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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.

EVRIHOLDER PRODUCTS, LLC, an
Indiana Limited Liability Company;
THE TJX COMPANIES, INC., a Delaware
Corporation;
HAPPILY GREY, LLC, a Tennessee Limited
Liability Company;
and DOES 1-30,

Defendants.

CASE NO. **25STCV35114**

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 \$35,000)

Plaintiff CONSUMER ADVOCACY GROUP, INC. alleges three causes of action
against defendants EVRIHOLDER PRODUCTS, LLC, THE TJX COMPANIES, INC.,
HAPPILY GREY, LLC and DOES 1-30 as follows:

THE PARTIES

1. Plaintiff CONSUMER ADVOCACY GROUP, INC. (“Plaintiff” or “CAG”) is an organization qualified to do business in the State of California. CAG is a person within the meaning of Health and Safety Code Section 25249.11, subdivision (a). CAG, acting as a private attorney general, brings this action in the public interest as defined under Health and Safety Code Section 25249.7, subdivision (d).
2. Defendant EVRIHOLDER PRODUCTS, LLC (“EVRIHOLDER”) is an Indiana Limited Liability Company, qualified to do business in California and doing business in the State of California at all relevant times.
3. Defendant THE TJX COMPANIES, INC. (“TJX”) is a Delaware Corporation, qualified to do business in Delaware and doing business in the State of California at all relevant times herein.
4. Defendant HAPPILY GREY, LLC (“HAPPILY GREY”) is a Tennessee Limited Liability Company, qualified to do business in Tennessee and doing business in the State of California at all relevant times herein.
5. Plaintiff is presently unaware of the true names and capacities of defendants DOES 1-30, and therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to allege their true names and capacities when ascertained. Plaintiff is informed, believes, and thereon alleges that each fictitiously named defendant is responsible in some manner for the occurrences herein alleged and the damages caused thereby.
6. At all times mentioned herein, the term “Defendants” includes EVRIHOLDER, TJX, HAPPILY GREY, and DOES 1-30.

- 1 7. Plaintiff is informed and believes, and thereon alleges that each of the Defendants at all
2 times mentioned herein have conducted business within the State of California.
- 3 8. Upon information and belief, at all times relevant to this action, each of the Defendants,
4 including DOES 1-30, was an agent, servant, or employee of each of the other
5 Defendants. In conducting the activities alleged in this Complaint, each of the
6 Defendants was acting within the course and scope of this agency, service, or
7 employment, and was acting with the consent, permission, and authorization of each of
8 the other Defendants. All actions of each of the Defendants alleged in this Complaint
9 were ratified and approved by every other Defendant or their officers or managing
10 agents. Alternatively, each of the Defendants aided, conspired with and/or facilitated the
11 alleged wrongful conduct of each of the other Defendants.
- 12 9. Plaintiff is informed, believes, and thereon alleges that at all relevant times, each of the
13 Defendants was a person doing business within the meaning of Health and Safety Code
14 Section 25249.11, subdivision (b), and that each of the Defendants had ten (10) or more
15 employees at all relevant times.

14 **JURISDICTION**

- 15 **10.** The Court has jurisdiction over this lawsuit pursuant to California Constitution Article
16 VI, Section 10, which grants the Superior Court original jurisdiction in all causes except
17 those given by statute to other trial courts. This Court has jurisdiction over this action
18 pursuant to Health and Safety Code Section 25249.7, which allows enforcement of
19 violations of Proposition 65 in any Court of competent jurisdiction.
- 20 **11.** This Court has jurisdiction over Defendants named herein because Defendants either
21 reside or are located in this State or are foreign corporations authorized to do business in
22 California, are registered with the California Secretary of State, or who do sufficient

1 business in California, have sufficient minimum contacts with California, or otherwise
2 intentionally avail themselves of the markets within California through their
3 manufacture, distribution, promotion, marketing, or sale of their products within
4 California to render the exercise of jurisdiction by the California courts permissible
5 under traditional notions of fair play and substantial justice.

- 6 **12.** Venue is proper in the County of Los Angeles because one or more of the instances of
7 wrongful conduct occurred, and continues to occur, in the County of Los Angeles and/or
8 because Defendants conducted, and continue to conduct, business in the County of Los
9 Angeles with respect to the consumer product that is the subject of this action.

10 **BACKGROUND AND PRELIMINARY FACTS**

- 11 13. In 1986, California voters approved an initiative to address growing concerns about
12 exposure to toxic chemicals and declared their right “[t]o be informed about exposures to
13 chemicals that cause cancer, birth defects, or other reproductive harm.” Ballot Pamp.,
14 Proposed Law, Gen. Elec. (Nov. 4, 1986) at p. 3. The initiative, The Safe Drinking
15 Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code Sections
16 25249.5, *et seq.* (“Proposition 65”), helps to protect California’s drinking water sources
17 from contamination, to allow consumers to make informed choices about the products
18 they buy, and to enable persons to protect themselves from toxic chemicals as they see
19 fit.
- 20 14. Proposition 65 requires the Governor of California to publish a list of chemicals known
21 to the state to cause cancer, birth defects, or other reproductive harm. *Health & Safety*
22 *Code* § 25249.8. The list, which the Governor updates at least once a year, contains over
700 chemicals and chemical families. Proposition 65 imposes warning requirements and
other controls that apply to Proposition 65-listed chemicals.

- 1 15. All businesses with ten (10) or more employees that operate or sell products in California
2 must comply with Proposition 65. Under Proposition 65, businesses are: (1) prohibited
3 from knowingly discharging Proposition 65-listed chemicals into sources of drinking
4 water (*Health & Safety Code* § 25249.5), and (2) required to provide “clear and
5 reasonable” warnings before exposing a person, knowingly and intentionally, to a
6 Proposition 65-listed chemical (*Health & Safety Code* § 25249.6).
- 7 16. Proposition 65 provides that any person "violating or threatening to violate" the statute
8 may be enjoined in any court of competent jurisdiction. *Health & Safety Code* §
9 25249.7. "Threaten to violate" means "to create a condition in which there is a
10 substantial probability that a violation will occur." *Health & Safety Code* § 25249.11(e).
11 Defendants are also liable for civil penalties of up to \$2,500.00 per day per violation,
12 recoverable in a civil action. *Health & Safety Code* § 25249.7(b).
- 13 17. Plaintiff identified certain practices of manufacturers and distributors of Plastic Exercise
14 Balls and Travel Bags of exposing, knowingly and intentionally, persons in California to
15 Diethyl Hexyl Phthalate and Di (2-ethylhexyl) Phthalate, and Di-n-butyl Phthalate of
16 such products without first providing clear and reasonable warnings of such to the
17 exposed persons prior to the time of exposure. Plaintiff later discerned that Defendants
18 engaged in such practice.
- 19 18. On January 1, 1988, the Governor of California added Diethyl Hexyl Phthalate and Di
20 (2-ethylhexyl) phthalate (“DEHP”) to the list of chemicals known to the State to cause
21 cancer, (Cal. Code Regs. tit. 27, § 27001(b)) and on October 24, 2003, the Governor
22 added DEHP to the list of chemicals known to the State to cause developmental male
reproductive toxicity (Cal. Code Regs. tit. 27, § 27001(c)). Pursuant to Health and
Safety Code sections 25249.9 and 25249.10, twenty (20) months after addition of DEHP

1 to the list of chemicals known to the State to cause reproductive toxicity, DEHP became
2 fully subject to Proposition 65 warning requirements and discharge prohibitions.

3 19. On December 2, 2005, the Governor of California added Di-n-butyl Phthalate (“DBP”)
4 to the list of chemicals known to the State to cause developmental, and reproductive
5 toxicity (*Cal. Code Regs.* tit. 27, § 27001(c)). DBP is known to the State to cause
6 developmental, female, and male reproductive toxicity. Pursuant to Health and Safety
7 Code Sections 25249.9 and 25249.10, twenty (20) months after addition of DBP to the
8 list of chemicals known to the State to cause reproductive toxicity, DBP became fully
9 subject to Proposition 65 warning requirements and discharge prohibitions.

10 **SATISFACTION OF PRIOR NOTICE**

11 20. Plaintiff served the following notices for alleged violations of Health and Safety Code
12 Section 25249.6, concerning consumer products exposures:

- 13 a. On or about April 25, 2025, Plaintiff gave notice of alleged violations of Health
14 and Safety Code Section 25249.6, concerning consumer products exposures
15 subject to a private action to EVRIHOLDER, TJX and to the California
16 Attorney General, County District Attorneys, and City Attorneys for each city
17 containing a population of at least 750,000 people in whose jurisdictions the
18 violations allegedly occurred, concerning the Plastic Exercise Balls.
- 19 b. On or about May 2, 2025, Plaintiff gave notice of alleged violations of Health
20 and Safety Code Section 25249.6, concerning consumer products exposures
21 subject to a private action to EVRIHOLDER, TJX and to the California
22 Attorney General, County District Attorneys, and City Attorneys for each city
containing a population of at least 750,000 people in whose jurisdictions the
violations allegedly occurred, concerning the Plastic Exercise Balls.

- 1 c. On or about June 9, 2025, Plaintiff gave notice of alleged violations of Health
2 and Safety Code Section 25249.6, concerning consumer products exposures
3 subject to a private action to TJX, HAPPILY GREY and to the California
4 Attorney General, County District Attorneys, and City Attorneys for each city
5 containing a population of at least 750,000 people in whose jurisdictions the
6 violations allegedly occurred, concerning the Travel Bags.
- 7 d. On or about June 16, 2025, Plaintiff gave notice of alleged violations of Health
8 and Safety Code Section 25249.6, concerning consumer products exposures
9 subject to a private action to TJX, HAPPILY GREY and to the California
10 Attorney General, County District Attorneys, and City Attorneys for each city
11 containing a population of at least 750,000 people in whose jurisdictions the
12 violations allegedly occurred, concerning the Travel Bags.
- 13 e. On or about June 26, 2025, Plaintiff gave notice of alleged violations of Health
14 and Safety Code Section 25249.6, concerning consumer products exposures
15 subject to a private action to TJX and to the California Attorney General,
16 County District Attorneys, and City Attorneys for each city containing a
17 population of at least 750,000 people in whose jurisdictions the violations
18 allegedly occurred, concerning the Travel Bags.
- 19 f. On or about July 3, 2025, Plaintiff gave notice of alleged violations of Health
20 and Safety Code Section 25249.6, concerning consumer products exposures
21 subject to a private action to TJX and to the California Attorney General,
22 County District Attorneys, and City Attorneys for each city containing a
population of at least 750,000 people in whose jurisdictions the violations
allegedly occurred, concerning the Travel Bags.

1 21. Before sending the notice of alleged violations, Plaintiff investigated the consumer
2 products involved, the likelihood that such products would cause users to suffer
3 significant exposures to DEHP and DBP, and the corporate structure of each of the
4 Defendants.

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

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

17 24. Plaintiff is commencing this action more than sixty (60) days from the dates that Plaintiff
18 gave notice of the alleged violations to EVRIHOLDER, TJX, HAPPILY GREY, and the
19 public prosecutors referenced in Paragraph 20.

20 25. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor
21 any applicable district attorney or city attorney has commenced and is diligently
22 prosecuting an action against the Defendants.

FIRST CAUSE OF ACTION
**(By CONSUMER ADVOCACY GROUP, INC. and against TJX, EVRIHOLDER
and DOES 1-10 for Violations of Proposition 65, The Safe Drinking Water and
Toxic Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

Exercise Equipment

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

27. Each of the Defendants is, and at all times mentioned herein was, a manufacturer, distributor, promoter, or retailer of Plastic Exercise Balls (“Exercise Balls”) including but not limited to: “EVRIFIT”; “Exercise Ball”; “Pump Included”; “MADE IN CHINA”; “UPC: 714415428495”.

28. Exercise Balls contain DBP.

29. Defendants knew or should have known that DBP has been identified by the State of California as a chemical known to cause reproductive toxicity and developmental toxicity and therefore was subject to Proposition 65 warning requirements. Defendants were also informed of the presence of DBP in Exercise Balls within Plaintiff’s notice of alleged violations further discussed above at Paragraph 20a and 20b.

30. Plaintiff’s allegations regarding Exercise Balls concerns “[c]onsumer products exposure[s],” which “is an exposure that results from a person’s acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or any exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, § 25602(b). Exercise Balls are consumer products, and, as mentioned herein, exposures to DBP took place as a result of such normal and foreseeable consumption and use.

31. Plaintiff is informed, believes, and thereon alleges that between April 25, 2022 and the present, each of the Defendants knowingly and intentionally exposed California consumers and users of Exercise Balls, which Defendants manufactured, distributed, or

1 sold as mentioned above, to DBP, without first providing any type of clear and
2 reasonable warning of such to the exposed persons before the time of exposure.

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

14 32. The principal routes of exposure are through dermal contact, ingestion and inhalation.

15 Persons sustain exposures by handling Exercise Balls without wearing gloves or any
16 other personal protective equipment, or by touching bare skin or mucous membranes
17 with gloves after handling Exercise Balls, as well as through direct and indirect hand to
18 mouth contact, hand to mucous membrane, or breathing in particulate matter dispersed
19 from Exercise Balls.

20 33. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
21 Proposition 65 as to Exercise Balls have been ongoing and continuous, as Defendants
22 engaged and continue to engage in conduct which violates Health and Safety Code
Section 25249.6, including the manufacture, distribution, promotion, and sale of

Exercise Balls, so that a separate and distinct violation of Proposition 65 occurred each and every time a person was exposed to DBP by Exercise Balls as mentioned herein.

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

35. Based on the allegations herein, Defendants are liable for civil penalties of up to \$2,500.00 per day per individual exposure to DBP from Exercise Balls, pursuant to Health and Safety Code Section 25249.7(b).

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

SECOND CAUSE OF ACTION

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

Bags

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

38. Each of the Defendants is, and at all times mentioned herein was, a manufacturer, distributor, promoter, or retailer of Travel Bags ("Travel Bags I") includes but is not limited to: "Happily Grey"; "Crewneck and Pink Short"; "Sock"; "Travel Bag"; "Size Small".

39. Travel Bags I contain DEHP.

40. Defendants knew or should have known that DEHP has been identified by the State of California as a chemical known to cause cancer, reproductive toxicity, and developmental toxicity and therefore was subject to Proposition 65 warning requirements. Defendants were also informed of the presence of DEHP in Travel Bags I

1 within Plaintiff's notice of alleged violations further discussed above at Paragraph 20c
2 and 20d.

3 41. Plaintiff's allegations regarding Travel Bags I concerns "[c]onsumer products
4 exposure[s]," which "is an exposure that results from a person's acquisition, purchase,
5 storage, consumption, or other reasonably foreseeable use of a consumer good, or any
6 exposure that results from receiving a consumer service." *Cal. Code Regs. tit. 27, §*
7 *25602(b)*. Travel Bags I are consumer products, and, as mentioned herein, exposures to
8 DEHP took place as a result of such normal and foreseeable consumption and use.

9 42. Plaintiff is informed, believes, and thereon alleges that between June 9, 2022 and the
10 present, each of the Defendants knowingly and intentionally exposed California
11 consumers and users of Travel Bags I, which Defendants manufactured, distributed, or
12 sold as mentioned above, to DEHP, without first providing any type of clear and
13 reasonable warning of such to the exposed persons before the time of exposure.
14 Defendants have distributed and sold Travel Bags I in California. Defendants know and
15 intend that California consumers will use and consume Travel Bags I, thereby exposing
16 them to DEHP. Further, Plaintiff is informed, believes, and thereon alleges that
17 Defendants are selling Travel Bags I under a brand or trademark that is owned or
18 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced
19 DEHP into Travel Bags I or knowingly caused DEHP to be created in Travel Bags I;
20 have covered, obscured or altered a warning label that has been affixed to Travel Bags I
21 by the manufacturer, producer, packager, importer, supplier or distributor of Travel Bags
22 I; have received a notice and warning materials for exposure from Travel Bags I without
conspicuously posting or displaying the warning materials; and/or have actual

1 knowledge of potential exposure to DEHP from Travel Bags I. Defendants thereby
2 violated Proposition 65.

3 43. The principal routes of exposure are through dermal contact, ingestion and inhalation.

4 Persons sustain exposures by handling Travel Bags I without wearing gloves or any other
5 personal protective equipment, or by touching bare skin or mucous membranes with
6 gloves after handling Travel Bags I, as well as through direct and indirect hand to mouth
7 contact, hand to mucous membrane, or breathing in particulate matter dispersed from
8 Travel Bags I.

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

15 45. 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 46. 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 Travel Bags I, pursuant to
20 Health and Safety Code Section 25249.7(b).

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

THIRD CAUSE OF ACTION
**(By CONSUMER ADVOCACY GROUP, INC. and against TJX and DOES 21-30
for Violations of Proposition 65, The Safe Drinking Water and Toxic Enforcement
Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*))**

Travel Accessories

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

49. Each of the Defendants is, and at all times mentioned herein was, a manufacturer, distributor, promoter, or retailer of Travel Bags (“Travel Bags II”) includes but is not limited to: "Violet Skye"; "Crewneck + Fleece Short + Scrunchie + Travel Bag"; "70-3780-179408- 001999-12-1".

50. Travel Bags II contain DEHP.

51. Defendants knew or should have known that DEHP has been identified by the State of California as a chemical known to cause cancer, reproductive toxicity, and developmental toxicity and therefore was subject to Proposition 65 warning requirements. Defendants were also informed of the presence of DEHP in Travel Bags II within Plaintiff's notice of alleged violations further discussed above at Paragraph 20e and 20f.

52. Plaintiff's allegations regarding Travel Bags II concerns “[c]onsumer products exposure[s],” which “is an exposure that results from a person’s acquisition, purchase, storage, consumption, or other reasonably foreseeable use of a consumer good, or any exposure that results from receiving a consumer service.” *Cal. Code Regs.* tit. 27, § 25602(b). Travel Bags II are consumer products, and, as mentioned herein, exposures to DEHP took place as a result of such normal and foreseeable consumption and use.

53. Plaintiff is informed, believes, and thereon alleges that between June 26, 2022 and the present, each of the Defendants knowingly and intentionally exposed California

1 consumers and users of Travel Bags II, which Defendants manufactured, distributed, or
2 sold as mentioned above, to DEHP, without first providing any type of clear and
3 reasonable warning of such to the exposed persons before the time of exposure.

4 Defendants have distributed and sold Travel Bags II in California. Defendants know and
5 intend that California consumers will use and consume Travel Bags II, thereby exposing
6 them to DEHP. Further, Plaintiff is informed, believes, and thereon alleges that
7 Defendants are selling Travel Bags II under a brand or trademark that is owned or
8 licensed by the Defendants or an entity affiliated thereto; have knowingly introduced
9 DEHP into Travel Bags II or knowingly caused DEHP to be created in Travel Bags II;
10 have covered, obscured or altered a warning label that has been affixed to Travel Bags II
11 by the manufacturer, producer, packager, importer, supplier or distributor of Travel Bags
12 II; have received a notice and warning materials for exposure from Travel Bags II
13 without conspicuously posting or displaying the warning materials; and/or have actual
14 knowledge of potential exposure to DEHP from Travel Bags II. Defendants thereby
15 violated Proposition 65.

16 54. The principal routes of exposure are through dermal contact, ingestion and inhalation.

17 Persons sustain exposures by handling Travel Bags II without wearing gloves or any
18 other personal protective equipment, or by touching bare skin or mucous membranes
19 with gloves after handling Travel Bags II, as well as through direct and indirect hand to
20 mouth contact, hand to mucous membrane, or breathing in particulate matter dispersed
21 from Travel Bags II.

22 55. Plaintiff is informed, believes, and thereon alleges that each of Defendants' violations of
Proposition 65 as to Travel Bags II have been ongoing and continuous, as Defendants
engaged and continue to engage in conduct which violates Health and Safety Code

Section 25249.6, including the manufacture, distribution, promotion, and sale of Travel Bags II, so that a separate and distinct violation of Proposition 65 occurred each and every time a person was exposed to DEHP by Travel Bags II as mentioned herein.

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

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

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

PRAYER FOR RELIEF

Plaintiff demands against each of the Defendants as follows:

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

Dated: December 2, 2025

YEROUSHALMI & YEROUSHALMI*

/s/ Reuben Yeroushalmi

Reuben Yeroushalmi
Attorneys for Plaintiff,
CONSUMER ADVOCACY GROUP, INC.