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FILED  
ALAMEDA COUNTY

DEC 13 2021

CLERK OF THE SUPERIOR COURT  
*Donnell Labrecque*  
Deputy

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF ALAMEDA

11 EMA BELL,

12 Plaintiff,

13 vs.

14 ICHI TRADING CORPORATION,

Defendant.

Case No. RG19029322

~~PROPOSED~~ ORDER AND JUDGMENT



Judge: Hon. Stephen Pulido

Dept.: 517

15 AND NOW, this 13<sup>th</sup> Day of December, 2021, after Default having been properly entered against  
16 Defendant Ichi Trading Corporation on February 8, 2021 by this Court, the Court enters Judgment  
17 against Defendant Ichi Trading Corporation and ORDERS as follows:

- 18
- 19 1. The Defendant Ichi Trading Corporation is ORDERED to pay civil penalties in the amount  
20 of \$ 64,000, which shall be allocated per Health & Safety Code § 25249.12(c)(1)  
21 & (d) with 75% paid to OEHHA and 25% paid to Plaintiff.
  - 22 2. The Defendant Ichi Trading Corporation is ORDERED to pay Plaintiff's attorney's fees in  
23 the amount of \$ 10,999 and costs in the amount of \$ 13,210.34
  - 24 3. Commencing ten days after service upon Defendant Ichi Trading Corporation of the Notice  
25 of Entry of this Default Judgment, Defendant Ichi Trading Corporation is ORDERED to  
26 not directly manufacture, import, distribute, sell, or offer for sale in California any  
27 accessory cases manufactured by Lemon Creative Co., Ltd., UPC # 4903409155264 which  
28 are sold and/or distributed by defendant Ichi Trading Corporation (the "Product(s)") that  
are not di(2-thylhexyl) phthalate ("DEHP")-Free (hereinafter "Reformulated Products")

1 unless the Product is accompanied by a warning that complies with Article 6 of Title 27 of  
2 the California Code of Regulations provide clear and reasonable warnings as set forth  
3 below. The warning shall be prominently placed with such conspicuousness as compared  
4 with other words, statements, designs, or devices as to render it likely to be read and  
5 understood by an ordinary individual under customary conditions before purchase or use.  
6 The warning shall be provided in a manner such that the consumer or user understands to  
7 which specific Product the warning applies, so as to minimize the risk of consumer  
8 confusions, and shall be issued as follows:

- 9 a. For any Product shipped, sold, or offered in California by Ichi Trading that is not  
10 DEHP-Free, one of the following warnings shall accompany the Products: (a)  
11  **WARNING:** This product can expose you to chemicals including di(2-  
12 thylhexyll) phthalate (DEHP), which is known to the State of California to cause  
13 cancer and birth defects or other reproductive harm. For more information go to  
14 [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov); or (b)  **WARNING:** Cancer and Reproductive  
15 Harm - [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov). The warning that is provided must print the  
16 word "**WARNING:**" in all capital letters and in bold font, followed by a colon. The  
17 warning symbol to the left of the word "**WARNING:**" must be a black exclamation  
18 point in a yellow equilateral triangle with a black outline, except that if the sign or  
19 label for the Products does not use the color yellow, the symbol may be in black  
20 and white. The symbol must be in a size no smaller than the height of the word  
21 "**WARNING:**". The warning shall be affixed to or printed on the Products'  
22 packaging or labeling, or on a placard, shelf tag, sign or electronic device or  
23 automatic process, providing that the warning is displayed with such  
24 conspicuousness, as compared with other words, statements, or designs as to render  
25 it likely to be read and understood by an ordinary individual under customary  
26 conditions of purchase or use. A warning may be contained in the same section of  
27 the packaging, labeling, or instruction booklet that states other safety warnings, if  
28

1 any, concerning the use of the Product and shall be at least the same size as those  
2 other safety warnings

- 3 b. If Ichi Trading sells Products via an internet website to customers located in  
4 California, the warning requirements of this section shall be satisfied if the  
5 foregoing warning appears either: (a) on the same web page on which a Product is  
6 displayed and/or described; (b) on the same page as the price for the Product; or (c)  
7 on one or more web pages displayed to a purchaser prior to purchase during the  
8 checkout process. Alternatively, a symbol consisting of a black exclamation point  
9 in a yellow or white equilateral triangle may appear adjacent to or immediately  
10 following the display, description, price, or checkout listing of the Product, if the  
11 warning statement appears elsewhere on the same web page in a manner that clearly  
12 associates it with the product(s) to which the warning applies

13  
14 IT IS HEREBY ORDERED.

15 Date: 12/13, 2021

16   
17 \_\_\_\_\_  
18 JUDGE OF THE SUPERIOR COURT  
19 **Stephen Pulido**

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</b>	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544	<b>FILED</b> Superior Court of California County of Alameda 12/13/2021 Chad Finke, Executive Officer / Clerk of the Court
PLAINTIFF/PETITIONER: Ema Bell	By: <u><i>Daniel Labrecque</i></u> Deputy D. Labrecque
DEFENDANT/RESPONDENT: Ichi Trading Corporation	
<b>CERTIFICATE OF MAILING</b>	CASE NUMBER: RG19029322

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Order Order and Judgment upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Hayward, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Evan J. Smith  
Brodsky & Smith, LLC  
9595 Wilshire Boulevard  
Suite 900  
Beverly Hills, CA 90212-

Chad Finke, Executive Officer / Clerk of the Court

Dated: 12/13/2021

By:

Chad Finke, Executive Officer / Clerk of the Court

*Daniel Labrecque*

D. Labrecque, Deputy Clerk

**CERTIFICATE OF MAILING**