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4 Del Mar, Ca 92014
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8 Attorneys for Plaintiff

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DIVISION OF CALIFORNIA**

11
12 Renata Bonar, On Behalf of Herself, All
13 Others Similarly Situated and the General
14 Public,

15 Plaintiff,

16 v.

17 BEAM GLOBAL SPIRITS & WINE, INC,
18 and DOES 1-25, Inclusive,

19 Defendants.

No.:

CLASS ACTION

CLASS ACTION COMPLAINT FOR:

1. VIOLATIONS OF CONSUMERS LEGAL REMEDIES ACT, CIVIL CODE §1750, *ET SEQ.*;
2. VIOLATION OF THE UNFAIR COMPETITION LAW, BUSINESS & PROFESSIONS CODE §17200, *ET SEQ.*; and
3. BREACH OF EXPRESS WARRANTY

20 DEMAND FOR JURY TRIAL

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1 Plaintiff Renata Bonar (“plaintiff”), by and through her attorneys, brings this action on
2 behalf of herself, all others similarly situated and the general public against defendant Beam
3 Global Spirits & Wine, Inc. (“Beam”). Plaintiff alleges, on information and belief, except for
4 information based on personal knowledge, as follows:

5 **NATURE OF THE ACTION**

6 1. Beam markets, distributes and sells numerous premium spirit brands,
7 including “Skinnygirl.” Through its advertising and labeling, Beam claims that “Skinnygirl”
8 Margarita is:

- 9 • **All Natural;**
10 • **Uses all natural ingredients; and**
11 • **Contains No Preservatives.**

12 Beam claims in its advertising and labeling that “Skinnygirl” spirits are all natural, use
13 all natural ingredients and contain no preservatives. The terms “All Natural” appear boldly on
14 each bottle of “Skinnygirl” Margarita. The labeling also states that it is only slightly
15 sweetened with agave. Furthermore, the labeling states that it is the Margarita you can trust.
16 Nowhere on the label does Beam indicate that the spirits contain preservatives, including but
17 not limited to sodium benzoate. In fact, Beam’s “Skinnygirl” Spirits contains preservatives,
18 including sodium benzoate. Beam’s representations are false, misleading and reasonably
19 likely to deceive the public.

20 2. Through this advertising, Beam has conveyed one message: “Skinnygirl”
21 spirits are all natural, use only natural ingredients and contain no preservatives. The
22 advertisements and labeling containing the uniform false and deceptive statements.

23 3. Beam’s advertising and marketing campaign is designed to cause consumers
24 to buy “Skinnygirl” brand spirits as a result of this deceptive message, and Beam has
25 succeeded. The purported “Skinnygirl” brand spirit is anything but All Natural and in fact
26 nothing more than regular spirits. This is evidenced by Whole Foods recent decision to pull
27 the brand from its shelves for not being all natural as advertised.
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1 revenue. Beam markets, distributes and sells a variety of premium spirits selling over 33
2 million cases of spirits which, according to their website have “been trusted for generations.”

3 9. The true names and capacities of the defendants named herein under
4 California Code of Civil Procedure §474 as Does 1 through 25 are presently unknown to
5 plaintiff, who therefore sues them by such fictitious names. Plaintiff will amend this
6 Complaint to allege the true names and capacities of these defendants when they have been
7 determined. Each of the fictitiously named defendants is responsible in some manner for the
8 conduct alleged herein. The Doe defendants are private individuals, associations, partnerships,
9 corporations or institutes who participated in the wrongful conduct alleged herein in ways
10 which are unknown to plaintiff at this time.

11 **FACTUAL ALLEGATIONS**

12 10. In or about March of 2011, Beam purchased the “Skinnygirl” Ready to Drink
13 (RTD) brand of spirits. The “Skinnygirl” brand was created in 2009 by renowned natural
14 foods chef, reality television star and entrepreneur, Bethenny Frankel. Beam, obviously
15 banking on the marketing and all natural image of Bethenny Frankel, continued marketing and
16 advertising the brand as all natural and the brand you can trust. This is evidenced by the quote
17 on the bottle from Ms. Frankel identifying the Margarita as the one you can trust. According
18 to Beam, the “Skinnygirl” brand is all natural. By purchasing “Skinnygirl” brand spirits from
19 the famed natural foods chef and labeling and marketing the brand as all natural and
20 containing no preservatives, plaintiff and consumers alike, were led to believe that the already
21 widely known health conscious “Skinnygirl” brand was indeed all natural and free of any
22 preservatives. Beam’s representations are false, misleading and reasonably likely to deceive
23 the public.

24 11. On its packaging and labeling Beam states that “Skinnygirl” is all natural and
25 contains no preservatives. Nowhere does Beam indicate or state that the product contains
26 preservatives.

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1 **CLASS ACTION ALLEGATIONS**

2 12. Plaintiff brings this lawsuit on behalf of herself and the proposed Class
3 members under Rule 23(b)(2) and (3) of the Federal Rules of Civil Procedure. The proposed
4 Class consists of:

5 All persons who purchased Beam's "Skinnygirl" brand of spirits until
6 the date notice is disseminated. Excluded from the Class are defendant's
7 officers, directors and employees and those who purchased "Skinnygirl" spirits
8 for the purpose of resale.

9 13. Subject to additional information obtained through further investigation and
10 discovery, the foregoing definition of the Class may be expanded or narrowed by amendment
11 or amended complaint. Specifically excluded from the proposed Class are the defendant, its
12 officers, directors, agents, trustees, parents, children, corporations, trusts, representatives,
13 employees, principals, servants, partners, joint-venturers, or entities controlled by the
14 defendant, and its heirs, successors, assigns, or other persons or entities related to or affiliated
15 with the defendant and/or its officers and/or directors, or any of them; the Judge assigned to
16 this action, and any member of the Judge's immediate family.

17 14. *Numerosity.* The members of the Class are so numerous that their individual
18 joinder is impracticable. Plaintiff is informed and believes, and on that basis alleges, that the
19 proposed Class contains many thousands of members. The precise number of Class members
20 is unknown to plaintiff. The true number of Class members is known by the defendant,
21 however, and thus, may be notified of the pendency of this action by first class mail, electronic
22 mail, and by published notice.

23 15. *Existence and Predominance of Common Questions of Law and Fact.*
24 Common questions of law and fact exist as to all members of the Class and predominate over
25 any questions affecting only individual Class members. These common legal and factual
26 questions include, but are not limited to, the following:

27 (a) whether Beam had adequate substantiation for its claims prior to making
28 them;

1 (b) whether the claims discussed above are true, or are misleading, or
2 reasonably likely to deceive;

3 (c) whether Beam's alleged conduct violates public policy;

4 (d) whether the alleged conduct constitutes violations of the laws asserted
5 herein;

6 (e) whether Beam engaged in false or misleading advertising;

7 (f) whether plaintiff and Class members have sustained monetary loss and
8 the proper measure of that loss;

9 (g) whether plaintiff and Class members are entitled to an award of
10 disgorgement of Beam's profits;

11 (h) whether plaintiff and Class members are entitled to an award of punitive
12 damages; and

13 (i) whether plaintiff and Class members are entitled to declaratory and
14 injunctive relief.

15 16. **Typicality.** Plaintiff's claims are typical of the claims of the members of the
16 Class in that the defendant was unjustly enriched as a result of plaintiff's and the Class'
17 respective purchases of Beam's "Skinnygirl" spirits.

18 17. **Adequacy of Representation.** Plaintiff will fairly and adequately protect the
19 interests of the members of the Class. Plaintiff has retained counsel highly experienced in
20 complex consumer class action litigation, and plaintiff intends to prosecute this action
21 vigorously. Plaintiff has no adverse or antagonistic interests to those of the Class.

22 18. **Superiority.** A class action is superior to all other available means for the fair
23 and efficient adjudication of this controversy. The damages or other financial detriment
24 suffered by individual Class members is relatively small compared to the burden and expense
25 that would be entailed by individual litigation of their claims against the defendant. It would
26 thus be virtually impossible for the Class, on an individual basis, to obtain effective redress for
27 the wrongs done to them. Furthermore, even if Class members could afford such
28 individualized litigation, the court system could not. Individualized litigation would create the

1 danger of inconsistent or contradictory judgments arising from the same set of facts.
2 Individualized litigation would also increase the delay and expense to all parties and the court
3 system from the issues raised by this action. By contrast, the class action device provides the
4 benefits of adjudication of these issues in a single proceeding, economies of scale, and
5 comprehensive supervision by a single court, and presents no unusual management difficulties
6 under the circumstances here.

7 19. In the alternative, the Class may also be certified because:

8 (a) the prosecution of separate actions by individual Class members would
9 create a risk of inconsistent or varying adjudication with respect to individual Class members
10 that would establish incompatible standards of conduct for the defendant;

11 (b) the prosecution of separate actions by individual Class members would
12 create a risk of adjudications with respect to them that would, as a practical matter, be
13 dispositive of the interests of other Class members not parties to the adjudications, or
14 substantially impair or impede their ability to protect their interests; and/or

15 (c) Defendant has acted or refused to act on grounds generally applicable to
16 the Class thereby making appropriate final declaratory and/or injunctive relief with respect to
17 the members of the Class as a whole.

18 20. Unless stated otherwise, the claims asserted herein are applicable to all
19 persons who purchased Beam's "Skinnygirl" brand of spirits.

20 21. Adequate notice can be given to Class members directly using information
21 maintained in defendant's records or through notice by publication.

22 22. Damages may be calculated, in part, from the sales information maintained in
23 defendant's records, so that the cost of administering a recovery for the Class can be
24 minimized. However, the precise amount of damages available to plaintiff and the other
25 members of the Class is not a barrier to class certification.

26 23. Plaintiff seeks a constructive trust, and preliminary and permanent injunctive
27 and equitable relief on behalf of the entire Class, on grounds generally applicable to the entire
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1 Class, to enjoin and prevent defendant from engaging in the acts described, and requiring
2 defendants to provide full restitution to plaintiff and Class members.

3 24. Unless a class is certified, Beam will retain monies received as a result of its
4 conduct that was taken from plaintiff and proposed Class members. Unless a classwide
5 injunction is issued, defendant will continue to commit the violations alleged, and the
6 members of the Class and the general public will continue to be misled.

7 25. Beam has acted and refused to act on grounds generally applicable to the
8 Class, making appropriate final injunctive relief with respect to the Class as a whole.

9
10 **FIRST CAUSE OF ACTION**

11 **For Violations of the Consumers Legal Remedies Act – Civil**
12 **Code §1750 *et seq.* On Behalf of Plaintiff and the Class**

13 26. Plaintiff re-alleges and incorporates by reference the allegations contained in
14 the paragraphs above as if fully set forth herein.

15 27. This cause of action is brought pursuant to the Consumers Legal Remedies
16 Act, Civil Code §1750, *et seq.* (the “Act”). Plaintiff is a consumer as defined by Civil Code
17 §1761(d). Beam’s “Skinnygirl” spirit is a good within the meaning of the Act.

18 28. Beam violated and continues to violate the Act by engaging in the following
19 practices proscribed by §1770(a) of the Act in transactions with plaintiff and the Class which
20 were intended to result in, and did result in, the sale of the Beam’s “Skinnygirl” spirit:

21 (a) Representing Beam’s “Skinnygirl” brand of spirit has characteristics
22 which it does not have.

23 (b) Representing that Beam’s “Skinnygirl” brand of spirit is of a particular
24 standard, quality or grade when in fact it is of another.

25 (c) Advertising Beam’s “Skinnygirl” brand of spirit as a spirit which is all
26 natural and contains no preservatives.

27 (d) Representing that Beam’s “Skinnygirl” brand of spirit did not contain
28 various preservatives when it did.

1 For the reasons discussed above, Beam has violated each of these provisions of Business &
2 Professions Code §17200.

3 37. Beam has violated §17200's prohibition against engaging in unlawful acts
4 and practices by, *inter alia*, making the representations and omissions of material facts, as set
5 forth more fully herein, and violating Civil Code §§1572, 1573, 1709, 1710, 1711, 1770,
6 Business & Professions Code §17200 *et seq.*, Health & Safety Code §110765, 21 U.S.C. §343,
7 by misbranding food, Beam's "Skinnygirl" spirit, in violation of federal law, and by violating
8 the common law.

9 38. Plaintiff and the Class reserve the right to allege other violations of law which
10 constitute other unlawful business acts or practices. Such conduct is ongoing and continues to
11 this date.

12 39. Beam's acts, omissions, misrepresentations, practices and non-disclosures as
13 alleged herein also constitute "unfair" business acts and practices within the meaning of
14 Business & Professions Code §17200 *et seq.* in that its conduct is substantially injurious to
15 consumers, offends public policy, and is immoral, unethical, oppressive, and unscrupulous as
16 the gravity of the conduct outweighs any alleged benefits attributable to such conduct.

17 40. As stated in this Complaint, plaintiff alleges violations of consumer
18 protection, unfair competition and truth in advertising laws in California and other states
19 resulting in harm to consumers. Plaintiff asserts violations of the public policy of engaging in
20 false and misleading advertising, unfair competition and deceptive conduct towards
21 consumers. This conduct constitutes violations of the unfair prong of Business & Professions
22 Code §17200 *et seq.*

23 41. There were reasonably available alternatives to further Beam's legitimate
24 business interests, other than the conduct described herein.

25 42. Beam's claims, nondisclosures and misleading statements, as more fully set
26 forth above, were also false, misleading and/or likely to deceive the consuming public
27 within the meaning of Business & Professions Code §17200.

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1 50. Beam breached the terms of this contract, including the express warranties,
2 with plaintiff and the Class by not providing the "Skinnygirl" product as described above.

3 51. As a result of Beam's breach of its contract, plaintiff and the Class have been
4 damaged in the amount of the purchase price of the "Skinnygirl" they purchased.

5 **PRAYER FOR RELIEF**

6 Wherefore, plaintiff prays for a judgment:

- 7 A. Certifying the Class as requested herein;
- 8 B. Awarding plaintiff and the proposed Class members damages;
- 9 C. Awarding restitution and disgorgement of Beam's revenues to plaintiff and the
10 proposed Class members;
- 11 D. Awarding declaratory and injunctive relief as permitted by law or equity,
12 including: enjoining defendants from continuing the unlawful practices as set forth herein, and
13 directing defendants to identify, with Court supervision, victims of its conduct and pay them
14 restitution and disgorgement of all monies acquired by defendants by means of any act or
15 practice declared by this Court to be wrongful;
- 16 E. Awarding plaintiff and the Class punitive damages;
- 17 F. Ordering Beam to engage in a corrective advertising campaign;
- 18 G. Awarding attorneys' fees and costs; and
- 19 H. Providing such further relief as may be just and proper.

20 **JURY DEMAND**

21 Plaintiff demands a trial by jury on all issues so triable.

22 Dated: September 6, 2011

23 By: 
George Rikos

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25 1307 Stratford Court
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28 Attorneys for Plaintiff

EXHIBIT A

September 6, 2011

Sent Via Certified Mail

Matthew J. Shattock
President and Chief Executive Officer
Beam Global Spirits & Wine
510 Lake Cook Road,
Deerfield, IL, 60015

Re: *Renata Bonar v. Beam Global Spirits & Wine*

Dear Mr. Shattock:

I represent Renata Bonar and all other consumers similarly situated in an action against Beam, arising out of, inter alia, misrepresentations, either express or implied, by Beam to consumers of your "Skinnygirl" brand of spirits.

Renata Bonar and others similarly situated purchased the product unaware of the fact that Beam's representations were not substantiated. Despite Beam's "Skinnygirl" labeling and advertisements, directly and impliedly suggest that the spirit is all natural and contains no preservatives.

These representations are false and misleading and constitute unfair methods of competition and unlawful, unfair and fraudulent acts or practices, undertaken by Beam with the intent to result in the sale of "Skinnygirl" to the consuming public. In fact, these representations do not assist consumers; they simply mislead them.

This practice constitutes a violation of the California Civil Code Section 1770(a) under, inter alia, the following subdivisions:

- (a) Representing Beam's "Skinnygirl" spirit has characteristics which it does not have, namely being all natural and free of preservatives.
- (b) Representing Beam's "Skinnygirl" spirit is of a particular standard, quality or grade when in fact it is of another.
- (c) Advertising Beam's "Skinnygirl" brand as a spirit which contains no preservatives and is all natural.

California Civil Code Section 1770(a)(5)-(16).

Beam's claims also constitute violations of California Business and Professions Code Section 17200, and a breach of the express warranties.

While the Complaint constitutes sufficient notice of the claims asserted, pursuant to California Civil Code Section 1782, we hereby demand on behalf of our client and all others similarly situated in the United States that Beam immediately correct and rectify this violation of California Civil Code Section 1770 by ceasing the misleading marketing campaign and ceasing the dissemination of false and misleading information as described in the enclosed Complaint. In addition, Beam should offer to refund the purchase price to all consumer purchasers of these products, plus reimbursement for interest, costs and fees.

Plaintiff will, after 30 days from the date of this letter, amend the Complaint without leave of Court, as permitted by California Civil Code Section 1782, to include claims for actual and punitive damages (as may be appropriate) if a full and adequate response to this letter is not received. These damage claims would also include claims under already asserted theories of unlawful business acts and practices, unfair and fraudulent business acts and practices, false and deceptive advertising, as well as the claims under the Consumer Legal Remedies Act. Thus, to avoid further litigation, it is in the interest of all parties concerned that Beam address this problem immediately.

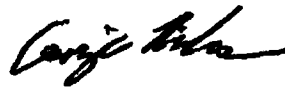
Beam must undertake all of the following actions to satisfy the requirements of California Civil Code Section 1782(c):

1. Identify or make a reasonable attempt to identify purchasers of the subject products who reside in the United States;
 2. Notify all such purchasers so identified that upon their request, Beam will offer an appropriate correction, replacement, or other remedy for its wrongful conduct, which can include a full refund of the purchase price paid for such products, plus interest, costs and fees;
 3. Undertake (or promise to undertake within reasonable time if it cannot be done immediately) the actions described above for all purchasers who so request; and
 4. Cease from expressly or impliedly representing to consumers that these products are all natural and contain no preservatives, as more fully described in the attached Complaint.
-

Matthew J. Shattock
September 6, 2011
Re: Bonar v. Beam Global Spirits & Wine
Page 3

We await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "George Rikos", written in a cursive style.

George Rikos

EXHIBIT B

1 GEORGE RIKOS, Esq. (SBN 204864)
2 **THE LAW OFFICES OF GEORGE RIKOS**
3 1307 Stratford Court
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8 Attorneys for Plaintiff

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DIVISION OF CALIFORNIA**

11
12 Renata Bonar, On Behalf of Herself, All
13 Others Similarly Situated and the General
14 Public,

15 Plaintiff,

16 v.

17 BEAM GLOBAL SPIRITS & WINE, Inc.,
18 and DOES 1-25, Inclusive,

19 Defendant.

No.:

CLASS ACTION

AFFIDAVIT OF GEORGE RIKOS
PURSUANT TO CALIFORNIA CIVIL CODE
SECTION 1780(d)

20 I, George Rikos, declare as follows:

21 1. I am an attorney duly licensed to practice before all of the courts of the State of
22 California and am counsel of record for plaintiff in the above entitled matter.
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AFFIDAVIT OF GEORGE RIKOS PURSUANT TO
CALIFORNIA CIVIL CODE SECTION 1780(d)

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2. Defendant Beam has done and is doing business in San Diego County. Such business includes the marketing and sale of "Skinnygirl" Spirits. Furthermore, plaintiff Renata Bonar purchased "Skinnygirl" in San Diego County.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 6th day of September, 2011, at San Diego, California.


George Rikos

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Renata Bonar

(b) County of Residence of First Listed Plaintiff San Diego, CA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

The Law Offices of George Rikos
1307 Stratford Court, Del Mar, CA 92014; (858) 342-9161

DEFENDANTS

Beam Global Spirits & Wine, Inc.

County of Residence of First Listed Defendant Deerfield, IL
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | | | |
|---|---|--------------------------------|---|--------------------------------|---|
| Citizen of This State | <input checked="" type="checkbox"/> PTF 1 | <input type="checkbox"/> DEF 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> PTF 4 | <input type="checkbox"/> DEF 4 |
| Citizen of Another State | <input type="checkbox"/> PTF 2 | <input type="checkbox"/> DEF 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> PTF 5 | <input checked="" type="checkbox"/> DEF 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> PTF 3 | <input type="checkbox"/> DEF 3 | Foreign Nation | <input type="checkbox"/> PTF 6 | <input type="checkbox"/> DEF 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Millor Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airmine Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity.)
Civil Code section 1750, et seq., Business & Professions Code section 17200, et seq.

Brief description of cause:
Class action complaint for violations of consumers legal remedies act.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 5,000,000.00

CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE

09/06/2011

SIGNATURE OF ATTORNEY OF RECORD

George Rikos



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____