

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Monica Bachner

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Attorneys for Plaintiff,
CONSUMER ADVOCACY GROUP, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

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

Plaintiff,

v.

THE TJX COMPANIES, INC., a Delaware
Corporation;
URBAN EXPRESSIONS, INC., a California
Corporation
and DOES 1-30,

Defendants.

CASE NO. **22STCV20457**

COMPLAINT FOR PENALTY AND
INJUNCTION

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

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

Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges three causes of action
against defendants THE TJX COMPANIES INC., URBAN EXPRESSIONS, INC. and DOES
1-30 as follows:

THE PARTIES

- 1 1. Plaintiff CONSUMER ADVOCACY GROUP, INC. (“Plaintiff” or “CAG”) is an
2 organization qualified to do business in the State of California. CAG is a person within
3 the meaning of Health and Safety Code Section 25249.11, subdivision (a). CAG, acting
4 as a private attorney general, brings this action in the public interest as defined under
5 Health and Safety Code Section 25249.7, subdivision (d).
- 6 2. Defendant THE TJX COMPANIES INC. (“TJX”) is a Delaware Corporation qualified to
7 do business in California and doing business in the State of California at all relevant
8 times herein. Defendant URBAN EXPRESSIONS, INC. (“URBAN EXPRESSIONS”)
9 is a California Corporation qualified to do business in California and doing business in
10 the State of California at all relevant times herein.
- 11 3. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-30,
12 and therefore sues these defendants by such fictitious names. Plaintiff will amend this
13 Complaint to allege their true names and capacities when ascertained. Plaintiff is
14 informed, believes, and thereon alleges that each fictitiously named defendant is
15 responsible in some manner for the occurrences herein alleged and the damages caused
16 thereby.
- 17 4. At all times mentioned herein, the term “Defendants” includes TJX, URBAN
18 EXPRESSIONS and DOES 1-30.
- 19 5. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all
20 times mentioned herein have conducted business within the State of California.
- 21 6. Upon information and belief, at all times relevant to this action, each of the Defendants,
22 including DOES 1-30, was an agent, servant, or employee of each of the other
23 Defendants. In conducting the activities alleged in this Complaint, each of the
24 Defendants was acting within the course and scope of this agency, service, or
25 employment, and was acting with the consent, permission, and authorization of each of
26 the other Defendants. All actions of each of the Defendants alleged in this Complaint
27 were ratified and approved by every other Defendant or their officers or managing
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1 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated the
2 alleged wrongful conduct of each of the other Defendants.

- 3 7. Plaintiff is informed, believes, and thereon alleges that at all relevant times, each of the
4 Defendants was a person doing business within the meaning of Health and Safety Code
5 Section 25249.11, subdivision (b), and that each of the Defendants had ten (10) or more
6 employees at all relevant times.

7 **JURISDICTION**

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

- 13 9. This Court has jurisdiction over Defendants named herein because Defendants either
14 reside or are located in this State or are foreign corporations authorized to do business in
15 California, are registered with the California Secretary of State, or who do sufficient
16 business in California, have sufficient minimum contacts with California, or otherwise
17 intentionally avail themselves of the markets within California through their
18 manufacture, distribution, promotion, marketing, or sale of their products within
19 California to render the exercise of jurisdiction by the California courts permissible
20 under traditional notions of fair play and substantial justice.

- 21 10. Venue is proper in the County of Los Angeles because one or more of the instances of
22 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or
23 because Defendants conducted, and continue to conduct, business in the County of Los
24 Angeles with respect to the consumer product that is the subject of this action.

25 **BACKGROUND AND PRELIMINARY FACTS**

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

8 12. Proposition 65 requires the Governor of California to publish a list of chemicals known
9 to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety*
10 *Code* § 25249.8. The list, which the Governor updates at least once a year, contains over
11 700 chemicals and chemical families. Proposition 65 imposes warning requirements and
12 other controls that apply to Proposition 65-listed chemicals.

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

19 14. Proposition 65 provides that any person "violating or threatening to violate" the statute
20 may be enjoined in any court of competent jurisdiction. *Health & Safety Code* §
21 25249.7. "Threaten to violate" means "to create a condition in which there is a
22 substantial probability that a violation will occur." *Health & Safety Code* § 25249.11(e).
23 Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation,
24 recoverable in a civil action. *Health & Safety Code* § 25249.7(b).

25 15. Plaintiff identified certain practices of manufacturers and distributors of consumer
26 products and food products of exposing, knowingly and intentionally, persons in
27 California to Bis (2-ethylhexyl) phthalate, Diisononyl Phthalate and Inorganic Arsenic
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1 Compounds, and Inorganic Arsenic Oxides of such products without first providing clear
2 and reasonable warnings of such to the exposed persons prior to the time of exposure.

3 Plaintiff later discerned that Defendants engaged in such practice.

4 16. On January 1, 1988, the Governor of California added Diethyl Hexyl Phthalate and Bis
5 (2-ethylhexyl) phthalate (“DEHP”) to the list of chemicals known to the State to cause
6 cancer, (*Cal. Code Regs.* tit. 27, § 27001(b)) and on October 24, 2003, the Governor
7 added DEHP to the list of chemicals known to the State to cause developmental male
8 reproductive toxicity (*Cal. Code Regs.* tit. 27, § 27001(c)). Pursuant to Health and
9 Safety Code sections 25249.9 and 25249.10, twenty (20) months after addition of DEHP
10 to the list of chemicals known to the State to cause reproductive toxicity, DEHP became
11 fully subject to Proposition 65 warning requirements and discharge prohibitions.

12 17. On May 1, 1997, the Governor of California added Inorganic Arsenic Oxides to the list
13 of chemicals known to the State to cause developmental toxicity (*Cal. Code Regs.* tit. 27,
14 § 27001(c)). Inorganic Arsenic Oxides is known to the State to cause developmental,
15 toxicity. Pursuant to Health and Safety Code Sections 25249.9 and 25249.10, twenty
16 (20) months after addition of Inorganic Arsenic Oxides to the list of chemicals known to
17 the State to cause developmental toxicity, Inorganic Arsenic Oxides became fully subject
18 to Proposition 65 warning requirements and discharge prohibitions. Inorganic Arsenic
19 Oxides is hereinafter referred to as “Arsenic”.

20 18. On December 20, 2013, the Governor of California added Diisononyl Phthalate
21 (“DINP”) to the list of chemicals known to the State to cause cancer (*Cal. Code Regs.* tit.
22 27, § 27001(b)). Pursuant to Health and Safety Code sections 25249.9 and 25249.10,
23 twenty (20) months after addition of DINP to the list of chemicals known to the State to
24 cause cancer, DINP became fully subject to Proposition 65 warning requirements and
25 discharge prohibitions.

26 **SATISFACTION OF PRIOR NOTICE**

1 19. Plaintiff served the following notices for alleged violations of Health and Safety Code
2 Section 25249.6, concerning consumer products exposures:

3 a. On or about August 18, 2020, Plaintiff gave notice of alleged violations of
4 Health and Safety Code Section 25249.6, concerning consumer products
5 exposures subject to a private action to THE TJX COMPANIES, INC., URBAN
6 EXPRESSIONS and to the California Attorney General, County District
7 Attorneys, and City Attorneys for each city containing a population of at least
8 750,000 people in whose jurisdictions the violations allegedly occurred,
9 concerning the Purse with PVC Components.

10 b. On or about October 29, 2021, Plaintiff gave notice of alleged violations of
11 Health and Safety Code Section 25249.6, concerning consumer products
12 exposures subject to a private action to THE TJX COMPANIES, INC., and to
13 the California Attorney General, County District Attorneys, and City Attorneys
14 for each city containing a population of at least 750,000 people in whose
15 jurisdictions the violations allegedly occurred, concerning the Cumin Powder.

16 c. On or about December 2, 2021, Plaintiff gave notice of alleged violations of
17 Health and Safety Code Section 25249.6, concerning consumer products
18 exposures subject to a private action to THE TJX COMPANIES, INC., and to
19 the California Attorney General, County District Attorneys, and City Attorneys
20 for each city containing a population of at least 750,000 people in whose
21 jurisdictions the violations allegedly occurred, concerning the Wallet.

22 20. Before sending the notice of alleged violations, Plaintiff investigated the consumer
23 products involved, the likelihood that such products would cause users to suffer
24 significant exposures to DEHP, DINP and Arsenic, and the corporate structure of each of
25 the Defendants.

26 21. Plaintiff's notice of alleged violation included a Certificate of Merit executed by the
27 attorney for the noticing party, CAG. The Certificate of Merit stated that the attorney for
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1 Plaintiff who executed the certificate had consulted with at least one person with relevant
2 and appropriate expertise who reviewed data regarding the exposures to DEHP, DINP
3 and Arsenic, the subject Proposition 65-listed chemical of this action. Based on that
4 information, the attorney for Plaintiff who executed the Certificate of Merit believed
5 there was a reasonable and meritorious case for this private action. The attorney for
6 Plaintiff attached to the Certificate of Merit served on the Attorney General the
7 confidential factual information sufficient to establish the basis of the Certificate of
8 Merit.

9 22. Plaintiff's notice of alleged violations also included a Certificate of Service and a
10 document entitled "The Safe Drinking Water & Toxic Enforcement Act of 1986
11 (Proposition 65) A Summary." *Health & Safety Code* § 25249.7(d).

12 23. Plaintiff is commencing this action more than sixty (60) days from the dates that Plaintiff
13 gave notice of the THE TJX COMPANIES, INC., and the public prosecutors referenced
14 in Paragraph 19.

15 24. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor
16 any applicable district attorney or city attorney has commenced and is diligently
17 prosecuting an action against the Defendants.

18 **FIRST CAUSE OF ACTION**

19 **(By CONSUMER ADVOCACY GROUP, INC. and against THE TJX**
20 **COMPANIES, INC., URBAN EXPRESSIONS and DOES 1-10 for Violations of**
21 **Proposition 65, The Safe Drinking Water and Toxic Enforcement Act of 1986**
22 **(*Health & Safety Code*, §§ 25249.5, *et seq.*))**

23 **Fashion Accessories**

24 25. Plaintiff repeats and incorporates by reference paragraphs 1 through 24 of this complaint
25 as though fully set forth herein.

26 26. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,
27 distributor, promoter, or retailer of Purse with PVC Components ("Purse"), including but
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1 not limited to Black Purse with Gold Chain Straps; "Urban Expressions"; :21909-Black:
2 Rally"; "840611165909"; "SKU 19-8110-301382-001499-03-2.

3 27. Purse contains DEHP.

4 28. Defendants knew or should have known that DEHP has been identified by the State of
5 California as a chemical known to cause cancer and therefore was subject to Proposition
6 65 warning requirements. Defendants were also informed of the presence of DEHP in
7 Purse within Plaintiff's notice of alleged violations further discussed above at Paragraph
8 19a.

9 29. Plaintiff's allegations regarding Purse concerns "[c]onsumer products exposure[s],"
10 which "is an exposure that results from a person's acquisition, purchase, storage,
11 consumption, or other reasonably foreseeable use of a consumer good, or any exposure
12 that results from receiving a consumer service." *Cal. Code Regs. tit. 27, § 25602(b)*.
13 Purse is a consumer product, and, as mentioned herein, exposures to DEHP took place as
14 a result of such normal and foreseeable consumption and use.

15 30. Plaintiff is informed, believes, and thereon alleges that between August 18, 2017 and the
16 present, each of the Defendants knowingly and intentionally exposed California
17 consumers and users of Purse, which Defendants manufactured, distributed, or sold as
18 mentioned above, to DEHP, without first providing any type of clear and reasonable
19 warning of such to the exposed persons before the time of exposure. Defendants have
20 distributed and sold Purse in California. Defendants know and intend that California
21 consumers will use and consume Purse, thereby exposing them to DEHP. Further,
22 Plaintiff is informed, believes, and thereon alleges that Defendants are selling Product
23 under a brand or trademark that is owned or licensed by the Defendants or an entity
24 affiliated thereto; have knowingly introduced DEHP into product or knowingly caused
25 DEHP to be created in Purse; have covered, obscured or altered a warning label that has
26 been affixed to Purse by the manufacturer, producer, packager, importer, supplier or
27 distributor of Purse; have received a notice and warning materials for exposure from
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1 Purse without conspicuously posting or displaying the warning materials; and/or have
2 actual knowledge of potential exposure to DEHP from Purse. Defendants thereby
3 violated Proposition 65.

4 31. The principal routes of exposure are through dermal contact, ingestion and inhalation.
5 Persons sustain exposures by handling Purse without wearing gloves or any other
6 personal protective equipment, or by touching bare skin or mucous membranes with
7 gloves after handling Purse, as well as through direct and indirect hand to mouth contact,
8 hand to mucous membrane, or breathing in particulate matter dispersed from Purse.

9 32. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
10 Proposition 65 as to Purse have been ongoing and continuous, as Defendants engaged
11 and continue to engage in conduct which violates Health and Safety Code Section
12 25249.6, including the manufacture, distribution, promotion, and sale of Purse, so that a
13 separate and distinct violation of Proposition 65 occurred each and every time a person
14 was exposed to DEHP by Purse as mentioned herein.

15 33. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65
16 mentioned herein is ever continuing. Plaintiff further alleges and believes that the
17 violations alleged herein will continue to occur into the future.

18 34. Based on the allegations herein, Defendants are liable for civil penalties of up to
19 \$2,500.00 per day per individual exposure to DEHP from Purse, pursuant to Health and
20 Safety Code Section 25249.7(b).

21 35. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to
22 filing this Complaint.

23 **SECOND CAUSE OF ACTION**

24 **(By CONSUMER ADVOCACY GROUP, INC. and against THE TJX**
25 **COMPANIES, INC., and DOES 11-20 for Violations of Proposition 65, The Safe**
26 **Drinking Water and Toxic Enforcement Act of 1986 (*Health & Safety Code, §§***
25249.5, *et seq.*))

27 **Spices**

1 36. Plaintiff repeats and incorporates by reference paragraphs 1 through 24 of this complaint
2 as though fully set forth herein.

3 37. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,
4 distributor, promoter, or retailer of Cumin Powder ("Cumin Powder"), identified as
5 "Sultans of Spice"; "Cumin Powder"; "Traditional Indian Spices"; "Net Wt. 5.29 oz
6 (150g)"; "LG4221"; "D54 S137098 C1277 T6 AX70 0521"; "UPC 5 060413 384635".

7 a. The scope of this cause of action is limited to the specific lot number and/or
8 batch number of Cumin Powder.

9 38. Cumin Powder contains Arsenic.

10 39. Defendants knew or should have known that Arsenic has been identified by the State of
11 California as a chemical known to cause reproductive toxicity and therefore was subject
12 to Proposition 65 warning requirements. Defendants were also informed of the presence
13 of Arsenic in Cumin Powder within Plaintiff's notice of alleged violations further
14 discussed above at Paragraph 19b.

15 40. Plaintiff's allegations regarding Cumin Powder concerns "[c]onsumer products
16 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,
17 storage, consumption, or other reasonably foreseeable use of a consumer good, or any
18 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*
19 *25602(b)*. Cumin Powder is a consumer product, and, as mentioned herein, exposures to
20 Arsenic took place as a result of such normal and foreseeable consumption and use.

21 41. Plaintiff is informed, believes, and thereon alleges that between October 29, 2018 and
22 the present, each of the Defendants knowingly and intentionally exposed California
23 consumers and users of Cumin Powder, which Defendants manufactured, distributed, or
24 sold as mentioned above, to Arsenic, without first providing any type of clear and
25 reasonable warning of such to the exposed persons before the time of exposure.
26 Defendants have distributed and sold Cumin Powder in California. Defendants know
27 and intend that California consumers will use and consume Cumin Powder, thereby
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1 exposing them to Arsenic. Further, Plaintiff is informed, believes, and thereon alleges
2 that Defendants are selling Product under a brand or trademark that is owned or licensed
3 by the Defendants or an entity affiliated thereto; have knowingly introduced Arsenic into
4 product or knowingly caused Arsenic to be created in Purse; have covered, obscured or
5 altered a warning label that has been affixed to Purse by the manufacturer, producer,
6 packager, importer, supplier or distributor of Purse; have received a notice and warning
7 materials for exposure from Purse without conspicuously posting or displaying the
8 warning materials; and/or have actual knowledge of potential exposure to Arsenic from
9 Purse. Defendants thereby violated Proposition 65.

10 42. The principal routes of exposure are through dermal contact, ingestion and inhalation.
11 Persons sustain exposures by handling Cumin Powder without wearing gloves or any
12 other personal protective equipment, or by touching bare skin or mucous membranes
13 with gloves after handling Cumin Powder, as well as through direct and indirect hand to
14 mouth contact, hand to mucous membrane, or breathing in particulate matter dispersed
15 from Cumin Powder.

16 43. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
17 Proposition 65 as to Cumin Powder have been ongoing and continuous, as Defendants
18 engaged and continue to engage in conduct which violates Health and Safety Code
19 Section 25249.6, including the manufacture, distribution, promotion, and sale of Cumin
20 Powder, so that a separate and distinct violation of Proposition 65 occurred each and
21 every time a person was exposed to Arsenic by Cumin Powder as mentioned herein.

22 44. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65
23 mentioned herein is ever continuing. Plaintiff further alleges and believes that the
24 violations alleged herein will continue to occur into the future.

25 45. Based on the allegations herein, Defendants are liable for civil penalties of up to
26 \$2,500.00 per day per individual exposure to Arsenic from Cumin Powder, pursuant to
27 Health and Safety Code Section 25249.7(b).

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1 46. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to
2 filing this Complaint.

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4 **THIRD CAUSE OF ACTION**

5 **(By CONSUMER ADVOCACY GROUP, INC. and against THE TJX**
6 **COMPANIES, INC., and DOES 21-30 for Violations of Proposition 65, The Safe**
7 **Drinking Water and Toxic Enforcement Act of 1986 (*Health & Safety Code, §§***
8 **25249.5, *et seq.*))**

9 **Wallet**

10 47. Plaintiff repeats and incorporates by reference paragraphs 1 through 24 of this complaint
11 as though fully set forth herein.

12 48. Each of the Defendants is, and at all times mentioned herein was, a manufacturer,
13 distributor, promoter, or retailer of Wallet ("Wallet"), including but not limited to Zip
14 Wallet; "My Tagalongs"; "UPC 0 68528 53989 1"; "SKU 74 97 662913 000600 23"

15 49. Wallet contains DINP.

16 50. Defendants knew or should have known that DINP has been identified by the State of
17 California as a chemical known to cause cancer and therefore was subject to Proposition
18 65 warning requirements. Defendants were also informed of the presence of DINP in
19 Wallet within Plaintiff's notice of alleged violations further discussed above at Paragraph
20 19c.

21 51. Plaintiff's allegations regarding Wallet concerns "[c]onsumer products exposure[s],"
22 which "is an exposure that results from a person's acquisition, purchase, storage,
23 consumption, or other reasonably foreseeable use of a consumer good, or any exposure
24 that results from receiving a consumer service." *Cal. Code Regs. tit. 27, § 25602(b)*.

25 Wallet is a consumer product, and, as mentioned herein, exposures to DINP took place
26 as a result of such normal and foreseeable consumption and use.

27 52. Plaintiff is informed, believes, and thereon alleges that between December 2, 2018 and
28 the present, each of the Defendants knowingly and intentionally exposed California
consumers and users of Wallet, which Defendants manufactured, distributed, or sold as

1 mentioned above, to DINP, without first providing any type of clear and reasonable
2 warning of such to the exposed persons before the time of exposure. Defendants have
3 distributed and sold Wallet in California. Defendants know and intend that California
4 consumers will use and consume Wallet, thereby exposing them to DINP. Further,
5 Plaintiff is informed, believes, and thereon alleges that Defendants are selling Product
6 under a brand or trademark that is owned or licensed by the Defendants or an entity
7 affiliated thereto; have knowingly introduced DINP into product or knowingly caused
8 DINP to be created in Wallet; have covered, obscured or altered a warning label that has
9 been affixed to Wallet by the manufacturer, producer, packager, importer, supplier or
10 distributor of Wallet; have received a notice and warning materials for exposure from
11 Wallet without conspicuously posting or displaying the warning materials; and/or have
12 actual knowledge of potential exposure to DINP from Wallet. Defendants thereby
13 violated Proposition 65.

14 53. The principal routes of exposure are through dermal contact, ingestion and inhalation.
15 Persons sustain exposures by handling Wallet without wearing gloves or any other
16 personal protective equipment, or by touching bare skin or mucous membranes with
17 gloves after handling Wallet, as well as through direct and indirect hand to mouth
18 contact, hand to mucous membrane, or breathing in particulate matter dispersed from
19 Wallet.

20 54. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
21 Proposition 65 as to Wallet have been ongoing and continuous, as Defendants engaged
22 and continue to engage in conduct which violates Health and Safety Code Section
23 25249.6, including the manufacture, distribution, promotion, and sale of Wallet, so that a
24 separate and distinct violation of Proposition 65 occurred each and every time a person
25 was exposed to DINP by Wallet as mentioned herein.
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1 55. Plaintiff is informed, believes, and thereon alleges that each violation of Proposition 65
2 mentioned herein is ever continuing. Plaintiff further alleges and believes that the
3 violations alleged herein will continue to occur into the future.

4 56. Based on the allegations herein, Defendants are liable for civil penalties of up to
5 \$2,500.00 per day per individual exposure to DINP from Wallet, pursuant to Health and
6 Safety Code Section 25249.7(b).

7 57. Plaintiff has engaged in good faith efforts to resolve the claims alleged herein prior to
8 filing this Complaint.

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11 **PRAYER FOR RELIEF**

12 Plaintiff demands against each of the Defendants as follows:

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

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19 Dated: June 22, 2022

YEROUSHALMI & YEROUSHALMI*

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21
22 /s/Reuben Yeroushalmi
23 Reuben Yeroushalmi
24 Attorneys for Plaintiff,
25 CONSUMER ADVOCACY GROUP, INC.
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