

SUMMONS
(CITACION JUDICIAL)

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

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

Southeastern Food Supplies, Inc; Walmart Inc.; DOES 1 - 100

Electronically FILED by
Superior Court of California,
County of Los Angeles
1/09/2026 4:34 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By L. Leyva, Deputy Clerk

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

Clean Product Advocates LLC

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar 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 contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

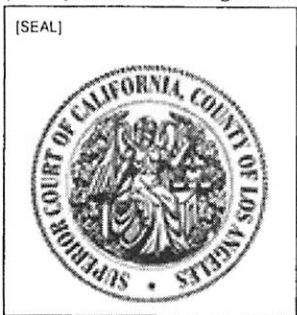
The name and address of the court is:
(El nombre y dirección de la corte es): Los Angeles County Superior Court
12720 Norwalk Boulevard, Norwalk, Ca 90650

CASE NUMBER
(Número del Caso):
26NWCV00109

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):
Elham Shabatian SBN 221953; 12100 Wilshire Boulevard, Suite 800, Los Angeles, Ca. 90025; 310-200-3227

DATE: 01/09/2026 Clerk, by L. Leyva, Deputy
(Fecha) *(Secretario)* *(Adjunto)*

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



NOTICE TO THE PERSON SERVED: You are served

- as an individual defendant.
- as the person sued under the fictitious name of *(specify):*
- on behalf of *(specify):*
under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other *(specify):*
- by personal delivery on *(date):*

For your protection and privacy, please press the Clear This Form button after you have printed the form

1 CLIFFWOOD LAW FIRM
2 ELHAM SHABATIAN (SBN 221953)
3 12100 Wilshire Boulevard
4 Suite 800
5 Los Angeles, California 90025
6 Tel: (310) 200-3227
7 Email: ellie@cliffwoodlaw.com

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Executive Officer/Clerk of Court,
By L. Leyva, Deputy Clerk

8 Attorneys for Plaintiff
9 Clean Product Advocates, LLC

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF LOS ANGELES**

12 Clean Product Advocates LLC,) Case No. **26NWCV00109**
13 PLAINTIFF,)
14 vs.) COMPLAINT FOR PENALTY AND
15) INJUNCTION
16 Southeastern Food Supplies,) Violation of Proposition 65,
17 Inc; Walmart Inc.; DOES 1 -100,) the Safe Drinking Water and
18) Toxic Enforcement Act of 1986
19) (Health & Safety Code Sections
20 DEFENDANTS.) 25249.5, et. seq.)
21)
22) ACTION IS AN UNLIMITED CIVIL
23) CASE (exceeds \$25,000.00)
24)
25)
26)
27)
28)

1 INTRODUCTION

2 1. This Complaint is a representative action brought by
3 Clean Product Advocates, LLC ("Plaintiff" or "CPA") in the
4 public interest of the citizens of the State of California (the
5 "People"). Plaintiff seeks to remedy Defendants' failure to
6 inform the People of exposure to "Lead", a known carcinogen.
7 Defendants continue to expose consumers to Lead by either
8 manufacturing, and/or importing, and/or selling and/or
9 distributing food products including, but not limited to, Four
10 Elephants Rice Paper For Spring Roll (UPC 854769000159)
11 ("Source" or "Product"). Defendants therefore know and intend
12 that customers will ingest products containing Lead under
13 California's Safe Drinking Water and Toxic Enforcement Act of
14 1986, and California Health and Safety Code sections 25249.6 et.
15 seq. ("Proposition 65") which states that "[n]o person in the
16 course of doing business shall knowingly and intentionally
17 expose any individual to a chemical known to the state to cause
18 cancer or reproductive toxicity without first giving clear and
19 reasonable warning to such individual " (Health & Safety
20 Code Section 25249.6).
21

22 2. California has identified and listed Lead as a chemical
23 known to cause cancer as early as on or about October 1, 1992,
24 and as a chemical known to cause developmental/ reproductive
25 toxicity as of on or about February 27, 1987.

26 3. Defendants have failed to sufficiently warn consumers and
27

1 individuals in California about potential exposure to Lead in
2 connection with Defendants' manufacture and/or import, and/or
3 sale, and/or distribution of the Product in violation of
4 Proposition 65.

5 4. Plaintiff seeks injunctive relief compelling Defendants
6 to sufficiently warn consumers in California before exposing
7 them to Lead in Products (Health & Safety Code Section
8 25249.7(a)). Plaintiff also seeks civil penalties against
9 Defendants for their violations of Proposition 65 along with
10 reasonable attorney's fees and legal costs (Health & Safety Code
11 Section 25249.7(b)).
12

13 **PARTIES**

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

19 6. Defendant Southeastern Food Supplies, Inc. ("SFS"), is a
20 Business Entity, that either manufactures and/or imports, and/or
21 sells and/or distributes Products in Los Angeles County and
22 throughout the State of California, within the meaning of Health
23 & Safety Code Section 25249.11.
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1 7. Defendant Walmart, Inc. ("Walmart") is a business entity,
2 that either manufactures and/or imports, and/or sells and/or
3 distributes Products in Los Angeles County and throughout the
4 State of California, within the meaning of Health & Safety Code
5 Section 25249.11.
6

7 8. Defendants DOES 1 through 100, inclusive, are sued
8 herein under fictitious names. Their true names and capacities
9 are unknown to Plaintiff. When their true names and capacities
10 are ascertained, plaintiff will amend this complaint by
11 inserting their true names and capacities herein. Plaintiff is
12 informed and believes and thereon alleges, that each of the
13 fictitiously named defendants is responsible in some manner for
14 the occurrences alleged in this complaint and that Plaintiff's
15 damages as alleged in this complaint were proximately caused by
16 such defendants.
17

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

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

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

FIRST CAUSE OF ACTION

(Violation of Proposition 65 - Against All Defendants)

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

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

14. More than sixty days prior to the filing of this lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice Of Violation dated January 16, 2025 ("Notice") as required by and in compliance with Proposition 65. Plaintiff also provided said Notice to the various required public enforcement agencies along with a Certificate of Merit. The Notice alleged that

1 Defendants violated Proposition 65 by failing to sufficiently
2 warn consumers in California of the health hazards associated
3 with exposure to Lead contained in the product, Four Elephants
4 Rice Paper For Spring Roll (UPC 854769000159).

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

8
9 16. At all times relevant herein, Defendants manufactured
10 and/or imported and/or sold and/or distributed the above
11 described Product, containing Lead in violation of Health and
12 Safety Code Sections 25249.6 et. seq. Plaintiff is informed and
13 believes and thereon alleges that such violation has continued
14 after receipt of the Notice described above and such conduct
15 will continue to occur into the future.

16
17 17. In manufacturing, and/or importing, and/or selling
18 and/or distributing the above described Product, Defendants
19 failed to provide clear and reasonable warnings to consumers in
20 the State of California who may be exposed to Lead through
21 reasonably foreseeable use of the Product.

22 18. The Product described above exposed individuals to Lead
23 through direct ingestion of the Product described above in this
24 complaint. This exposure is a natural and foreseeable
25 consequence of Defendants placing the Product into the stream of
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1 commerce. As such Defendants intend that consumers will ingest
2 said Product, exposing them to Lead.

3 19. Defendants knew or should have known that their
4 Product contained Lead and exposed individuals to Lead as
5 described above in this complaint. The Notice described above
6 informed Defendants of the presence of Lead in their product.
7 Likewise, media coverage concerning Lead related chemicals in
8 consumer products provided "Constructive Notice" to Defendants.
9 Defendants' actions, therefore, were deliberate and not
10 accidental.
11

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

19 21. Defendants are liable for a maximum civil penalty of
20 \$2,500.00 per day for each violation of Proposition 65 pursuant
21 to Health and Safety Code Section 252497(b). Injunctive relief
22 is also appropriate pursuant to Health and Safety Code Section
23 25249.7(a).
24

25 22. Defendants knew or should have known that their
26 Product contained Lead and exposed individuals to Lead as
27 described above in this complaint. Also, the Notice informed
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1 Defendants of the presence of Lead in their product. Likewise,
2 media coverage concerning Lead and related chemicals in consumer
3 products provided "Constructive Notice" to Defendants.

4 **PRAYER FOR RELIEF**

5 Wherefore, Plaintiff prays for judgment against Defendants,
6 and each of them, as follows:

7 1. Civil penalties in the amount of \$2,500.00 per day for
8 each violation of the law as described above in this complaint;
9

10 2. A preliminary and permanent injunction against
11 Defendants from manufacturing, and/or importing, and/or selling
12 and/or distributing Products in California without providing a
13 clear and reasonable warning as required by Proposition 65 and
14 related regulations;

15 3. Reasonable attorney's fees and costs of suit;

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

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

18 Respectfully Submitted:

19 Dated: January 9, 2026

20 CLIFFWOOD LAW FIRM,

21
22 By: 151 Elham Shabatian
23 Elham Shabatian
24 Attorney for Plaintiff
25 Clean Product Advocates LLC
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