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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF SAN FRANCISCO

CGC-25-630151

14 UNLIMITED CIVIL JURISDICTION

16 JAY EPPS,

17 Plaintiff,

18 v.

19 TRANSFORM SR BRANDS LLC;
20 TRANSFORM HOLDCO LLC,

21 Defendant.

Case No. _____

**COMPLAINT FOR CIVIL PENALTIES
AND INJUNCTIVE RELIEF**

(Health & Safety Code §25249.5 *et seq.*)

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

10/15/2025
Clerk of the Court
BY: WILMA CORRALES
Deputy Clerk

1 **NATURE OF THE ACTION**

2 1. This Complaint is a representative action brought by plaintiff Jay Epps in the
3 public interest of the citizens of the State of California to enforce the People's right to be
4 informed of the health hazards caused by exposures to lead, a toxic chemical found in soldering
5 wire (the Products). The Products are repackaged, produced, stored, distributed, shipped and/or
6 sold online (sold) to California citizens by defendants Transform SR Brands LLC and Transform
7 Holdco LLC (collectively, TRANSFORM or defendant)..

8 2. By this Complaint, plaintiff seeks to remedy defendant's continuing failure to warn
9 consumers and businesses not covered by California's Occupational Safety Health Act, Labor
10 Code §§6300 *et seq.* about the risks of exposure to lead present in the Products that are
11 manufactured, distributed, and/or offered for online sale for use by citizens in the State of
12 California. Individuals, consumers and businesses not covered by California's Occupational
13 Safety Health Act, Labor Code §§6300 *et seq.* who purchase and/or use the Products are referred
14 to hereinafter as "consumers."

15 3. Defendant has actual knowledge of the lead contents of the Products which were
16 and do continue to be offered for purchase and/or transacted through its sears.com and kmart.com
17 websites (websites).

18 4. Under the Safe Drinking Water and Toxic Enforcement Act of 1986, codified at
19 Health & Safety Code §§25249.6 *et seq.* (Proposition 65), "[n]o person in the course of doing
20 business shall knowingly and intentionally expose any individual to a chemical known to the state
21 to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such
22 individual..." Health & Safety Code §25249.6.

23 5. Pursuant to Proposition 65, on February 27, 1987, California identified and listed
24 lead as a chemical known to cause birth defects and other reproductive harm. Lead became
25 subject to the "clear and reasonable warning" requirements of the act one year later on February
26 27, 1988. 27 Cal. Code Regs. §27001(b); Health & Safety Code §25249.8 and §25249.10(b).

6. Defendant imports, distributes, facilitates and/or otherwise offers for sale the Products without the mandated health hazard warning in California. Examples of the Products are: (i) HengTianMei Tin Lead 63/37 Rosin Core Low Temp Solder Wire For Electronics Components and DIY repair 0.8mm 50g, Item # SPM16438271024, (ii) Mandala Crafts Rosin Core Solder Wire with 60-40 Tin Lead, 0.8mm 50g, Item # SPM10070445802, (iii) SONEAK 60/40 Tin Lead Solder with Rosin Core For Electrical Soldering 1.0mm 50g, Item # SPM16420126124, and (iv) Maiyum 63-37 Tin Lead Rosin Core Solder Wire for Electrical Soldering 0.8mm 50g, Item # SPM16393338524.

7. Defendant's failure to warn consumers and other individuals in California of the reproductive hazards associated with exposures to lead in conjunction with each online sale of the Products are violations of Proposition 65 which subject defendant to be enjoined of such conduct as well as civil penalties assessed for each violation. Health & Safety Code §25249.7(a) and (b)(1).

8. For defendant's violations and threatened (i.e., continuing) violations of Proposition 65, plaintiff seeks preliminary and permanent injunctive relief to compel defendant to provide purchasers of the Products with the required warning regarding specific health hazards associated with exposures to lead prior to the sale. Health & Safety Code §25249.7(a).

9. Pursuant to Health & Safety Code §25249.7(b), plaintiff also seeks civil penalties against defendant for its violations of Proposition 65, dating back as far as October 15, 2021.

PARTIES

10. Plaintiff Jay Epps is a citizen of the State of California who is dedicated to protecting the health of California citizens through the elimination or reduction of toxic exposures from consumer products, and he brings this action in the public interest pursuant to Health & Safety Code §25249.7(d).

11. TRANSFORM is person in the course of doing business within the meaning of Health & Safety Code §§25249.6 and 25249.11.

12. TRANSFORM imports, distributes, sells, facilitates, and/or offers the Products for sale online or use in the State of California, or implies by its conduct that it imports, distributes, facilitates for sale, sells, and/or offers the Products for sale online or use in the State of California. One or more of the Products offered for sale by TRANSFORM were or likely to have been supplied to it by entities that are not subject to enforcement under Proposition 65 because: (i) they have fewer than ten employees during all relevant periods; and/or (ii) do not have an agent for process of service in California.

VENUE AND JURISDICTION

13. Venue is proper in the Superior Court for the County of San Francisco pursuant to Code of Civil Procedure §§393, 395, and 395.5, because this Court is a court of competent jurisdiction, because plaintiff seeks civil penalties against defendant, one or more instances of wrongful conduct occurred, and continue to occur, in this county, and/or defendant conducted, and continue to conduct business in San Francisco.

14. The California Superior Court has jurisdiction over this action pursuant to California Constitution Article VI, section 10, which grants the Superior Court “original jurisdiction in all causes except those given by statute to other trial courts.” The statute under which this action is brought does not specify any other basis of subject matter jurisdiction.

15. The California Superior Court has jurisdiction over defendant based on plaintiff’s information and good faith belief that defendant is a person, firm, corporation has a principal office or association that is a citizen of the State of California, has sufficient minimum contacts in the State of California, and/or otherwise purposefully avails itself of the California market. defendant’s purposeful availment renders the exercise of personal jurisdiction (specific, limited or both) by California courts consistent with traditional notions of fair play and substantial justice.

FIRST CAUSE OF ACTION

(Violation of Proposition 65)

16. Plaintiff realleges and incorporates by reference, as if fully set forth herein, Paragraphs 1 through 15 inclusive.

1 17. In enacting Proposition 65, in the preamble to the Safe Drinking Water and Toxic
2 Enforcement Act of 1986, the People of California expressly declared their right “[t]o be informed
3 about exposures to chemicals that cause cancer, birth defects, or other reproductive harm.”

4 18. Proposition 65 states, “[n]o person in the course of doing business shall knowingly
5 and intentionally expose any individual to a chemical known to the state to cause cancer or
6 reproductive toxicity without first giving clear and reasonable warning to such individual...”
7 Health & Safety Code §25249.6.

8 19. On May 29, 2025, plaintiff served a 60-Day Notice of Violation (May Notice),
9 together with the requisite certificate of merit, on TRANSFORM, the California Attorney
10 General’s Office, and the requisite public enforcement agencies alleging that, as a result of
11 defendant’s sales of soldering wires, consumers in California were and likely continue to be
12 exposed to lead from the reasonably foreseeable use of the Products, without them first receiving a
13 “clear and reasonable warning” at the time of their online purchase of the soldering wire regarding
14 the reproductive and developmental harms associated with such exposures, as required by
15 Proposition 65.

16 20. To ensure that TRANSFORM was notified that the allegations included both
17 sears.com and kmart.com, on June 20, 2025, plaintiff served a 60-Day Notice of Violation (June
18 Notice), together with the requisite certificate of merit, on TRANSFORM, the California Attorney
19 General’s Office, and the requisite public enforcement agencies alleging that, as a result of
20 defendant’s sales of soldering wires, consumers in California were and likely continue to be
21 exposed to lead from the reasonably foreseeable use of the Products, without them first receiving a
22 “clear and reasonable warning” at the time of their online purchase of the soldering wire on
23 sears.com and kmart.com regarding the reproductive and developmental harms associated with
24 such exposures, as required by Proposition 65. The May Notice and the June Notice are
25 collectively referred to as the “Notices.”

26 21. Defendant imported, distributed, facilitated for sale, sold, and/or offered the
27 Products for sale or use on its websites in violation of Health & Safety Code §25249.6, as far back
28

1 as October 15, 2021 (relevant period). Defendant's violations likely have continued beyond its
2 receipt of the Notices. As such, defendant's violations are allegedly ongoing and, unless enjoined,
3 will continue to occur.

4 22. After receiving the Notices, no public enforcement agency has commenced and
5 diligently prosecuted a cause of action against defendant under Proposition 65 to enforce the
6 alleged violations that are the subject of plaintiff's sixty-day letters dated May 29, 2025 and June
7 20, 2025.

8 23. The Products that defendant imports, distributes, or offers for sale throughout the
9 State of California cause exposures to lead as a result of the reasonably foreseeable use of the
10 Products. Such exposures caused by defendant and endured by consumers in California who
11 purchase, use the Products are not exempt from the "clear and reasonable" warning requirements
12 of Proposition 65, yet defendant does not provide compliant warnings for the reproductive toxicity
13 of lead on its websites in a clear and conspicuous manner, if at all.

14 24. Defendant has actual knowledge that the Products contain lead.

15 25. Lead is present in or on the Products in such a way as to expose consumers through
16 dermal contact, ingestion and/or inhalation during reasonably foreseeable use.

17 26. The normal and reasonably foreseeable use of the Products has caused, and
18 continues to cause, consumer product exposures to lead as defined by 27 California Code of
19 Regulations §25600.1(e) and other types of exposures set forth in the Notices.

20 27. Defendant knows that the normal and reasonably foreseeable use of the Products
21 exposes individuals to lead through dermal contact, ingestion and/or inhalation.

22 28. Defendant intends that exposures to lead from the reasonably foreseeable use of the
23 Products will occur by its deliberate, non-accidental participation in the importation, distribution,
24 sale, and offering of the Products for online sale or use to consumers and others in California.

25 29. Defendant failed to provide a "clear and reasonable warning" on its websites to
26 those consumers and other citizens in California who have been, or who will be, exposed to lead
27 through dermal contact, ingestion and/or inhalation resulting from their use of the Products.
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30. Contrary to the express policy and statutory prohibition of Proposition 65 enacted directly by California voters, consumers exposed to lead as a result of their use of the Products that defendant sold without a “clear and reasonable” health hazard warning, have suffered, and continue to suffer, irreparable harm for which they have no plain, speedy, or adequate remedy at law.

31. Pursuant to Health & Safety Code §25249.7(b), as a consequence of the above-described acts, defendant is liable for a maximum civil penalty of \$2,500 per day for each violation (e.g., each unit sale).

32. As a consequence of the above-described acts, Health & Safety Code §25249.7(a) also specifically authorizes the Court to grant injunctive relief against defendant.

PRAYER FOR RELIEF

Wherefore, plaintiff prays for judgment against defendant as follows:

1. That the Court, pursuant to Health & Safety Code §25249.7(b), assess civil penalties against defendant, in the amount of \$2,500 per day for each violation that since October 15, 2021;

2. That the Court, pursuant to Health & Safety Code §25249.7(a), preliminarily and permanently enjoin defendant from manufacturing, importing, distributing, or offering the Products for sale online or use in California without first providing a “clear and reasonable warning” regarding the harms associated with exposures to lead unless they are reformulated to eliminate the toxicant;

3. That the Court, pursuant to Health & Safety Code §25249.7(a), issue preliminary and permanent injunctions mandating that defendant recall all Products currently in the chain of commerce in California without a “clear and reasonable warning” as defined by 27 California Code of Regulations §25600 *et seq.*, and refund online purchasers of the purchase price and shipping costs;

4. That the Court grant plaintiff his reasonable attorneys' fees and costs of suit; and

5. That the Court grant such other and further relief as may be just and proper.

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Dated: October 15, 2025

Respectfully submitted,

CHANLER, LLC



By: _____

Clifford A. Chanler
Attorneys for Plaintiff
JAY EPPS