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FILED
Superior Court of California
County of Los Angeles

07/24/2026

David W. Stanton, Executive Officer / Clerk of Court

By: R. Luna Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF LOS ANGELES**

10 Clean Product Advocates LLC, a) Case No. 25STCV02918
11 California Limited Liability)
12 Company,) FIRST AMENDED COMPLAINT FOR
13 PLAINTIFF,) PENALTY AND INJUNCTION
14 vs.)
15 Abbot's Butcher, Inc.; DOES 1) Violation of Proposition 65,
16 Through 100,) the Safe Drinking Water and
17 DEFENDANTS.) Toxic Enforcement Act of 1986
18) (Health & Safety Code Sections
19) 25249.5, et. seq.)
20)
21) ACTION IS AN UNLIMITED CIVIL
22) CASE (exceeds \$25,000.00)
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INTRODUCTION

1. This First Amended Complaint is a representative action brought by Clean Product Advocates, LLC ("Plaintiff" or "CPA") in the public interest of the citizens of the State of California (the "People"). Plaintiff seeks to remedy Defendants' failure to inform the People of exposure to "lead", a known carcinogen. Defendants continue to expose consumers to lead by either manufacturing, and/or importing, and/or selling and/or distributing food products, including, but not limited to, Abbots Plant Based Chorizo products, including but not limited to (UPC No. 850002856125), Abbots Plant Based Ground Beef products, including but not limited to, (UPC No. 850002856149), and Abbots Veggie Burger Products, including but not limited to, (UPC No. 850002856347) ("Products"). Defendants therefore know and intend that customers will ingest products containing lead under California's Safe Drinking Water and Toxic Enforcement Act of 1986, and California Health and Safety Code sections 25249.6 et. seq. ("Proposition 65") which states that "[n]o person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual " (Health & Safety Code Section 25249.6).

2. California has identified and listed lead as a

1 chemical known to cause cancer as early as on or about October
2 1, 1992, and as a chemical known to cause developmental/
3 reproductive toxicity on or about February 27, 1987.

4 3. Defendants have failed to sufficiently warn consumers and
5 individuals in California about potential exposure to lead in
6 connection with Defendants' manufacture and/or import, and/or
7 sale, and/or distribution of Products in violation of
8 Proposition 65.

9 4. Plaintiff seeks injunctive relief compelling Defendants
10 to sufficiently warn consumers in California before exposing
11 them to lead in Products (Health & Safety Code Section
12 25249.7(a)). Plaintiff also seeks civil penalties against
13 Defendants for their violations of Proposition 65 along with
14 reasonable attorney's fees and legal costs (Health & Safety Code
15 Section 25249.7(b)).
16

17 PARTIES

18 5. Plaintiff CPA is an LLC operating in the State
19 of California dedicated to protecting the health of California
20 citizens through the elimination or reduction of toxic exposure
21 from consumer products. It brings this action in the public
22 interest pursuant to Health & Safety Code Section 25249.7.

23 6. Defendant Abbot's Butcher, Inc. is a corporation that
24 either manufactures and/or imports, and/or sells and/or
25 distributes Products in Los Angeles County and throughout the
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1 State of California, within the meaning of Health & Safety Code
2 Section 25249.11.

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4 7. Defendants DOES 1 through 100, inclusive, are sued
5 herein under fictitious names. Their true names and capacities
6 are unknown to Plaintiff. When their true names and capacities
7 are ascertained, plaintiff will amend this complaint by
8 inserting their true names and capacities herein. Plaintiff is
9 informed and believes and thereon alleges, that each of the
10 fictitiously named defendants is responsible in some manner for
11 the occurrences alleged in this complaint and that Plaintiff's
12 damages as alleged in this complaint were proximately caused by
13 such defendants.

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15 8. Plaintiff is informed and believes and thereon
16 alleges, that at all times alleged in this complaint, each
17 defendant was the agent, alter ego, servant, joint venturer,
18 joint employer and/or employee, of each of the remaining
19 defendants, and in doing the things hereinafter alleged, was
20 acting within the course and scope of said relationships and
21 with the permission and consent of all other co-defendants. All
22 conduct was also ratified by Defendants and each of them.

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24 **JURISDICTION AND VENUE**

25 9. California Constitution Article VI, Section 10, grants
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1 the Superior Court original jurisdiction in all cases except
2 those given by statute to other trial courts. The Health and
3 Safety Code statutes upon which this action is based do not give
4 jurisdiction to any other Court. As such, this Court has
5 jurisdiction over this action.

6 10. Venue is proper in Los Angeles County Superior Court
7 pursuant to Code of Civil Procedure Sections 394, 395 and 395.5
8 as wrongful conduct as alleged in this complaint has occurred
9 and continues to occur in this County.

10 11. Defendants have sufficient minimum contacts in the
11 State of California or otherwise purposefully avail themselves
12 of the California market. Exercising jurisdiction over
13 Defendants would therefore be consistent with traditional
14 notions of fair play and substantial justice.

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16 **CAUSES OF ACTION**

17 **FIRST CAUSE OF ACTION**

18 **(Violation of Proposition 65 - Against all Defendants)**

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20 12. Plaintiff incorporates by reference herein, each and
21 every allegation set forth above in this complaint.

22 13. Proposition 65 mandates that California citizens be
23 informed about exposures to chemicals that cause cancer, birth
24 defects, and other reproductive harm.

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26 14. More than sixty days prior to the filing of this
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lawsuit naming each Defendant, Plaintiff issued 60-Day Notices Of Violation dated March 15, 2024, March 26, 2024, February 5, 2026 and March 24, 2026 ("Notices") as required by and in compliance with Proposition 65. Plaintiff provided said Notices to the various required public enforcement agencies along with Certificates of Merit. The Notices alleged that Defendants violated Proposition 65 by failing to sufficiently warn consumers in California of the health hazards associated with exposure to lead in their products.

15. The appropriate public enforcement agencies provided with the Notices failed to commence and diligently prosecute a cause of action against Defendants.

16. At all times relevant herein, Defendants manufactured and/or imported and/or sold and/or distributed the Products, described above in this complaint, containing lead in violation of Health and Safety Code Sections 25249.6 et. seq. Plaintiff is informed and believes and thereon alleges that such violations have continued after receipt of the Notices described above and such conduct will continue to occur into the future.

17. In manufacturing, and/or importing, and/or selling and/or distributing Products, Defendants failed to provide clear and reasonable warnings to consumers in the State of California who may be exposed to lead through reasonably foreseeable use of the Products.

1 18. The Products exposed individuals to lead through direct
2 ingestion of the products described above in this complaint.
3 This exposure is a natural and foreseeable consequence of
4 Defendants placing the Products into the stream of commerce.
5 As such Defendants intend that consumers will ingest said
6 Products, exposing them to lead.

7 19. Defendants knew or should have known that their
8 Products contained lead and exposed individuals to lead as
9 described above in this complaint. Also, the Notices described
10 above in this complaint informed Defendants of the presence of
11 lead in their products. Likewise, media coverage concerning lead
12 and related chemicals in consumer products provided
13 "Constructive Notice" to Defendants. Defendants' actions,
14 therefore, were deliberate and not accidental.

15 20. Individuals exposed to lead contained in
16 Defendants' Products through direct ingestion resulting from
17 reasonably foreseeable use of the Products have suffered and
18 continue to suffer irreparable harm. There is no other plain,
19 speedy or adequate remedy at law other than the relief requested
20 in this complaint.

21 21. Defendants are liable for a maximum civil penalty of
22 \$2,500.00 per day for each violation of Proposition 65 pursuant
23 to Health and Safety Code Section 252497(b). Injunctive relief
24 is also appropriate pursuant to Health and Safety Code Section
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1 25249.7(a).

2 **PRAYER FOR RELIEF**

3 Wherefore, Plaintiff prays for judgment against Defendants,
4 and each of them, as follows:

5 1. Civil penalties in the amount of \$2,500.00 per day for
6 each violation of the law as described above;

7 2. A preliminary and permanent injunction against
8 Defendants from manufacturing, and/or importing, and/or selling
9 and/or distributing Products in California without providing
10 clear and reasonable warnings as required by Proposition 65 and
11 related regulations;
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13 3. Reasonable attorney's fees and costs of suit;

14 4. Pre-Judgement interest as allowed by law; and

15 5. Such other and further relief as may be just and proper.

16 Respectfully Submitted:

17 Dated: July 7, 2026

CLIFFWOOD LAW FIRM,

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20 By: 151 Elham Shabatian

Elham Shabatian

Attorney for Plaintiff

Clean Product Advocates LLC