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Superior Court of California,  
County of Los Angeles  
9/15/2025 2:45 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By P. Diaz, Deputy Clerk

5 Attorneys for Plaintiff  
6 Clean Product Advocates, LLC

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

10 Clean Product Advocates LLC, ) Case No. **25VECVO5241**  
11 )  
12 PLAINTIFF, ) COMPLAINT FOR PENALTY AND  
13 vs. ) INJUNCTION  
14 ) Violation of Proposition 65,  
15 Resurs LLC dba Uvelka; GFI LLC; ) the Safe Drinking Water and  
16 Global Importing Group; ) Toxic Enforcement Act of 1986  
17 Threeline Import, Inc.; RDM ) (Health & Safety Code Sections  
18 Express Inc.; Prime Food USA ) 25249.5, et. seq.)  
19 LLC; DOES 1 -100, )  
20 DEFENDANTS. ) ACTION IS AN UNLIMITED CIVIL  
21 ) CASE (exceeds \$25,000.00)  
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**INTRODUCTION**

1. This 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, Boil In Bag Wheat Groats (UPC 4607016247861); KOMnOTbE3XNONOT (UPC 4610082860216); Uvelka Buckwheat With Mushroom (UPC 4607016240527); Durum Wheat Elbow Pasta In Boiling Bag (UPC 4607016249827); Buckwheat With Vegetables In Tomato Sauce (UPC 4607016240510); and Uvelka nEPAOBAR kpyna PEARL BARLEY (UPC 4607016241104) ("Sources" or "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 chemical

1 known to cause cancer as early as on or about October 1, 1992,  
2 and as a chemical known to cause developmental/ reproductive  
3 toxicity as of 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)).  
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#### 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 Resurs LLC dba Uvelka ("Uvelka"), is a business  
24 Entity form unknown, that either manufactures and/or imports,  
25 and/or sells and/or distributes Products in Los Angeles County  
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1 and throughout the State of California, within the meaning of  
2 Health & Safety Code Section 25249.11.

3 7. Defendant GFI LLC ("GFI") is a business entity, form  
4 unknown, that either manufactures and/or imports, and/or sells  
5 and/or distributes Products in Los Angeles County and throughout  
6 the State of California, within the meaning of Health & Safety  
7 Code Section 25249.11.

8 8. Defendant Global Importing Group ("Global") is a business  
9 entity, form unknown, that either manufactures and/or imports,  
10 and/or sells and/or distributes Products in Los Angeles County  
11 and throughout the State of California, within the meaning of  
12 Health & Safety Code Section 25249.11.

13 9. Defendant Threeline Import, Inc. ("Threeline") is a  
14 business entity, form unknown, that either manufactures and/or  
15 imports, and/or sells and/or distributes Products in Los Angeles  
16 County and throughout the State of California, within the  
17 meaning of Health & Safety Code Section 25249.11.

18 10. Defendant RDM Express Inc. ("RDM") is a business  
19 entity, form unknown, that either manufactures and/or imports,  
20 and/or sells and/or distributes Products in Los Angeles County  
21 and throughout the State of California, within the meaning of  
22 Health & Safety Code Section 25249.11.

23 11. Defendant Prime Food USA LLC ("Prime") is a business  
24 entity, form unknown, that either manufactures and/or imports,  
25 and/or sells and/or distributes Products in Los Angeles County  
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1 and throughout the State of California, within the meaning of  
2 Health & Safety Code Section 25249.11.

3  
4 12. 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 13. Plaintiff is informed and believes and thereon alleges,  
16 that at all times alleged in this complaint, each defendant was  
17 the agent, alter ego, servant, joint venturer, joint employer  
18 and/or employee, of each of the remaining defendants, and in  
19 doing the things hereinafter alleged, was acting within the  
20 course and scope of said relationships and with the permission  
21 and consent of all other co-defendants. All conduct was also  
22 ratified by Defendants and each of them.  
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24 **JURISDICTION AND VENUE**

25 14. 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 does not  
4 give jurisdiction to any other Court. As such, this Court has  
5 jurisdiction over this action.

6 15. 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 16. 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 **FIRST CAUSE OF ACTION**

17 **(Violation of Proposition 65 - Against Defendants Uvelka,**  
18 **GFI, Global & Does 1 - 100**

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

22 18. 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 19. More than sixty days prior to the filing of this  
27 lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice

1 Of Violation dated February 10, 2025 ("Notice") as required by  
2 and in compliance with Proposition 65. Plaintiff also provided  
3 said Notice to the various required public enforcement agencies  
4 along with Certificates of Merit. The Notice alleged that  
5 Defendants violated Proposition 65 by failing to sufficiently  
6 warn consumers in California of the health hazards associated  
7 with exposure to LEAD contained in Boil In Bag Wheat Groats (UPC  
8 4607016247861).

9 20. The appropriate public enforcement agencies provided  
10 with the Notice failed to commence and diligently prosecute a  
11 cause of action against Defendants.

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

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

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

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

15 25. Individuals exposed to LEAD contained in  
16 Defendants' Product through direct ingestion resulting from  
17 reasonably foreseeable use of the Product 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.

22 26. Defendants are liable for a maximum civil penalty of  
23 \$2,500.00 per day for each violation of Proposition 65 pursuant  
24 to Health and Safety Code Section 252497(b). Injunctive relief  
25 is also appropriate pursuant to Health and Safety Code Section  
26 25249.7(a).



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

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10                    **SECOND CAUSE OF ACTION**

11                    **(Violation of Proposition 65 - Against Defendants Uvelka,**  
12 **GFI, Global, Threeline, RDM, Prime & Does 1 - 100**

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

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

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19        30. More than sixty days prior to the filing of this  
20 lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice  
21 Of Violation dated February 10, 2025 ("Notice") as required by  
22 and in compliance with Proposition 65. Plaintiff also provided  
23 said Notice to the various required public enforcement agencies  
24 along with Certificates of Merit. The Notice alleged that  
25 Defendants violated Proposition 65 by failing to sufficiently  
26 warn consumers in California of the health hazards associated  
27 with exposure to LEAD contained in KOMnOTbE3XNONOT ((UPC  
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4610082860216).

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

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

33. In manufacturing, and/or importing, and/or selling and/or distributing the above described Product, 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.

34. The Product described above exposed individuals to LEAD through direct ingestion of the product described above in this complaint. This exposure is a natural and foreseeable consequence of Defendants placing the Product into the stream of commerce. As such Defendants intend that consumers will ingest said Product, exposing them to LEAD.

35. Defendants knew or should have known that their

1 Product contained LEAD and exposed individuals to LEAD as  
2 described above in this complaint. The Notice described above in  
3 this complaint informed Defendants of the presence of LEAD in  
4 their product. Likewise, media coverage concerning LEAD related  
5 chemicals in consumer products provided "Constructive Notice" to  
6 Defendants. Defendants' actions, therefore, were deliberate and  
7 not accidental.

8         36. Individuals exposed to LEAD contained in  
9 Defendants' Product through direct ingestion resulting from  
10 reasonably foreseeable use of the Product have suffered and  
11 continue to suffer irreparable harm. There is no other plain,  
12 speedy or adequate remedy at law other than the relief requested  
13 in this complaint.

14         37. Defendants are liable for a maximum civil penalty of  
15 \$2,500.00 per day for each violation of Proposition 65 pursuant  
16 to Health and Safety Code Section 252497(b). Injunctive relief  
17 is also appropriate pursuant to Health and Safety Code Section  
18 25249.7(a).

19         38. Defendants knew or should have known that their  
20 Product contained LEAD and exposed individuals to LEAD as  
21 described above in this complaint. The Notice described above in  
22 this complaint informed Defendants of the presence of LEAD in  
23 their product. Likewise, media coverage concerning LEAD and  
24 related chemicals in consumer products provided "Constructive  
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1 Notice" to Defendants. Defendants' actions, therefore, were  
2 deliberate and not accidental.

3 **THIRD CAUSE OF ACTION**

4 **(Violation of Proposition 65 - Against Defendants Uvelka,**  
5 **GFI, Global & Does 1 - 100**

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

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

11  
12 41. More than sixty days prior to the filing of this  
13 lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice  
14 Of Violation dated February 10, 2025 ("Notice") as required by  
15 and in compliance with Proposition 65. Plaintiff also provided  
16 said Notice to the various required public enforcement agencies  
17 along with Certificates of Merit. The Notice alleged that  
18 Defendants violated Proposition 65 by failing to sufficiently  
19 warn consumers in California of the health hazards associated  
20 with exposure to LEAD contained in Uvelka Buckwheat With  
21 Mushroom ((UPC 4607016240527)).

22 42. The appropriate public enforcement agencies provided  
23 with the Notice failed to commence and diligently prosecute a  
24 cause of action against Defendants.

25 43. At all times relevant herein, Defendants manufactured  
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1 and/or imported and/or sold and/or distributed the above  
2 described Product, containing LEAD in violation of Health and  
3 Safety Code Sections 25249.6 et. seq. Plaintiff is informed and  
4 believes and thereon alleges that such violation has continued  
5 after receipt of the Notice described above and such conduct  
6 will continue to occur into the future.

7 44. In manufacturing, and/or importing, and/or selling  
8 and/or distributing the above described Product, Defendants  
9 failed to provide clear and reasonable warnings to consumers in  
10 the State of California who may be exposed to LEAD through  
11 reasonably foreseeable use of the Products.

12 45. The Product described above exposed individuals to LEAD  
13 through direct ingestion of the product described above in this  
14 complaint. This exposure is a natural and foreseeable  
15 consequence of Defendants placing the Product into the stream of  
16 commerce. As such Defendants intend that consumers will ingest  
17 said Product, exposing them to LEAD.

18 46. Defendants knew or should have known that their  
19 Product contained LEAD and exposed individuals to LEAD as  
20 described above in this complaint. The Notice described above in  
21 this complaint informed Defendants of the presence of LEAD in  
22 their product. Likewise, media coverage concerning LEAD related  
23 chemicals in consumer products provided "Constructive Notice" to  
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1 Defendants. Defendants' actions, therefore, were deliberate and  
2 not accidental.

3 47. Individuals exposed to LEAD contained in  
4 Defendants' Product through direct ingestion resulting from  
5 reasonably foreseeable use of the Product have suffered and  
6 continue to suffer irreparable harm. There is no other plain,  
7 speedy or adequate remedy at law other than the relief requested  
8 in this complaint.  
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10 48. Defendants are liable for a maximum civil penalty of  
11 \$2,500.00 per day for each violation of Proposition 65 pursuant  
12 to Health and Safety Code Section 252497(b). Injunctive relief  
13 is also appropriate pursuant to Health and Safety Code Section  
14 25249.7(a).

15 49. Defendants knew or should have known that their  
16 Product contained LEAD and exposed individuals to LEAD as  
17 described above in this complaint. The Notice described above in  
18 this complaint informed Defendants of the presence of LEAD in  
19 their product. Likewise, media coverage concerning LEAD and  
20 related chemicals in consumer products provided "Constructive  
21 Notice" to Defendants. Defendants' actions, therefore, were  
22 deliberate and not accidental.  
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**FOURTH CAUSE OF ACTION**

**(Violation of Proposition 65 - Against Defendants Uvelka, GFI, Global & Does 1 - 100)**

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

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

52. More than sixty days prior to the filing of this lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice Of Violation dated February 10, 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 Certificates of Merit. The Notice alleged that Defendants violated Proposition 65 by failing to sufficiently warn consumers in California of the health hazards associated with exposure to LEAD contained in Durum Wheat Elbow Pasta In Boiling Bag ((UPC 4607016249827)).

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

54. At all times relevant herein, Defendants manufactured and/or imported and/or sold and/or distributed the above described Product, containing LEAD in violation of Health and Safety Code Sections 25249.6 et. seq. Plaintiff is informed and

1 believes and thereon alleges that such violation has continued  
2 after receipt of the Notice described above and such conduct  
3 will continue to occur into the future.

4 55. In manufacturing, and/or importing, and/or selling  
5 and/or distributing the above described Product, Defendants  
6 failed to provide clear and reasonable warnings to consumers in  
7 the State of California who may be exposed to LEAD through  
8 reasonably foreseeable use of the Products.

9 56. The Product described above exposed individuals to LEAD  
10 through direct ingestion of the product described above in this  
11 complaint. This exposure is a natural and foreseeable  
12 consequence of Defendants placing the Product into the stream of  
13 commerce. As such Defendants intend that consumers will ingest  
14 said Product, exposing them to LEAD.

15 57. Defendants knew or should have known that their  
16 Product contained LEAD and exposed individuals to LEAD as  
17 described above in this complaint. The Notice described above in  
18 this complaint informed Defendants of the presence of LEAD in  
19 their product. Likewise, media coverage concerning LEAD related  
20 chemicals in consumer products provided "Constructive Notice" to  
21 Defendants. Defendants' actions, therefore, were deliberate and  
22 not accidental.

23 58. Individuals exposed to LEAD contained in Defendants'  
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1 Product through direct ingestion resulting from reasonably  
2 foreseeable use of the Product have suffered and continue to  
3 suffer irreparable harm. There is no other plain, speedy or  
4 adequate remedy at law other than the relief requested in this  
5 complaint.

6 59. Defendants are liable for a maximum civil penalty of  
7 \$2,500.00 per day for each violation of Proposition 65 pursuant  
8 to Health and Safety Code Section 252497(b). Injunctive relief  
9 is also appropriate pursuant to Health and Safety Code Section  
10 25249.7(a).

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12 60. Defendants knew or should have known that their  
13 Product contained LEAD and exposed individuals to LEAD as  
14 described above in this complaint. The Notice described above in  
15 this complaint informed Defendants of the presence of LEAD in  
16 their product. Likewise, media coverage concerning LEAD and  
17 related chemicals in consumer products provided "Constructive  
18 Notice" to Defendants. Defendants' actions, therefore, were  
19 deliberate and not accidental.  
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21 **FIFTH CAUSE OF ACTION**

22 **(Violation of Proposition 65 - Against Defendants Uvelka,**  
23 **GFI, Global & Does 1 - 100**

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

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

3         63. More than sixty days prior to the filing of this  
4 lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice  
5 Of Violation dated February 10, 2025 ("Notice") as required by  
6 and in compliance with Proposition 65. Plaintiff also provided  
7 said Notice to the various required public enforcement agencies  
8 along with Certificates of Merit. The Notice alleged that  
9 Defendants violated Proposition 65 by failing to sufficiently  
10 warn consumers in California of the health hazards associated  
11 with exposure to LEAD contained in Buckwheat With Vegetables In  
12 Tomato Sauce ((UPC 4607016240510)).

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

16         65. At all times relevant herein, Defendants manufactured  
17 and/or imported and/or sold and/or distributed the above  
18 described Product, containing LEAD in violation of Health and  
19 Safety Code Sections 25249.6 et. seq. Plaintiff is informed and  
20 believes and thereon alleges that such violation has continued  
21 after receipt of the Notice described above and such conduct  
22 will continue to occur into the future.

23         66. In manufacturing, and/or importing, and/or selling  
24 and/or distributing the above described Product, Defendants  
25 failed to provide clear and reasonable warnings to consumers in  
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1 the State of California who may be exposed to LEAD through  
2 reasonably foreseeable use of the Products.

3 67. The Product described above exposed individuals to LEAD  
4 through direct ingestion of the product described above in this  
5 complaint. This exposure is a natural and foreseeable  
6 consequence of Defendants placing the Product into the stream of  
7 commerce. As such Defendants intend that consumers will ingest  
8 said Product, exposing them to LEAD.

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10 68. Defendants knew or should have known that their  
11 Product contained LEAD and exposed individuals to LEAD as  
12 described above in this complaint. The Notice described above in  
13 this complaint informed Defendants of the presence of LEAD in  
14 their product. Likewise, media coverage concerning LEAD related  
15 chemicals in consumer products provided "Constructive Notice" to  
16 Defendants. Defendants' actions, therefore, were deliberate and  
17 not accidental.

18  
19 69. Individuals exposed to LEAD contained in Defendants'  
20 Product through direct ingestion resulting from reasonably  
21 foreseeable use of the Product have suffered and continue to  
22 suffer irreparable harm. There is no other plain, speedy or  
23 adequate remedy at law other than the relief requested in this  
24 complaint.

25 70. Defendants are liable for a maximum civil penalty of  
26 \$2,500.00 per day for each violation of Proposition 65 pursuant  
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1 to Health and Safety Code Section 252497(b). Injunctive relief  
2 is also appropriate pursuant to Health and Safety Code Section  
3 25249.7(a).

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

14 **(Violation of Proposition 65 - Against Defendants Uvelka,**  
15 **GFI, Threeline, RDM, Prime & Does 1 - 100**

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

18 73. Proposition 65 mandates that California citizens be  
19 informed about exposures to chemicals that cause cancer, birth  
20 defects, and other reproductive harm.  
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22 74. More than sixty days prior to the filing of this  
23 lawsuit naming each Defendant, Plaintiff issued a 60-Day Notice  
24 Of Violation dated February 10, 2025 ("Notice") as required by  
25 and in compliance with Proposition 65. Plaintiff also provided  
26 said Notice to the various required public enforcement agencies  
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1 along with Certificates of Merit. The Notice alleged that  
2 Defendants violated Proposition 65 by failing to sufficiently  
3 warn consumers in California of the health hazards associated  
4 with exposure to LEAD contained in Uvelka nEPAOBAR kpyna PEARL  
5 BARLEY ((UPC 4607016241104)).

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

9 76. 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 77. In manufacturing, and/or importing, and/or selling  
17 and/or distributing the above described Product, Defendants  
18 failed to provide clear and reasonable warnings to consumers in  
19 the State of California who may be exposed to LEAD through  
20 reasonably foreseeable use of the Products.

21 78. The Product described above exposed individuals to LEAD  
22 through direct ingestion of the product described above in this  
23 complaint. This exposure is a natural and foreseeable  
24 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 79. 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 in  
6 this complaint informed Defendants of the presence of LEAD in  
7 their product. Likewise, media coverage concerning LEAD related  
8 chemicals in consumer products provided "Constructive Notice" to  
9 Defendants. Defendants' actions, therefore, were deliberate and  
10 not accidental.  
11

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

19 81. 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).  
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25 82. Defendants knew or should have known that their  
26 Product contained LEAD and exposed individuals to LEAD as  
27 described above in this complaint. The Notice described above in  
28

1 this complaint informed Defendants of the presence of LEAD in  
2 their product. Likewise, media coverage concerning LEAD and  
3 related chemicals in consumer products provided "Constructive  
4 Notice" to Defendants. Defendants' actions, therefore, were  
5 deliberate and not accidental.

6 **PRAYER FOR RELIEF**

7 Wherefore, Plaintiff prays for judgment against Defendants,  
8 and each of them, as follows:

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

11 2. A preliminary and permanent injunction against  
12 Defendants from manufacturing, and/or importing, and/or selling  
13 and/or distributing Products in California without providing a  
14 clear and reasonable warning as required by Proposition 65 and  
15 related regulations;  
16

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

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

19 5. Such other and further relief as may be just and proper.  
20

21 Respectfully Submitted:

22 Dated: September 15, 2025 CLIFFWOOD LAW FIRM,

23  
24 By: Elham Shabatian  
25 Elham Shabatian  
26 Attorney for Plaintiff  
27 Clean Product Advocates LLC  
28