700 Oakland, CA 94607 jscadden@grsm.com dguichard@grsm.com	Total Sweeteners, Inc.
Lauren Michals Gregory O'Hara Lillian Cardona Nixon Peabody LLP One Embarcadero Center, 32 nd Floor San Francisco, CA 94111 lmichals@nixonpeabody.com gohara@nixonpeabody.com lcardona@nixonpeabody.com	Vitacost.com, Inc.

Noah Hagey Toby Rowe David H. Kwasniewski Benjamin Yeung Braun Hagey & Borden LLP 351 California Street San Francisco, CA 94104 hagey@braunhagey.com rowe@braunhagey.com kwasniewski@braunhagey.com yeung@braunhagey.com	B&G Foods North America, Inc.
Thomas Van Wyngarden Stephanie Angkadjaja Malinda Washington Katten Muchin Rosenman LLP 2029 Century Park East Los Angeles, CA 90067 thomas.vanwyngarden@kattenlaw.com stephanie.angkadjaja@kattenlaw.com malinda.washington@kattenlaw.com	Wal-Mart.com USA, LLC
Steven G. Teraoka Elizabeth Shoemaker Patrick Grochmal Teraoka & Partners LLP One Embarcadero Center, Ste. 1020 San Francisco, CA 94111 steve@teraokalaw.com liz@teraokalaw.com Patrick@teraokalaw.com	JFC International, Inc.
Jeffrey Margulies Lauren Shoor Monica Tapia Norton Rose Fulbright US LLP 555 South Flower Street, 41st Floor Los Angeles, CA 90071 jeff.margulies@nortonrosefulbright.com lauren.shoor@nortonrosefulbright.com monica.tapia@nortonrosefulbright.com	Target Corporation