

FORM JUS 1500 PRIVATE ENFORCEMENT FILING - Health and Safety Code section 25249.7(e) and (f)
(03-01)

REPORT OF CIVIL COMPLAINT FILING

☒ Original Filing

☐ Supplemental Filing

☐ Corrected Filing

Please print or type required information

PARTIES TO THE ACTION	PLAINTIFF(S) SARAH HALE, an individual		
	DEFENDANT(S) LEVAIN LARCHMONT LA, LLC; LEVAIN BAKERY NEWPORT BEACH, LLC; LEVAIN BAKERY CALIFORNIA 2, LLC; MAYBOURNE BEVERLY HILLS OPERATOR LLC; BLUE OCEAN R&E ALLIANCE LLC d/b/a ONE2GO THAI KITCHEN; DOORDASH, INC.; GORJANA & GRIFFIN, INC.; OUTERKNOWN, LLC; and DOES 1 through 100, inclusive 60-Day Notices: AG Nos. 2025-03609, 2025-03688, 2025-04201; amendments AG Nos. 2025-04303 and 2025-04304		
CASE INFO	COURT DOCKET NUMBER CGC-26-640604	COURT NAME Superior Court of California, County of San Francisco	
	SHORT CASE NAME Hale v. Levain Larchmont LA, LLC, et al.		
REPORT INFO	TYPE OF CLAIM (Check All That Apply) ☐ Proposition 65 Unlawful Discharge ☒ Proposition 65 Failure to Warn ☐ B&P Code section 17200 ☐ Other		RELIEF SOUGHT (Check All That Apply) ☒ Warning ☐ Discharge Ban ☒ Civil Penalty Also: injunctive relief; fees under CCP § 1021.5

COPY OF COMPLAINT MUST BE ATTACHED

FILER INFO	NAME OF CONTACT Francis J. Flynn, Jr. (SBN 304712)		
	ORGANIZATION Law Office of Francis J. Flynn, Jr. (Attorneys for Plaintiff Sarah Hale)		TELEPHONE NUMBER (314) 662-2836
	ADDRESS 6057 Metropolitan Plz		FAX NUMBER
	CITY Los Angeles	STATE CA	ZIP 90036
		E-MAIL ADDRESS prop65@prop65flynnlaw.com	

FILING INSTRUCTIONS: This form can be completed online and printed. If electronic filing is not available, mail the completed form with a copy of the complaint to the attention of the Prop 65 Coordinator at the address shown above. If you need additional space to complete this form please use an attachment.

Francis J. Flynn, Jr. (SBN 304712)
6057 Metropolitan Plz
Los Angeles, CA 90036
T: (314) 662-2836
prop65@prop65flynnlaw.com
Attorneys for Plaintiff
Sarah Hale

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

09/03/2026
Clerk of the Court
BY: MARIVIC VIRAY
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
CGC-26-640604
IN AND FOR THE COUNTY OF SAN FRANCISCO

SARAH HALE, an individual,

Plaintiff,

v.

LEVAIN LARCHMONT LA, LLC; LEVAIN
BAKERY NEWPORT BEACH, LLC;
LEVAIN BAKERY CALIFORNIA 2, LLC;
MAYBOURNE BEVERLY HILLS
OPERATOR LLC ;
BLUE OCEAN R&E ALLIANCE LLC d/b/a/
ONE2GO THAI KITCHEN; DOORDASH,
INC.; GORJANA & GRIFFIN, INC.;
OUTERKNOWN, LLC; and DOES 1 through
100, inclusive,

Defendants.

Case No.: _____

**COMPLAINT FOR CIVIL PENALTIES
AND INJUNCTIVE RELIEF**

(Health & Safety Code § 25249.6 et seq.)

1 Plaintiff Sarah Hale, in the public interest, based on information and belief and investigation
2 of counsel, except for information based on knowledge, hereby makes the following allegations:

3 **I.**
INTRODUCTION

4 1. This Complaint is a representative action brought by Sarah Hale (“Plaintiff”) in the
5 public interest of the citizens of the State of California (“the People”). Plaintiff seeks to remedy
6 Defendants’ failure to inform the People of exposure to Bisphenol S (“BPS”), a chemical known to the
7 State of California to cause reproductive toxicity. Defendants expose consumers to BPS by
8 manufacturing, importing, selling, and/or distributing thermal paper receipts. These receipts include: (1)
9 Levain Bakery Receipt, (2) Maybourne Hotel Café Receipt, (3) One2Go Thai Kitchen Receipt, (4)
10 DoorDash Receipt, (5) Gorjana Receipt, and (6) Outerknown Receipt.¹

11 2. This Complaint seeks to remedy Defendants’ continuing failure to warn individuals in
12 California that they are being exposed to BPS (the “Listed Chemical”), a chemical known to the State
13 of California to cause reproductive harm. Such exposures have occurred, and continue to occur, when
14 people handle thermal paper containing BPS (“Thermal Paper”) that is manufactured, distributed, sold,
15 or otherwise provided to consumers by Defendants. Consumers, including pregnant women, are exposed
16 to the Listed Chemical when they touch or handle the Thermal Paper.

17 3. Under California’s Proposition 65, Health & Safety Code § 25249.5, et seq., it is
18 unlawful for businesses to knowingly and intentionally expose individuals in California to chemicals
19 known to the State to cause birth defects or other reproductive harm without first providing clear and
20 reasonable warnings to exposed individuals. Defendants introduce Thermal Paper containing significant
21 quantities of BPS into the California marketplace, either directly by selling the Thermal Paper or by
22 distributing Thermal Paper as transactional documents, such as receipts from cash registers and other
23 point-of-sale devices, to California consumers.

24 4. Thermal Paper uses a heat-sensitive surface coating that can contain BPS as a developer.
25 When Thermal Paper is exposed to heat from a thermal printer, the coating reacts and changes color to
26

27 ¹ See 60-Day Notices of Violation, Attorney General Nos. 2025-03609, 2025-03688, and
28 2025-04201, and amendment records AG Nos. 2025-04303 and 2025-04304. Links to the relevant
Attorney General records are attached as Exhibit 1.

1 produce text or images. California consumers, including pregnant women, are exposed to BPS when
2 they touch or otherwise handle the Thermal Paper.

3 5. Despite the fact that Defendants expose pregnant women and other individuals to BPS,
4 Defendants provide no warnings whatsoever about the reproductive hazards associated with exposure
5 to BPS. Defendants' conduct thus violates the warning provision of Proposition 65. Health & Safety
6 Code § 25249.6.

7 **II.**
PARTIES

8 6. Plaintiff SARAH HALE ("Plaintiff") is an individual residing in the State of California.
9 Plaintiff is a "person" within the meaning of Health & Safety Code § 25249.11(a) and brings this
10 enforcement action in the public interest pursuant to Health & Safety Code § 25249.7(d).

11 7. Defendants LEVAIN LARCHMONT LA, LLC, LEVAIN BAKERY NEWPORT
12 BEACH, LLC, and LEVAIN BAKERY CALIFORNIA 2, LLC (collectively, "Levain Bakery") are
13 each a person in the course of doing business within the meaning of Health & Safety Code § 25249.11.
14 LEVAIN LARCHMONT LA, LLC is a Delaware limited liability company doing business in the State
15 of California. LEVAIN BAKERY NEWPORT BEACH, LLC is a Delaware limited liability company
16 doing business in the State of California. LEVAIN BAKERY CALIFORNIA 2, LLC is a Delaware
17 limited liability company doing business in the State of California. Levain Bakery manufactures,
18 distributes, sells or otherwise makes available Thermal Paper that is provided to California consumers
19 as receipts for the purchase of other goods or services. Laboratory testing of Thermal Paper provided to
20 consumers by Levain Bakery detected BPS at a concentration of approximately 19,000 µg/g. Plaintiff
21 served a 60-Day Notice of Violation on Levain Bakery and the public enforcers on or about 9/22/2025
22 (AG Notice No. 2025-03688).

23 8. Defendant MAYBOURNE BEVERLY HILLS OPERATOR LLC ("Maybourne") is a
24 Delaware limited liability company that owns and operates the Maybourne Beverly Hills and is doing
25 business in the State of California. Maybourne is a person in the course of doing business within the
26 meaning of Health & Safety Code § 25249.11. Maybourne manufactures, distributes, sells or otherwise
27 makes available Thermal Paper that is provided to California consumers as receipts for the purchase of
28 other goods or services. Laboratory testing of Thermal Paper provided to consumers by Maybourne

1 detected BPS at a concentration of approximately 28,000 µg/g. Plaintiff served a 60-Day Notice of
2 Violation on Maybourne and the public enforcers on or about 9/17/2025 (AG Notice No. 2025-03609).

3 9. Defendant BLUE OCEAN R&E ALLIANCE LLC is a limited liability company doing
4 business as ONE2GO THAI KITCHEN, with its principal place of business at 191 N. El Camino Real,
5 Encinitas, California 92024. Plaintiff is informed and believes, and on that basis alleges, that at all
6 relevant times Defendant BLUE OCEAN R&E ALLIANCE LLC has owned and operated the restaurant
7 known as One2Go Thai Kitchen, at which it has sold food and beverages to consumers in the State of
8 California and, in the course of those retail transactions, has issued thermal paper receipts containing
9 bisphenol S to its customers, thereby exposing them to those chemicals without first providing a clear
10 and reasonable warning as required by Health and Safety Code section 25249.6. Defendant BLUE
11 OCEAN R&E ALLIANCE LLC is a "person in the course of doing business" within the meaning of
12 Health and Safety Code section 25249.11(b). Defendant BLUE OCEAN R&E ALLIANCE LLC is
13 referred to herein as "One2Go." Laboratory testing of Thermal Paper provided to consumers by One2Go
14 detected BPS at a concentration of approximately 7,800 µg/g. Plaintiff served a 60-Day Notice of
15 Violation on One2Go and the public enforcers on or about 9/22/2025 (AG Notice No. 2025-03688).

16 10. Defendant DOORDASH, INC. ("DoorDash") is a corporation organized and existing
17 under the laws of Delaware, with its principal place of business in San Francisco, California. DoorDash
18 is a person in the course of doing business within the meaning of Health & Safety Code § 25249.11.
19 DoorDash manufactures, distributes, sells or otherwise makes available Thermal Paper that is provided
20 to California consumers as receipts for the purchase of other goods or services. Laboratory testing of
21 Thermal Paper provided to consumers by DoorDash detected BPS at a concentration of approximately
22 18,000 µg/g. Plaintiff served a 60-Day Notice of Violation on DoorDash and the public enforcers on or
23 about 9/22/2025 (AG Notice No. 2025-03688).

24 11. Defendant GORJANA & GRIFFIN, INC. ("Gorjana") is a California corporation with
25 its principal place of business in Laguna Beach, California. Gorjana is a person in the course of doing
26 business within the meaning of Health & Safety Code § 25249.11. Gorjana manufactures, distributes,
27 sells or otherwise makes available Thermal Paper that is provided to California consumers as receipts
28 for the purchase of other goods or services. Laboratory testing of Thermal Paper provided to consumers

1 by Gorjana detected BPS at a concentration of approximately 14,000 µg/g. Plaintiff served a 60-Day
2 Notice of Violation on Gorjana and the public enforcers on or about 10/10/2025 (AG Notice No. 2025-
3 04201).

4 12. Defendant OUTERKNOWN, LLC (“Outerknown”) is a Delaware limited liability
5 company doing business in the State of California. Outerknown is a person in the course of doing
6 business within the meaning of Health & Safety Code § 25249.11. Outerknown manufactures,
7 distributes, sells or otherwise makes available Thermal Paper that is provided to California consumers
8 as receipts for the purchase of other goods or services. Laboratory testing of Thermal Paper provided to
9 consumers by Outerknown detected BPS at a concentration of approximately 13,000 µg/g. Plaintiff
10 served a 60-Day Notice of Violation on Outerknown and the public enforcers on or about 10/10/2025
11 (AG Notice No. 2025-04201).

12 13. DOES 1 through 100 are each a person in the course of doing business within the
13 meaning of Health & Safety Code § 25249.11. DOES 1 through 100 manufacture, distribute, sell or
14 otherwise make available Thermal Paper that is offered for sale in California or provided as receipts or
15 other transactional documentation to California consumers.

16 14. The true names of DOES 1 through 100 are either unknown to Plaintiff at this time or
17 the applicable time period before which Plaintiff may file a Proposition 65 action has not run. When
18 their identities are ascertained or the applicable time period before which Plaintiff may file a Proposition
19 65 action has run, the Complaint shall be amended to reflect their true names.

20 15. The defendants identified in paragraphs 7 through 12 and DOES 1 through 100 are
21 collectively referred to herein as “Defendants.”

22 16. Defendants Levain Bakery, Maybourne, One2Go, DoorDash, Gorjana, and
23 Outerknown, together with DOES 1 through 100, are collectively referred to herein as the “BPS
24 Defendants.”

25 **III.**
JURISDICTION AND VENUE

26 17. The Court has jurisdiction over this action pursuant to Health & Safety Code § 25249.7,
27 which allows enforcement in any court of competent jurisdiction, and pursuant to California
28 Constitution Article VI, Section 10, because this case is a cause not given by statute to other trial courts.

18. This Court has jurisdiction over Defendants because each is a business entity that does sufficient business, has sufficient minimum contacts in California, or otherwise intentionally avails itself of the California market through the sale, marketing, or use of the Thermal Paper in California and/or by having such other contacts with California so as to render the exercise of jurisdiction over it by the California courts consistent with traditional notions of fair play and substantial justice.

19. Venue is proper in San Francisco County Superior Court because one or more of the violations arise in the County of San Francisco.

IV. BACKGROUND FACTS

20. The People of the State of California have declared by initiative under Proposition 65 their right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or other reproductive harm.” Proposition 65, § 1(b).

21. To effectuate this goal, Proposition 65 prohibits exposing people to chemicals listed by the State of California as known to cause cancer, birth defects, or other reproductive harm above certain levels without a “clear and reasonable warning” unless the business responsible for the exposure can prove that it fits within a statutory exemption. Health & Safety Code § 25249.6 states, in pertinent part:

No 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. . . .

22. On December 29, 2023, the State of California officially listed BPS as a chemical known to cause reproductive toxicity under Proposition 65.

23. On December 29, 2024, one year after it was listed as a chemical known to cause reproductive toxicity, BPS became subject to the clear and reasonable warning requirement regarding reproductive toxicants under Proposition 65. Health & Safety Code § 25249.10(b).

24. BPS is used as a developer in some Thermal Paper. When the Thermal Paper is heated in a thermal printer, the surface coating reacts to produce text and images. BPS present on the surface of Thermal Paper can transfer during handling.

1 25. The laboratory testing underlying Plaintiff's Notices detected BPS in the Thermal Paper
2 samples associated with the named Defendants at the concentrations alleged in Paragraphs 7 through
3 12. Plaintiff alleges that consumers who touch or handle such Thermal Paper are exposed to BPS.

4 26. Thermal Paper is a specialty paper designed for use in thermal printers. Thermal Paper
5 uses a surface coating containing a dye and a developer. When heated in a thermal printer, components
6 in the coating react to produce text, numbers, or images. The developer in the Thermal Paper at issue
7 here is BPS, as detected by laboratory testing.

8 27. Thermal Paper is used for a diverse array of purposes. Thermal Paper is often used in
9 generating receipts from cash registers, credit card terminals and similar devices. Thermal Paper is also
10 used in generating other transactional documents, such as service and repair estimates, invoices and
11 order forms, delivery notices, and transportation documentation. Thermal Paper is used in label makers
12 and fax machines as well.

13 28. BPS present on the surface of Thermal Paper can transfer to the hands when the Thermal
14 Paper is touched or handled. Consumers may then be exposed to BPS through dermal absorption and
15 through hand-to-mouth contact after handling the Thermal Paper.

16 29. Defendants' Thermal Paper contains sufficient quantities of BPS such that consumers,
17 including pregnant women, who touch or handle the Thermal Paper are exposed to the Listed Chemical.
18 The primary routes of exposure alleged for the violations are dermal absorption directly through the
19 skin when consumers touch or handle Thermal Paper, and ingestion via hand-to-mouth contact after
20 consumers touch or handle Thermal Paper. These exposures occur throughout California wherever the
21 Thermal Paper is touched or handled.

22 30. No clear and reasonable warning is provided with Defendants' Thermal Paper regarding
23 the reproductive hazards of BPS.

24 31. Any person acting in the public interest has standing to enforce violations of Proposition
25 65 provided that such person has supplied the requisite public enforcers with a valid 60-Day Notice of
26 Violation and such public enforcers are not diligently prosecuting the action within such time. Health
27 & Safety Code § 25249.7(d).

32. More than sixty days prior to naming each Defendant in this lawsuit, Plaintiff provided a 60-Day “Notice of Violation” of Proposition 65 to the California Attorney General, to the District Attorneys of every county in California, to the City Attorneys of every California city with a population greater than 750,000, and to each named Defendant. In compliance with Health & Safety Code § 25249.7(d) and 27 C.C.R. § 25903(b), each Notice included the following information: (1) the name and address of the violator; (2) the statute violated; (3) the time period during which violations occurred; (4) specific descriptions of the violations, including (a) the routes of exposure to BPS from Thermal Paper, and (b) the specific type of product violating Proposition 65; and (5) BPS as the Proposition 65-listed chemical that is the subject of the violations alleged in this Complaint.

33. Plaintiff also sent a Certificate of Merit for each Notice to the California Attorney General, to the District Attorneys of every county in California, to the City Attorneys of every California city with a population greater than 750,000, and to each named Defendant. In compliance with Health & Safety Code § 25249.7(d) and 11 C.C.R. § 3101, each Certificate certified that Plaintiff’s counsel: (1) has consulted with one or more persons with relevant and appropriate experience or expertise who reviewed facts, studies, or other data regarding the exposures to BPS alleged in each Notice; and (2) based on the information obtained through such consultations, believes that there is a reasonable and meritorious case for a citizen enforcement action based on the facts alleged in each Notice. In compliance with Health & Safety Code § 25249.7(d) and 11 C.C.R. § 3102, each Certificate served on the Attorney General included factual information—provided on a confidential basis—sufficient to establish the basis for each Certificate, including the identity of the person(s) consulted by Plaintiff’s counsel and the facts, studies, or other data reviewed by such persons.

34. None of the public prosecutors with the authority to prosecute violations of Proposition 65 has commenced and/or is diligently prosecuting a cause of action against any Defendant under Health & Safety Code § 25249.5, *et seq.*, based on the claims asserted in Plaintiff’s Notices.

35. Defendants know and intend that individuals, including pregnant women, will touch or handle Thermal Paper, thus exposing them to BPS.

36. Under Proposition 65, an exposure is “knowing” where the party responsible for such exposure has:

1 knowledge of the fact that a[n] . . . exposure to a chemical listed pursuant
2 to [Health & Safety Code § 25249.8(a)] is occurring. No knowledge that
3 the . . . exposure is unlawful is required.

4 27 C.C.R. § 25102(n). This knowledge may be either actual or constructive. *See, e.g.*, Final Statement
5 of Reasons Revised (November 4, 1988) (pursuant to former 22 C.C.R. Division 2, § 12601).

6 37. Each named Defendant has been informed of the BPS in its Thermal Paper by the 60-
7 Day Notice of Violation and accompanying Certificate of Merit served on it by Plaintiff.

8 38. Because BPS is used as a developer in Thermal Paper, Defendants knew or should have
9 known that their Thermal Paper could contain BPS. Defendants also have constructive knowledge that
10 Thermal Paper can contain BPS due to widespread public, industry, and scientific attention concerning
11 BPS in thermal receipts and other consumer products.

12 39. As companies that manufacture, import, distribute, sell, or otherwise provide Thermal
13 Paper to consumers, Defendants know or should know that their Thermal Paper contains BPS and that
14 individuals who touch or handle Thermal Paper will be exposed to the Listed Chemical. The exposures
15 to consumers who touch or handle Thermal Paper are a natural and foreseeable consequence of
16 Defendants' placing Thermal Paper into the stream of commerce and/or dispensing Thermal Paper to
17 California consumers.

18 40. Nevertheless, Defendants continue to expose consumers to BPS without prior clear and
19 reasonable warnings regarding the reproductive hazards of the Listed Chemical.

20 41. Plaintiff has engaged in good-faith efforts to resolve the claims alleged herein prior to
21 filing this Complaint.

22 42. Any person "violating or threatening to violate" Proposition 65 may be enjoined in any
23 court of competent jurisdiction. Health & Safety Code § 25249.7. "Threaten to violate" is defined to
24 mean "to create a condition in which there is a substantial probability that a violation will occur." Health
25 & Safety Code § 25249.11(e). Proposition 65 provides for civil penalties not to exceed \$2,500 per day
26 for each violation of Proposition 65.

27 **FIRST CAUSE OF ACTION**

28 **(Violation of Proposition 65 – Exposure to BPS – Against the BPS Defendants)**

43. Plaintiff realleges and incorporates by reference as if specifically set forth herein
Paragraphs 1 through 41, inclusive.

44. By placing Thermal Paper into the stream of commerce or dispensing Thermal Paper to California consumers as receipts or other transactional documentation, each of the BPS Defendants is a person in the course of doing business within the meaning of Health & Safety Code § 25249.11.

45. BPS is a chemical listed by the State of California as known to cause reproductive harm.

46. The BPS Defendants know that average use of their Thermal Paper will expose people who touch or handle the Thermal Paper to BPS. The BPS Defendants intend that the Thermal Paper be used in a manner that results in Thermal Paper's being touched or handled, which results in exposures to BPS from the Thermal Paper.

47. The BPS Defendants have failed, and continue to fail, to provide clear and reasonable warnings regarding the reproductive toxicity of BPS to consumers who touch or handle their Thermal Paper.

48. By committing the acts alleged above, the BPS Defendants have at all times relevant to this Complaint violated Proposition 65 by knowingly and intentionally exposing individuals to BPS without first giving clear and reasonable warnings to such individuals regarding the reproductive toxicity of BPS.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment against Defendants as follows:

1. That the Court, pursuant to Health & Safety Code § 25249.7(b), assess civil penalties against each of the Defendants in the amount of \$2,500 per day for each violation of Proposition 65 according to proof;

2. That the Court, pursuant to Health & Safety Code § 25249.7(a), preliminarily and permanently enjoin Defendants either from offering Thermal Paper for sale in California or from providing Thermal Paper as receipts or other transactional documentation in California without either reformulating the Thermal Paper such that no Proposition 65 warning for BPS is required or providing prior clear and reasonable warnings regarding BPS, as Plaintiff shall specify in further application to the Court;

3. That the Court, pursuant to Health & Safety Code § 25249.7(a), order Defendants to take action to stop ongoing unwarned exposures to BPS resulting from use of the Thermal Paper sold or provided to consumers by Defendants, as Plaintiff shall specify in further application to the Court;

4. That the Court, pursuant to Code of Civil Procedure § 1021.5 or any other applicable theory, grant Plaintiff her reasonable attorneys' fees and costs of suit; and

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

Respectfully submitted:

Dated: 9/3/2026

LAW OFFICE OF FRANCIS J. FLYNN, JR.

/s/ Francis Flynn

By: _____

Francis J. Flynn, Jr. (SBN 304712)
6057 Metropolitan Plz
Los Angeles, CA 90036
T: (314) 662-2836
prop65@prop65flynnlaw.com

Attorneys for Plaintiffs
Sarah Hale