

**SUMMONS**  
**(CITACION JUDICIAL)**

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

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

Perio, Inc.; Barbasol, LLC; Does 1 - 100

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
2/11/2026 3:50 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By A. Munoz, Deputy Clerk

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

Initiative For Safer Cosmetics

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

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

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

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
*(El nombre y dirección de la corte es):* Los Angeles County Superior Court  
111 North Hill Street, Los Angeles, California 90012

CASE NUMBER  
*(Número del Caso)*  
**26STCV04577**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
*(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):*  
Elham Shabatian SBN 221953; 12100 Wilshire Boulevard, Suite 800, Los Angeles, Ca. 90025; 310-200-3227

DATE: 02/11/2026 Clerk, by David W. Slayton, Executive Officer/Clerk of Court, Deputy  
*(Fecha)* *(Secretario)* A. Munoz *(Adjunto)*

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



**NOTICE TO THE PERSON SERVED:** You are served

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

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

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By A. Munoz, Deputy Clerk

8 Attorneys for Plaintiff  
9 Initiative For Safer Cosmetics

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

11 **FOR THE COUNTY OF LOS ANGELES**

12 Initiative For Safer Cosmetics, ) Case No. **26STCV04577**  
13 )  
14 ) **PLAINTIFF,** ) **COMPLAINT FOR PENALTY AND**  
15 ) **vs.** ) **INJUNCTION**  
16 ) **Perio, Inc.; Barbasol, LLC;** ) **Violation of Proposition 65,**  
17 ) **Does 1 -100,** ) **the Safe Drinking Water and**  
18 ) **DEFENDANTS.** ) **Toxic Enforcement Act of 1986**  
19 ) **(Health & Safety Code Sections**  
20 ) **25249.5, et. seq.)**  
21 ) **ACTION IS AN UNLIMITED CIVIL**  
22 ) **CASE (exceeds \$25,000.00)**  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

1 INTRODUCTION

2 1. This Complaint is a representative action brought by  
3 The Initiative For Safer Cosmetics ("Plaintiff") in the public  
4 interest of the citizens of the State of California. Plaintiff  
5 seeks to remedy Defendants' failure to inform citizens of  
6 exposure to Diethanolamine ("DEA") in their Product. Defendants  
7 continue to expose consumers to DEA by either manufacturing,  
8 and/or importing, and/or selling and/or distributing the  
9 Product, specifically, Barbasol Soothing Aloe shaving cream (the  
10 "Product"). Defendants therefore know and intend that customers  
11 will use the product containing DEA under California's Safe  
12 Drinking Water and Toxic Enforcement Act of 1986 (Proposition  
13 65), and California Health and Safety Code sections 25249.6 et.  
14 seq. which states that "[n]o person in the course of doing  
15 business shall knowingly and intentionally expose any individual  
16 to a chemical known to the state to cause cancer or reproductive  
17 toxicity without first giving clear and reasonable warning to  
18 such individual ..... " (Health & Safety Code Section 25249.6).  
19

20 2. California has identified and listed DEA as a chemical  
21 known to cause cancer as early as on or about June 22, 2012.  
22 Defendants have failed to sufficiently warn consumers and  
23 individuals in California about potential exposure to DEA in  
24 connection with Defendants' manufacture and/or import, and/or  
25 sale, and/or distribution of the Product in violation of  
26 Proposition 65.  
27  
28



1 inserting their true names and capacities herein. Plaintiff is  
2 informed and believes and thereon alleges, that each of the  
3 fictitiously named defendants is responsible in some manner for  
4 the occurrences alleged in this complaint and that plaintiff's  
5 damages as alleged in this complaint were proximately caused by  
6 such defendants.

7 8. Plaintiff is informed and believes and thereon alleges,  
8 that at all times alleged in this complaint, each defendant was  
9 the agent, alter ego, servant, joint venturer, joint employer  
10 and/or employee, of each of the remaining defendants, and in  
11 doing the things hereinafter alleged, was acting within the  
12 course and scope of said relationships and with the permission  
13 and consent of all other co-defendants. All conduct was also  
14 ratified by Defendants and each of them.

15  
16 **JURISDICTION AND VENUE**

17 9. California Constitution Article VI, Section 10, grants  
18 the Superior Court original jurisdiction in all cases except  
19 those given by statute to other trial courts. The Health and  
20 Safety Code statutes upon which this action is based does not  
21 give jurisdiction to any other Court. As such, this Court has  
22 jurisdiction over this action.  
23

24 10. Venue is proper in Los Angeles County Superior Court  
25  
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1 pursuant to Code of Civil Procedure Sections 394, 395 and 395.5  
2 as wrongful conduct as alleged in this complaint has occurred  
3 and continues to occur in this County.

4 11. Defendants have sufficient minimum contacts in the  
5 State of California or otherwise purposefully avail themselves  
6 of the California market. Exercising jurisdiction over  
7 Defendants would therefore be consistent with traditional  
8 notions of fair play and substantial justice.

9  
10 **FIRST CAUSE OF ACTION**

11 **(Violation of Proposition 65 - Against All Defendants**

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

14 13. Proposition 65 mandates that California citizens be  
15 informed about exposures to chemicals that cause cancer.

16  
17 14. More than sixty days prior to the filing of this  
18 lawsuit naming each Defendant, plaintiff issued a 60-Day Notice  
19 Of Violation ("Notice") as required by and in compliance with  
20 Proposition 65. Plaintiff also provided said Notice to the  
21 various required public enforcement agencies along with a  
22 Certificate of Merit. The Notice alleged that Defendants  
23 violated Proposition 65 by failing to sufficiently warn  
24 consumers in California of the health hazards associated  
25 with exposure to DEA contained in Barbosal Soothing Aloe.

26 15. The appropriate public enforcement agencies provided  
27 with the Notice failed to commence and diligently prosecute a

1 cause of action against Defendants.

2 16. At all times relevant herein, Defendants manufactured  
3 and/or imported and/or sold and/or distributed the above  
4 described Product, containing DEA, in violation of Health and  
5 Safety Code Sections 25249.6 et. seq. Plaintiff is informed and  
6 believes and thereon alleges that such violation has continued  
7 after receipt of the notice described above and such conduct  
8 will continue to occur into the future.  
9

10 17. In manufacturing, and/or importing, and/or selling  
11 and/or distributing the above described Product, Defendants  
12 failed to provide a clear and reasonable warning to consumers in  
13 the State of California who may be exposed to DEA through  
14 reasonably foreseeable use of the Product.  
15

16 18. The Product described above exposed individuals to  
17 DEA through dermal absorption of the product as described above  
18 in this complaint. This exposure is a natural and foreseeable  
19 consequence of Defendants placing the Product into the stream of  
20 commerce. As such Defendants intend that consumers will use said  
21 Product, exposing them to DEA.  
22

23 19. Defendants knew or should have known that their  
24 Product contained DEA and exposed individuals to DEA as  
25 described above in this complaint. The Notice informed  
26 Defendants of the presence of DEA in their product. Likewise,  
27  
28

1 media coverage concerning DEA related chemicals in consumer  
2 products provided "Constructive Notice" to Defendants.  
3 Defendants' actions, therefore, were deliberate and not  
4 accidental.

5 20. Individuals exposed to DEA contained in  
6 Defendants' Product resulting from reasonably foreseeable use of  
7 the Product have suffered and continue to suffer irreparable  
8 harm. There is no other plain, speedy or adequate remedy at law  
9 other than the relief requested in this complaint.  
10

11 21. Defendants are liable for a maximum civil penalty of  
12 \$2,500.00 per day for each violation of Proposition 65 pursuant  
13 to Health and Safety Code Section 252497(b). Injunctive relief  
14 is also appropriate pursuant to Health and Safety Code Section  
15 25249.7(a).

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