# UNITED STATES DISTRICT COURT IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA MIAMI DIVISION

JAMES GREGWARE, on behalf of himself and all others similarly situated,		
Plaintiff,	Case No.:	
v.		
THE SCOTTS MIRACLE-GRO COMPANY and THE SCOTTS COMPANY, LLC,		
Defendants.		

# **CLASS ACTION COMPLAINT**

Plaintiff, James Gregware (hereinafter, "Gregware"), by and through the undersigned counsel, brings this class action complaint against Defendants, The Scotts Miracle-Gro Company and The Scotts Company, LLC (collectively hereinafter, "Scotts") and alleges as follows:

# NATURE OF THE CASE

1. Gregware brings this class action on behalf of himself and all other similarly situated Florida consumers who purchased Scotts Green Max Lawn Fertilizer Plus 5.17% Iron for Deep Greening (hereinafter, "Green Max" or "the Product") and suffered damage to their homes and/or real property, including, but not limited to, driveways, sidewalks, porches, patios, and other hard surfaces in the form of rust-like stains, as a result of using the Product.

# **PARTIES**

2. Plaintiff, James Gregware, is a Florida resident. At all times relevant to this complaint, Gregware lived in Orlando, Orange County, Florida. On June 1, 2013, Gregware

purchased the Product at The Home Depot, located at 350 North Alafaya Trail, Orlando, Florida 32828 for the price of \$38.98 plus tax.

- 3. Defendant, The Scotts Miracle-Gro Company (hereinafter, "Scotts Miracle-Gro"), is an Ohio corporation for profit headquartered in Marysville, Union County, Ohio. It is a publicly-traded company that represents itself as the world's largest marketer of branded consumer lawn and garden products. It is also the parent company of Co-Defendant and wholly-owned subsidiary, The Scotts Company, LLC. At all times relevant to this complaint, Scotts Miracle-Gro transacted business in the State of Florida, including, but not limited to, the distribution, marketing and selling of its consumer lawn and garden products. Additionally, Scotts Miracle-Gro has agents and/or other representatives within the State of Florida.
- 4. Defendant, The Scotts Company, LLC (hereinafter, "Scotts Company"), is an Ohio limited liability company headquartered in Marysville, Union County, Ohio. It is a wholly-owned subsidiary of Co-Defendant and parent company, Scotts Miracle-Gro, and participates in the distribution, marketing and/or selling of Scotts Miracle-Gro's branded consumer lawn and garden products. At all times relevant to this complaint, Scotts Company was registered with the State of Florida as a foreign limited liability company and transacted business within the State through the aforementioned conduct.

# **JURISDICTION AND VENUE**

5. This Court has original jurisdiction pursuant to 28 U.S.C. § 1332(d)(2), as the matter in controversy, exclusive of interest and costs, exceeds the amount of \$5,000,000 and is a class action wherein the putative Class Members are citizens of a state different from Defendants.

6. Venue lies in this District, pursuant to 28 U.S.C. § 1391, as Defendants conduct and/or transact business in this Judicial District, and Defendants have intentionally availed themselves of the laws and markets within this District through the distribution, marketing and/or selling of consumer lawn and garden products, including, but not limited to Green Max, and therefore are subject to personal jurisdiction in this Judicial District.

# FACTUAL ALLEGATIONS

- 7. Scotts Green Max Lawn Fertilizer Plus 5.17% Iron for Deep Greening is one of several consumer lawn and garden products that Scotts manufactures and then markets and sells to Florida consumers. The Product is intended to enhance the natural greening process of the user's lawn, so that it gets greener, faster. According to its packaging, Green Max offers "10x the feeding power of Ironite" and contains "triple the iron for fast, extreme greening." Exhibit 1. Specifically, Green Max contains 5.17% iron. In comparison, the competitive product Ironite only contains 4.5% iron, as indicated on the Ironite packaging. Exhibit 2.
- 8. The reverse side of the Product packaging features a Quick Start Guide consisting of three "simple steps" for obtaining "a beautiful Scotts lawn." Exhibit 1. Step One instructs consumers to fill a spreader with the Product in accordance with recommended measurements. Step Two instructs consumers to "apply [the Product] evenly to a wet or dry lawn." Step Three instructs consumers to clean up and expressly warrants that "sweeping product from hard surfaces onto the lawn keeps product on the grass and prevents staining." The Product packaging does not contain or reference any additional disclosures regarding staining or the

<sup>&</sup>lt;sup>1</sup> As stated on its packaging, the Product offers ten times the grass feeding power when compared to the nitrogen content of Ironite Mineral Supplement, a product marketed by one of Scotts' competitors. Further, the Product purports to contain triple the iron when compared to Scotts Turf Builder South 26-2-13, when applied at recommended rates.

likelihood that the Product will cause staining regardless of consumers' adherence to the instructions included on the packaging.

- 9. Contrary to Scotts' representation and express warranty that adhering to the above-described clean-up instructions will prevent staining, the Product causes rust-like stains to the hard surfaces surrounding the lawn where the Product has been applied, regardless of the clean-up efforts undertaken by consumers.
- 10. Scotts maintains an official company Web site located at <a href="www.scotts.com">www.scotts.com</a>, which includes a section entitled "Ratings & Reviews." This section contains multiple complaints posted by consumers regarding hard surface staining caused by the Product. Exhibit 3. Scotts employees have posted responses to these consumer complaints, wherein Scotts admits that "[t]he iron in Scotts Green Max Lawn Fertilizer plus 5.17% Iron may stain." *Id*.
- 11. The Scotts Web site also includes a section entitled "Questions & Answers." Significantly, the first listed question is: "How can I remove staining on concrete?" Exhibit 4. The answer posted by Scotts states that, because sunlight and water will not completely remove the stains, the use of certain stain removal products is recommended. *Id.* These stain removal products must be purchased by consumers for an additional cost above and beyond the amount already paid for the Product that caused the stains.
- 12. Upon information and belief, Scotts has actual knowledge that the Iron content and/or consistency of the Product will and does cause staining to hard surfaces, including, but not limited to, driveways, sidewalks, porches, patios, and other surfaces even when consumers follow the instructions provided on the Product packaging. Rather than disclosing this critical fact to consumers, Scotts misrepresents and expressly warrants that adhering to the clean-up

instructions included on the Product packaging will prevent staining. In reality, the Product causes staining on hard surfaces even when consumers follow these instructions.

- 13. Comparatively, the packaging of Ironite a competitive product containing *less* iron than Green Max includes an explicit disclosure that "IRONITE WILL STAIN" and further represents that, "[i]f concrete is wet when contact occurs, staining may be impossible to prevent." Exhibit 2.
- 14. Scotts offers a No-Quibble Guarantee on the Product packaging, which states that: "If for any reason you, the consumer, are not satisfied after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly." Exhibit 1. Significantly, the No-Quibble Guarantee fails to address whether and/or how Scotts will compensate consumers for the damage it knows the Product causes to consumers' homes and/or real property in the form of rust-like stains.
- 15. In addition to damaging consumers' homes and/or real property by staining hard surfaces, Green Max further damages consumers by causing them to purchase stain removal products and/or to hire stain removal professionals at their own expense.

# PLAINTIFF'S INDIVIDUAL CLAIMS

- 16. On June 1, 2013, Gregware purchased a single bag of Green Max at The Home Depot, located at 350 North Alafaya Trail, Orlando, Florida 32828 for the price of \$38.98 plus tax.
- 17. On or before June 3, 2013, Gregware carefully followed all of the instructions provided on the Product packaging and applied the Product to his lawn.
- 18. After applying the Product to his lawn, Gregware cleaned the surrounding hard surfaces, including his driveway, sidewalk, porch and other surfaces, in strict adherence to the

instructions provided on the Product packaging. He did so by thoroughly sweeping these areas and using a leaf blower to remove any Product from these surfaces. On the date that he applied the Product to his lawn, Gregware's driveway, sidewalk, porch and other surfaces were devoid of stains.

- 19. Despite Gregware's strict adherence to the instructions on the Product packaging, Green Max damaged his home and/or real property by causing unsightly rust-like stains on the hard surfaces surrounding his lawn, including, but not limited to, the driveway, sidewalk, porch and other surfaces. Specifically, on or before June 4, 2013, Gregware discovered multiple stains on the above-described hard surfaces that were not there prior to his application of the Product to his lawn.
- 20. On or about June 23, 2013, Gregware posted a complaint on the Scotts Web site describing his negative experience with the Product. Scotts subsequently contacted Gregware regarding his complaint and recommended that he purchase and apply a stain removal product. Believing that stain removal products should be applied by a professional stain remover, Gregware requested that Scotts cover the cost of hiring a stain removal expert. Scotts refused to cover the cost of professional labor and offered Gregware \$60.00 towards the cost of a stain removal product.
- 21. Gregware subsequently attempted to remove the stains on his own using a professional-grade pressure washer. However, the pressure washer had little-to-no effect on the stains. To date, the hard surface stains caused by the Product continue to mar Gregware's home and/or real property and diminish the value of his property.

# **CLASS ACTION ALLEGATIONS**

- 22. As detailed in the individual counts, Gregware brings this class action lawsuit on behalf of himself and all others similarly situated, pursuant to Federal Rules of Civil Procedure 23(a), (b)(2) and (b)(3).
  - 23. Gregware seeks to represent the following Class:

All Florida consumers who purchased and used Scotts Green Max Lawn Fertilizer Plus 5.17% Iron for Deep Greening and sustained damage to their homes and/or real property in the form of hard surface stains as a result of using the Product, from December 20, 2009 to the present (hereinafter, "the Class" or "Class Members").

24. Excluded from the Class are Scotts, its employees, agents and assigns. Also excluded are any members of the judiciary to whom this case is assigned, their Court staff and Gregware's counsel.

# **Numerosity**

- 25. Class Members are so numerous and geographically dispersed throughout Florida that joinder of all Class Members is impracticable.
- 26. While the exact number of Class Members remains unknown at this time, upon information and belief, there are thousands, if not hundreds of thousands, of putative Class Members.

# **Predominance of Common Questions of Law and Fact**

- 27. This action involves common questions of law and fact, which predominate over any questions affecting individual Class Members. These common legal and factual questions include, but are not limited to, the following:
  - a. whether Scotts is subject to the Florida Deceptive and Unfair Trade Practices Act,
    § 501.201, et seq., Florida Statutes (hereinafter, "FDUTPA");

- b. whether the instructions and/or disclosures provided by Scotts on the Product packaging are false, deceptive and/or misleading;
- c. whether Scotts' conduct violates the FDUTPA;
- d. whether the instructions and/or disclosures provided by Scotts on the Product packaging constitute an express warranty;
- e. whether Scotts breached the express warranty;
- f. whether Gregware and Class Members have sustained damages and the proper measure of their losses;
- g. whether Gregware and Class Members are entitled to declaratory relief and/or injunctive relief; and
- h. whether Gregware and Class Members are entitled to other appropriate remedies.

# **Typicality**

- 28. Gregware's claims are typical of the claims of the proposed Class Members, because, *inter alia*, all Class Members were damaged as a result of Scotts' uniform misconduct, as described above, were subject to Scotts' false, deceptive and/or misleading trade practices and its breach of express warranty.
- 29. Gregware shares the aforementioned facts and legal claims and/or questions with all Class Members. There is a sufficient relationship between Scotts' conduct and the damages sustained by Gregware and Class Members.

# **Adequacy**

30. Gregware will fairly and adequately protect the interests of Class Members and is committed to the vigorous prosecution of this action. Gregware has retained counsel

experienced in complex consumer class action litigation, and intends to prosecute this action vigorously. Gregware has no adverse or antagonistic interests to those of the Class.

# **Superiority**

- 31. A class action is superior to other available methods for the fair and efficient adjudication of this controversy. Individual joinder of all Class Members' claims is impracticable or impossible for at least the following reasons:
  - a. The claims presented in this case predominate over any questions of law or fact, if any exist at all, affecting individual Class Members;
  - Absent a Class, the Class Members will continue to suffer damage and Scotts' violations of the FDUTPA and breaches of express warranty will continue without remedy;
  - c. Given the size of individual Class Members' claims, few, if any, Class Members could afford to or would seek legal redress individually for the wrongs Scotts committed and continues to commit against them, and absent Class Members have no substantial interest in individually controlling the prosecution of individual actions;
  - d. Individualized litigation would create the danger of inconsistent or contradictory judgments arising from the same set of facts, while also increasing the delay and expense to all parties and the Court. Comparatively, the class action device provides economies of scale and allows Class Members' claims to be comprehensively administered and uniformly adjudicated in a single proceeding.
  - e. When the liability of Scotts has been adjudicated, claims of all Class Members can be administered efficiently and/or determined uniformly by the Court;

- f. This action presents no difficulty that would impede its management by the Court as a class action, which is the best available means by which Gregware and Class Members can seek redress for the harm caused to them by Scotts.
- 32. The trial and litigation of Gregware's claims are manageable.
- 33. Scotts has acted and/or refused to act on grounds generally applicable to the Class by engaging in a uniform practice of (a) falsely and deceptively representing that adherence to the instructions provided on the Product packaging will prevent hard surface staining; (b) falsely and deceptively omitting material disclosures regarding the likelihood that the Product will cause staining; and (c) breaching the express warranty included on the Product packaging, thereby making appropriate final injunctive relief with respect to the Class as a whole.
- 34. Because Gregware seeks injunctive relief and corresponding declaratory and equitable relief for the entire Class, the prosecution of separate actions by individual Class Members would create a risk of inconsistent or varying adjudications with respect to individual Class Members, which would establish incompatible standards of conduct for Scotts. Further, bringing individual claims would burden the Courts and be an inefficient method of resolving the dispute at the center of this litigation. Adjudications with respect to individual Class Members would, as a practical matter, be dispositive of the interest of other Class Members who are not parties to the adjudication and may impair or impede their ability to protect their interests. As a consequence, class treatment is a superior method for adjudication of the issues in this case.

# COUNT I Violation of the Florida Deceptive and Unfair Trade Practices Act, § 501.201, et seq., Florida Statutes

35. Gregware repeats and realleges the allegations contained in paragraphs 1 through 34 above, as if fully set forth herein.

- 36. This cause of action is brought pursuant to the Florida Deceptive and Unfair Trade Practices Act, § 501.201, *et seq.*, Fla. Stat. The stated purpose of the FDUTPA is to "protect the consuming public ... from those who engage in unfair methods of competition, or unconscionable, deceptive, or unfair acts or practices in the conduct of any trade or commerce." § 501.202(2), Fla. Stat.
- 37. Gregware and Class Members are consumers as defined by § 501.203(7), Fla. Stat., Scotts is engaged in trade or commerce within the meaning of § 501.203(8), Fla. Stat., and the Product is a good within the meaning of the FDUTPA.
- 38. Section 501.204(1), Fla. Stat., declares unlawful "[u]nfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce."
- 39. Section 501.204(2), Fla. Stat., states that "due consideration and great weight shall be given to the interpretations of the Federal Trade Commission and the federal courts relating to [section 5(a)(1) of the Federal Trade Commission Act." Scotts' unfair and deceptive practices are likely to mislead and have misled consumers acting reasonably under the circumstances, and violate § 501.204, Fla. Stat.
- 40. Scotts has violated and continues to violate the FDUTPA by engaging in the unfair, deceptive and misleading practices described herein, which has resulted in substantial damage to consumers.
- 41. Gregware and Class Members have been damaged by Scotts' unfair and deceptive practices in that their homes and/or real property were and are stained by the Product, despite their strict adherence to the instructions provided by Scotts on the Product packaging.

- 42. The damages suffered by Gregware and Class Members were directly and proximately caused by the unfair, deceptive and misleading practices of Scotts, as more fully described herein.
- 43. Pursuant to § 501.211(1), Fla. Stat., Gregware and Class Members seek declaratory judgment and a court order enjoining the above-described wrongful acts and practices of Scotts.
- 44. Additionally, pursuant to § 501.211(2) and 501.2105, Fla. Stat., Gregware and Class Members seek damages, attorneys' fees and costs.

# **COUNT II**Breach of Express Warranty

- 45. Gregware repeats and realleges the allegations contained in paragraphs 1 through 34 above, as if fully set forth herein.
- 46. Scotts provides a "Quick Start Guide" on the Product packaging, consisting of the three above-described steps. Exhibit 1. The third and final step instructs and expressly warrants to consumers that "Sweeping product from hard surfaces onto the lawn keeps product on the grass and **prevents staining**." *Id*.
- 47. This warranty, which is included on every package of the Product, provided a significant basis for Gregware and Class Members' decisions to purchase the Product.
- 48. Gregware and Class Members meticulously followed all of the instructions set forth in the Quick Start Guide, including, but not limited to, the sweeping of the Product from the hard surfaces surrounding their lawns.
- 49. The Product did not perform as described. Despite Gregware and Class Members' strict adherence to the instructions provided by Scotts on the Product packaging, the Product stained their respective homes and/or real property, including, but not limited to, their

driveways, sidewalks, porches, patios and other hard surfaces. Accordingly, Scotts breached the express warranty by manufacturing, marketing and/or selling the Product, which stains hard surfaces, despite consumers' compliance with the instructions provided on the Product packaging.

- 50. As a direct and proximate result of Scotts' breach of the express warranty, Gregware and Class Members have been damaged in that their homes and/or real property were and are stained by the Product, despite their strict adherence to the instructions provided by Scotts on the Product packaging.
  - 51. All conditions precedent to this cause of action have been performed.

# PRAYER FOR RELIEF

WHEREFORE, Gregware, on behalf of himself and Class Members, prays for a judgment:

- a. Certifying the Class, as defined herein;
- b. Appointing Gregware as Class Representative;
- c. Appointing the undersigned as Class Counsel;
- d. Enjoining Scotts from continuing to violate the FDUTPA;
- e. Enjoining Scotts from continuing to breach its express warranty;
- f. Finding Scotts liable to Gregware and Class Members for actual damages in such amount(s) as the Court or Jury may determine;
- g. Awarding statutory damages as appropriate;
- h. Awarding Gregware and Class Members attorneys' fees and all litigation costs;
- Awarding Gregware and Class Members such other equitable relief as may be just and proper.

# **DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, Gregware, on behalf of himself and all others similarly situated, hereby demands a trial by jury on all issues so triable.

Dated: December 20, 2013 Respectfully submitted,

MORGAN & MORGAN COMPLEX LITIGATION GROUP

/s/ Jonathan B. Cohen

Jonathan B. Cohen (Bar No. 0027620) J. Andrew Meyer (Bar No. 0056766) 201 N. Franklin St., 7th Floor Tampa, FL 33602

Telephone: (813) 223-5505 Facsimile: (813) 222-2434 jcohen@forthepeople.com ameyer@forthepeople.com

Attorneys for Plaintiff

Date:

AO 440 (Rev. 00/12) Summons in a Civil Action	
United Stati	ES DISTRICT COURT
I	District of
Plaintiff(s) V.	) ) ) ) Civil Action No.
Defendant(s)	) ) ) )
SUMMONS	IN A CIVIL ACTION
To: (Defendant's name and address)	
A lawsuit has been filed against you.	
are the United States or a United States agency, or an of P. 12 (a)(2) or (3) — you must serve on the plaintiff an	n you (not counting the day you received it) — or 60 days if you fficer or employee of the United States described in Fed. R. Civ. answer to the attached complaint or a motion under Rule 12 of otion must be served on the plaintiff or plaintiff's attorney,
If you fail to respond, judgment by default will You also must file your answer or motion with the court	be entered against you for the relief demanded in the complaint. t.
	CLERK OF COURT

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

# PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

	This summons for (na	me of individual and title, if an	ıy)	
was rec	ceived by me on (date)		·	
	☐ I personally served	d the summons on the ind	lividual at (place)	
			on (date)	; or
	☐ I left the summons	at the individual's reside	ence or usual place of abode with (name)	
		,	, a person of suitable age and discretion who resi	des there,
	on (date)	, and mailed a	copy to the individual's last known address; or	
	☐ I served the summ	ons on (name of individual)		, who is
	designated by law to	accept service of process	s on behalf of (name of organization)	
			on (date)	; or
	☐ I returned the sum	mons unexecuted because	e	; or
	☐ Other (specify):			
	My fees are \$	for travel and \$	for services, for a total of \$	·
	I declare under penalt	ry of perjury that this info	ormation is true.	
Date:				
		_	Server's signature	
		_	Printed name and title	
		_	Server's address	

Additional information regarding attempted service, etc:

Date:

UNITED STA	ATES DISTRICT COURT
	District of
Plaintiff(s) V.	) ) ) ) ) () ) () () () () () () () () (
Defendant(s)	
SUMMO	ONS IN A CIVIL ACTION
To: (Defendant's name and address)	
A lawsuit has been filed against you.	
are the United States or a United States agency, or a P. 12 (a)(2) or (3) — you must serve on the plaintiff	ons on you (not counting the day you received it) — or 60 days if you an officer or employee of the United States described in Fed. R. Civ. If an answer to the attached complaint or a motion under Rule 12 of or motion must be served on the plaintiff or plaintiff's attorney,
If you fail to respond, judgment by default You also must file your answer or motion with the control of the co	will be entered against you for the relief demanded in the complaint. court.
	CLERK OF COURT

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

# PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

	This summons for (n	ame of individual and title, if an	ny)	
was red	ceived by me on (date)		·	
	☐ I personally serve	ed the summons on the ind	lividual at (place)	
			on (date)	; or
			ence or usual place of abode with (name)	
		,	a person of suitable age and discretion who resi	ides there,
	on (date)	, and mailed a	copy to the individual's last known address; or	
	☐ I served the summ	nons on (name of individual)		, who is
	designated by law to	o accept service of process	s on behalf of (name of organization)	
			On (date)	; or
	☐ I returned the sun	nmons unexecuted because	e	; or
	☐ Other (specify):			
	My fees are \$	for travel and \$	for services, for a total of \$	
	I declare under pena	lty of perjury that this info	ormation is true.	
Date:				
		_	Server's signature	
		_	Printed name and title	
		_	Server's address	

Additional information regarding attempted service, etc:

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JS 44 (Rev. 12/12)

# **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 NEXT PAGE OF THIS FORM.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

I. (a) PLAINTIFFS			DEFENDANTS	S	
JAMES GREGWARE, of situated,	on behalf of himself ar	nd all others similarly	THE SCOTTS N COMPANY, LI	MIRACLE-GRO COMPA LC,	ANY and THE SCOTTS
(b) County of Residence o	f First Listed Plaintiff (CEPT IN U.S. PLAINTIFF CA.	Orange		e of First Listed Defendant (IN U.S. PLAINTIFF CASES)	Union
· ·		330)	NOTE:		CASES. USE THE LOCATION OF
(c) Attorneys (Firm Name, A	ddress, and Telenhone Number		Attorneys (If Known)	THE TRACT OF LAND INVOL	
Jonathan B. Cohen, Esc			• ,		
201 N. Franklin St., 7th			NP		
(d) Check County Where Actio	n Arose: 🛱 miami-dade	☐ MONROE ☐ BROWARD [	□ PALM BEACH □ MARTIN □ ST. I	UCIE	OBEE  HIGHLANDS
II. BASIS OF JURISDI	CTION (Place an "X" ii	i One Box Only) III		RINCIPAL PARTIES	Place an "X" in One Box for Plaintiff)
☐ 1 U.S. Government	□3 Fede	eral Question	(For Diversity Cases Only)  P	TF DEF PER	and One Box for Defendant) <b>DEF</b>
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2 U.S. Government Defendant		ersity ip of Parties in Item III)	Citizen of Another State	2 Incorporated and F of Business In A	· — —
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IV. NATURE OF SUIT		(v)	EQUEERINE MEN AT CO.	DANTE	
110 Insurance	PERSONAL INJURY	RIS PERSONAL INJURY	FORFEITURE/PENALTY  625 Drug Related Seizure	BANKRUPTCY  422 Appeal 28 USC 158	OTHER STATUTES  375 False Claims Act
120 Marine	☐ 310 Airplane ☐ 315 Airplane Product	365 Personal Injury - Product Liability	of Property 21 USC 881	423 Withdrawal	400 State Reapportionment
140 Negotiable Instrument	Liability	☐ 367 Health Care/	1 090 Other	28 USC 157	410 Antitrust 430 Banks and Banking
☐ 150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel & Slander	Pharmaceutical Personal Injury		PROPERTY RIGHTS  820 Copyrights	450 Commerce 460 Deportation
☐ 151 Medicare Act	☐ 330 Federal Employers'	Product Liability		☐ 830 Patent	470 Racketeer Influenced and
152 Recovery of Defaulted Student Loans	Liability  340 Marine	368 Asbestos Personal Injury Product		□ 840 Trademark	Corrupt Organizations  480 Consumer Credit
(Excl. Veterans) ☐ 153 Recovery of Overpayment	345 Marine Product Liability	Liability PERSONAL PROPERTY	LABOR  ☐ 710 Fair Labor Standards	SOCIAL SECURITY	490 Cable/Sat TV
of Veteran's Benefits	☐ 350 Motor Vehicle	370 Other Fraud	Act	☐ 861 HIA (1395ff) ☐ 862 Black Lung (923)	850 Securities/Commodities/ Exchange
☐ 160 Stockholders' Suits ☐ 190 Other Contract	355 Motor Vehicle Product Liability	371 Truth in Lending 380 Other Personal	☐ 720 Labor/Mgmt. Relations ☐ 740 Railway Labor Act	☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI	890 Other Statutory Actions 891 Agricultural Acts
☐ 195 Contract Product Liability ☐ 196 Franchise	360 Other Personal Injury	Property Damage  385 Property Damage	☐ 751 Family and Medical	☐ 865 RSI (405(g))	☐ 893 Environmental Matters
190 Flancinsc	☐ 362 Personal Injury -	Product Liability	Leave Act 790 Other Labor Litigation		Act
REAL PROPERTY	Med. Malpractice CIVIL RIGHTS	PRISONER PETITIONS	791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS	896 Arbitration 899 Administrative Procedure
☐ 210 Land Condemnation ☐ 220 Foreclosure	440 Other Civil Rights 441 Voting	Habeas Corpus:		☐ 870 Taxes (U.S. Plaintiff	Act/Review or Appeal of
230 Rent Lease & Ejectment	441 Voting 442 Employment	☐ 463 Alien Detainee ☐ 510 Motions to Vacate		or Defendant) 871 IRS—Third Party 26 USC 7609	Agency Decision 950 Constitutionality of State
240 Torts to Land	443 Housing/ Accommodations	Sentence Other:		USC 7609	Statutes
☐ 245 Tort Product Liability	445 Amer. w/Disabilities -	☐ 530 General	IMMIGRATION		
290 All Other Real Property	Employment  446 Amer, w/Disabilities -	☐ 535 Death Penalty ☐ 540 Mandamus & Other	☐ 462 Naturalization Application ☐ 465 Other Immigration		
	Other	550 Civil Rights 555 Prison Condition	Actions		
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		Conditions of Confinement			
V. ORIGIN (Place a	n "X" in One Box Only)				Appeal to District Remanded from
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VI. RELATED/	a) Re-fi	led Case □YES 🗹 N	O b) Related Cases	□YES <b>Z</b> NO	
RE-FILED CASE(S)	(See instructions): JUDGE			DOCKET NUMBER	
		tute under which you are fil	ing and Write a Brief Statemer	DOCKET NUMBER  nt of Cause (Do not cite jurisdict	ional statutes unless diversity);
VII. CAUSE OF ACTIO	N Violation of the Fl LENGTH OF TRIAL	orida Deceptive and U	Infair Trade Practices Actor both sides to try entire case.	et and Breach of Express	Warranty
VIII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER F.R.C.P.	IS A CLASS ACTION 23	<b>DEMAND \$</b> 5,000,000.00	CHECK YES only i  JURY DEMAND:	f demanded in complaint:    ✓ Yes □ No
ABOVE INFORMATION IS TO DATE	RUE & CORRECT TO T		VLEDGE TORNEY OF RECORD		
December 20, 2013		SIGNATURE OF AT	de la		
FOR OFFICE USE ONLY RECEIPT #	AMOUNT	IFP	JUDGE		MAG JUDGE

# Exhibit 1



# Scotts. GREEN

LAWN FERTILIZER PLUS 5.17% Iron For Deep Greening

> FERTILIZANTE PARA CESPEDES CONTIENE 5.17% DE HIERRO PARA REVERDECIMIENTO PROFUNDO



**Kid & Pet Friendly** 

APTO PARA NIÑOS Y MASCOTAS

Won't Burn Lawn Guaranteed!

26-0-2

Contains Triple the Iron for Fast, Extreme Greening



Improves Lawn's Ability to Absorb Water & Nutrients

MEJORA LA CAPACIDAD DEL CESPED PARA ABSORBER AGUA Y NUTRIENTES

NET WT./PESO NETO 16.80 lb (7.62 kg)

\*COMPARED TO NITROGEN CONTENT OF IRONITE" MINERAL SUPPLEMENT WHEN APPLIED AT RECOMMENDED RATES.
IRONITE" IS A REGISTERED TRADEMARK OF CENTRAL GARDEN & PET COMPANY.

APPLY ANY SEASON TO ANY GRASS TYPE

26-0-2 COVERS 5,000 SQ FT



# 2-in-1 Formula

The unique dual action 2-in-1 formula in Scotts® GREEN MAX® 26-0-2 not only supplements your lawn with iron, it also feeds it. So you get your best lawn, all in one bag! Compare that to Ironite® Mineral Supplement 1-0-1, which only does half the job.

# Scotts® GREEN MAX™:

- $\bullet$  Provides 10 times the feeding power of Ironite®+ for thick, strong turf.
- Contains 5.17% iron, an essential micronutrient that enhances the natural greening process, so your lawn gets greener, faster.
- Delivers 100% nutrition in every granule so your lawn gets all food and no filler.



PHOTO SHOWS COMPARISON OF PERENNIAL RYE AFTER ONE WEEK. RESULTS MAY VARY.

# **Quick Start Guide**

# You're just three simple steps away from a beautiful Scotts® lawn!



Fill & Set Spreader

	Recommended Covers 4,000 sq ft	Regular Covers 5,000 sq ft
Scotts® Broadcast/ Rotary Spreaders	4%	4
Scotts <sup>e</sup> Drop Spreaders	7%	7
Llenar y a <b>j</b> ustar el esparcidor	Recomendado Cubre 372 m²	Regular Cultire 465 m²
Esparcidores a voleo/ giretorice Scotts®	434	4
Esparcidores de goteo Scorte <sup>6</sup>	7%	



Apply evenly to a wet or dry lawn.

Apliquelo uniformemente sobre el césped húmedo o seco.



Sweeping product from hard surfaces onto the lawn keeps product on the grass and prevents staining.

Barrer el producto derramado en las superficies duras hacia el jardín mantiene el producto sobre el césped y **previene las manchas**.



re Done! What's Next?

¡Listo! ¿Qué sigue? Las personas o mascotas pueden ingresar en la zona tratada inmediatamente después de aplicar el producto.



Call 1-800-543-TURF or visit www.scotts.com

¿Preguntas? Llame al 1-800-543-TURF o visite www.scotts.com

# Tips for Lawncare Success

- Feed regularly for your best lawn. Regular feedings of Scotts ® will help build a lawn you and your family can enjoy. Scotts provides the nutrients your lawn needs to look its best and withstand the stresses of weeds, heat, drought and family activity.

  Mow your lawn. Mowing high allows the grass to develop a deep root
- system & helps your lawn use water more effective
- Leave the grass clippings on your lawn. This recycles the plant nutrients back into the soil.
- Conserve water. Your lawn will begin to wilt when water is needed. As much as possible, take advantage of nature's sprinkler and rely on the rain to



Well-fed lawns are more efficient at using available water.

Feeding with Scotts® helps grow a thick lawn with more roots to better absorb water and nutrients than an unfed lawn. This helps protect your lawn against heat, drought and other stresses.

# First Aid and Storage Information

# KEEP OUT OF REACH OF CHILDREN CAUTION

⊵ye contact with contents may soon as possible after contact.

STORAGE

Store in original container, out of reach of children

# OTHER THINGS YOU SHOULD KNOW

- Florida Applications: Use regular spreader rate. 4 annual feedings with the exception of bahilagrass and centipedegrass (2 feedings in the north and 3 feedings in the central and south)
- This package applies 3.33 lbs of product per 1,000 sq ft.
- Help keep our water clean. Do not apply near water, storm drains, or drainage ditches.
   Do not apply if heavy rain is expected. Apply this product only to your lawn and sweep any product that lands on driveway, sidewalk, or street back onto your lawn.

# Primeros auxilios e înformación de almacenamiento

# MANTENGA FUERA DEL ALCANCE DE LOS NIÑOS PRECAUCION

agua tan pronto como sea.

# ALMACENAMIENTO

nacene el producto en su envase original, fuera del alcance de los niños

# OTRAS COSAS QUE DEBE SABER

- Aplicaciones en Florida: Use la velocidad regular del esparcidor. 4 fertilizaciones anuales, con excepción del césped Bahía y el césped ciempiés (2 fertilizaciones en el norte y 3 fertilizaciones en el centro y sur).
- Con este paquete se aplican 1.51 kg de producto por cada 93 m².
- Ayude a mantener nuestra agua limpia. No aplique cerca de agua, desagües de tormenta o zanjas de drenaje.
   No aplique si se anuncian lluvias intensas. Aplique este producto solamente sobre césped y barra hacia el césped el producto que cajga sobre la entrada de automóviles, la vereda o la calle.

Guaranteed Analysis
South<sup>2</sup> Gene MAX\*\*\* It am Faithfar with 5.17% you for Deep Greeing
25-0- Green MAX\*\*\* It am Faithfar with 5.17% you for Deep Greeing
25-0- Green MAX\*\*\* It am Faithfar South 5.04% you for the second of the (S). 11.0% combined sulfur (S) 

sulfate and ferrous sulfate.
'Contains 5.9% slowly available methylenediures and dimethylenedriures infrogen.

- SMG The Scotts Company
  14111 Scottslawn Rd.
  WYSE Marysville, 0H 43041
- ©2011 The Scotts Company, LLC. World Rights Reserved.

Information regarding the contents and levels of metals in this product is available on the internet at http://www.regulatory-info-sc.com

# Scotts No-Quibble Guarantee

If for any reason you, the consumer, are not satisfied after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly.

Si por alguna razón ustad, el consumidor, no está satisfecho después de utilizar este producto, tiene derecho a que le devolvamos su dinero. Solo deberá erviarnos el comprobente de compra y le emáremos un teleque de reembolso por correo inmediatamente.

NOTICE: To exent consistent with applicable law, buyer assumes all risks of use, stronge or handling of this product not in accordance with directors.

# SCOTTS® GREEN MAX™ LAWN FERTILIZER 5M 49100-1



# Exhibit 2

# Nothing Greens Like Ironite\*



Turns yellow to green
Convierte lo amarillo en verde

1-0-1

For Lawns, Flowers, Shrubs, **Vegetables & Trees** 

Will not burn For a quick & long-lasting green Contains soluble iron For all soil types

Net Weight/Peso Neto 10 lbs. (4.5kg)

# IRONITE Mineral Supplement

1-0-1

Vibrant, deep green foliage is a sign of a vigorous plant, Pale green or yellow foliage can be caused by nutrient deficiencies which can be corrected by the nitrogen, iron, and other minerals found in Ironite'. Some of the ingredients in Ironite' are available to plants quickly to produce a rapid green-up. Other ingredients are available to plants over time for a longer-lasting green.

Ironite\* can be used in all soil types. Turn yellow to green with Ironite\*. 1 cup = 2/3 pound.

Directions For Use - Apply only as directed.

Note: Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawingarden, and sweep any product that lands in the driveway, sidewalk, or street, back onto your lawingarden.

For optimum results on lawns use 4 times per year but do not exceed 10 lawn applications per year. Ironite<sup>a</sup> is a supplement to your normal fertilization program.

suppement to your normal retuitazion program.

Lawns and Turf: Apply Innite' to established lawns at the rate of 1 lb, per 100 square feet (10 ft, x 10 ft,), See chart for spreader settings. Water deeply after application.

Ornamental and Evergreen Shrubs (roses, hododendrons, azaleas, camellias, holly, juniper, pine, and many others): Apply Inonite' to established shrubs at the rate of 1 lb, per 100 square feet 15 ft, x 20 ft.). Evenly apply the product under the drip line of the shrubs, if possible, mix lightly into the soil. Take care not to damage plant roots. Water deeply after application.

damage plant roots. Water deeply after application.

Flowers, Vegetables & Berries: Apply innite\* to established plants at the rate of 1 lb, per 100 square feet (10 ft. x 10 ft.). Evenly apply the product around the plants. It possible, mix lightly into the soil, Take care not to ft. x 10 ft.). Evenly apply the product around the plants. It possible, mix lightly into the soil, Take care not to Grittus Trees, Other Fruit and Ornamental or Shade Trees, and Hedges: Apply Innite\* to established trees at the rate of 1 lb, per 100 square feet (10 ft. x 10 ft.), Evenly apply the product under the drip time, it possible, mix lightly more the soil. Rake care not to damage plant roots. Water deeply after application.

For Plants in Containers: Apply Inonte\* to established plants in containers at the rate of 1½ tablespoon for a 12 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 1½ tablespoon for a 21 inch diameter container radio 25 inch 1½ tablespoon for a 21 inch diameter container radio 25 inch 25 in

PRONTER WILL STAIN USE ONLY AS DIRECTED, KEEP IROUTE "OFF SURFACES SUCH AS SUBMACKS, PATIOS, POOL AREAS, WOODEN DECKS, DRIVEWAYS AND CLOTHING. Sweep concrete surfaces immediately to pievent staining. If concrete is wet when compact occurs, staining may be impossible to prevent.

Water in Ironite? Immediately after application, Children and pets can re-enter treated areas when trunter has been watered in and the treated area is dry, Consumption of this product may

# SETTING YOUR LAWN SPREADER

THESE SETTINGS ARE A GUIDE. They were determined by landscape professionals using new spreaders. The condition of your spreader, your walking speed, the roughness of the lawn, and even the humidity can affect how dast the product comes out. Wash the flow rate, it is appears to be coming our either slower or faster than you are covering the lawn, adjust the setting. Close the spreader when filling, turning or stopping.

# Spreader Settings

Bea Covers 10 lbs. for 1,000 sq. ft.

Orap Spreader Madel		Retary Spreader Models These spreader to the spreader of the spreaders to the spreaders of the spreader of the
Scotts® AccuGreen® 1000	9	Scotts* SpeedyGreen* 1000
Scotts* AccuGreen* 2000	9	Scotts* SpeedyGreen* 2000
Scotts* AccuGreen* 3000	9	Scotts* SpeedyGreen* 3000
Earthway*	13	Earthway <sup>a</sup>
Precision Red Devil™	2.5	Precision Red Devil™
Vigoro*	11.5	Vigoro*
GUARANTEED ANALYSIS:		SATISFACTION GUARANTEED

GUARANTEED ANALYSIS:	
Total Nitrogen (N)	1%
1.0% Urea Nitrogen	
Soluble Potash (K,O)"	1%
Calcium (Ca)	12%
Suffur (S)	10%
10.0% Combined Sulfur (S)	
Beron (8)	0.02%
Iron (Fe)	4 5%
2 25% Water Soluble Iron (Fe)	
Manganese (Mn)	0.10%
0.03% Water Soluble Manganese (Mn)	
Molybdenum (Mo)	0.0005%
Zinc (Zn)	0.10%
0 02% Water Soluble Zinc (Zn)	

Derived from Urea, Muriate of Potash, Calcium Suffate, Sodium Borate, Ferrous Suffate, Iron Sucrate, Iron Oxide, Manganese Suffate, Manganese Oxide, Sodium Molybdate, Zinc Suffate, Zinc Oxide.

information regarding the contents and levels of metals in this product is available on the internet at http://www.aapfco.org/metals.htm

Filled by Weight not by volume. Product may settle after packaging. Scotts. Accounter, and SpeedyGreen are registered trademarks of OMS: investments, inc.

ronite is a registered trademark of Central Garden & Pet. 🛕 🗱 🗱

Manufactured/Guaranti
Gro Tec, Inc. PO Box 290 Madrson, GA 30650

USA



11.5 11.5 11.5

22

13 9 Un follaje verde intenso y vibrante es la señal de una planta vigorosa. Un follaje de color amarillo o verde pálido puede ser causado por deficiencias nutritivas que pueden corregirse con el nitrógeno, hierro y otros minerales encontrados en ironite".

Algunos de los ingredientes de Ironite<sup>s</sup> están disponibles para que las plan-tas rápidamente enverdezcan. Otros ingredientes están disponibles para las plantas con el correr del tiempo para obtener un color verde más duradero. Se puede utilizar Ironite<sup>a</sup> en todos los tipos de suelo. Convierta lo amarillo en verde con Ironite<sup>a</sup>.

1 taza = 2/3 libras.

Instrucciones de USO - Aplique solo según las indicaciones.

Nota: No lo aplique cerca de agua, dienajes pluviales o zanjas de drenaje. No lo aplique si se espera lluvia fuerta. Aplique est producto solo a su césped o jardín, y barra de regreso al césped o jardín cualquier producto que caiga en el camino de acceso, en aceras o en la calle.

Para oblenet resultados óptimos en los céspedes; úselo 4 aveca ja dio pero sin exceder de 10 aplicaciones al césped por año. Ironite "es un complemento para su programa normal de fertilización.

Césped por año. Ironite" es un complemento para su programa normal de fertilización.

Césped y tepes: Aplique Ironite" al césped establecido en una proporción de 1 libra por cada 100 pies cuadrados (10 pies y 10 pies). Vea el cuadro para los parámetros de esparcimiento. Riegue abundantemente después de la aplicación.

oespues de la ajucación. Arbustos ornamentales y perennes (rosas, rododendros, azaleas, camelias, acebos, juníperos, plnos y varios otros): Aplique Ironte <sup>1</sup> a los arbustos establecidos en una proporción de 1 libra por cada 100 per cuadados (5 pers x 20 pies). Aplique unformemente el puoducto bajo la linea de goteo de los arbustos. Si es posible, mezde ligeramente con el suelo. Tenga cuidado de no danar las raíces de las plantas. Riegue abundantemente despues de la aplicación.

aconomercimente después de la apticación.

Flores, hortalizar y bayas: Abilique Inonte" a las plantas establecidas en una proporción de 1 libra por cada 100 pies cuadrados (10 pies x 10 pies). Aplique uniformemente el producto alrededor de las plantas. Si es posible, mercel bigeramente con el suelo, Tenga cuidado de no dañar las raixes de las plantas. Riegue abundantemente después de la aplicación.

inferio espues use a operación. Arboles criticos, otras frutas y árboles amamentales o de sombra y setos: Aplique Ironite<sup>a</sup> a los árboles establecidos en una proporción de 1 libra por cada 100 pies cuadrados (10 pies x 10 pies). Aplique uniformemente el producto bajo la finea de gotos. Sie sposible, marcel legiaremente con el suelo. Tenga cuidado de no dañar las raíces de las plantas. Riegue abundantemente después de la aplicación.

or no danar las raítes de las plantas, Niegue abundamente después de la apricación. Para plantas en macetas: Alque litonita: las plantas establecidas en macetas en una proporción de //
cucharada por cada maceta de 12 puigadas de diámetro (agregue // cucharada por cada 4 pulgadas de diámetro
adicionales). Adejque en plantas que han sido ben regulas y que no hayan soda afectudas por sequia. Aylique
uniformemente en la superficie elel sustrato de plantación. No aplique a menos de 2 puigadas del tronco o tallo. Si es
posible, mezde ligeramente con el sustrato de plantación. Tenga cuidado de no dañar las raíxes de las plantas. Riegue
ben después de la aplicación. El escummiento puede dañar el carelor de la maceta y los soportes de las plantas.

Nota: Ironite \* està diseñado como complemento de programa regular de ferbilisación y no puede por si solo suministrar todos los numeros normalmente requeridos por los cultavos y otras plantas para el mismo lin. Un cheped lipico utilizara de 1 a 4 libras de nitrógeno por cada 1,000 perso cuadrádos para la el mismo lin. Un cuando se utilice según las indicaciones, fronte\* suministra 0.1 libras de nitrógeno por cada 1,000 pies cuadrádos de cébepa por aplicaciones.

BROWNE CAUSA MANCHAS, BSE SEGUN LAS PASTRUCCIONES, MANTRIGA BROWNE FUERA DI CAS SUPPERICIES COMO LAS ACERAS, PARIOS, ZONAS DE PISCIMA ESTANYES DE MAIDERA COMMINDO PIETERBRICES Y BORE, Burra las supericieus de commencio insinstillamiente para como Le preduzion insinchas. Si el concrito esta burnedo criando ocidic el contacto, puede se inposición, acercal comunición.

urppissus, escore et automotione despace de la aplicación, Las ordos y las masonias pueden Biegue maneilabemente del tronno despace de regio el tronte , cuando el area tratada esta seca, Los animales se pueden enfermor al consumer este stoducto.

AJUSTES DE SU ESPARCIDOR DE CÉSPED
ESTOS PARAMÉTROS SON UNA GUIA. Estos parametros fueron determinados por jardineros profesionales
unitizando escanciores nuevos. La condición de su espacidor, su velocidad al caminar, el mantenimiento del
céspede induso la humedad pueden afectat la velocidad en que surge el producto. Controlle la velocidad de flujo.
Si parrece que el producto sale más tento o más rápido de lo que usted cubre el césped, calibre el ajuste. Cierce el
espaciodor cuando llene, gire o se detenga.

# Ajustes del esparcidor

Bolsa de 10 libras cubre 1,000 ples cuadrados.

Madelos de esparcidor quateria

separcidor de getes Scotts\* AccuGreen\* 1000 9 Scotts\* SpeedyGreen\* 1000 Scotts\* AccuGreen\* 2000 9 Scotts\* SpeedyGreen\* 2000

acons According	
Earthway*	13
Precision Red Devil*	2.5
Vigoro*	11.5
ANÁLISIS GARANTIZADO: Nitrógeno total (N) 1 0% nitrógeno de la urea	1%
Potasa soluble (K.O)	1%
Cakio (Ca) Azufre (S)	12% 10%
10.0% de azufre mixto (5)	

Managaneso (Mo)
Molbidena (Mo)
Molbi

r 22.3 La información concerniente al contenido y niveles de los metales de este producto se encuentra disponible en In-ternet en http://www.aapfco.org/metals.htm

## Scotts\* SpeedyGreen\* 3000 11.5 Earthway\* 22 Precision Red Devil " 13 Vigoro\*

# SATISFACCION GARANTIZADA: SATISFACCION GARANTIZADA: SI usted no queda satisfecho(a) con el rendimiento de este producto, envie su nombre, dirección y comprobante de compra (con fecha de recepción original) a Ironite Refund, 1340 Treat Blvd., Sulte 650, Walnut Creek, CA 94597, y le devolveremos el precio de su compra.

AVISO: este producto contiene mercono, un autimpo que el Estado de California conoce como causante de cáncer y defertos de paramiento y erros daños viacondiurbase.

Lienado por peso y no por volumen El producto puede asentarse después de empaquetar.

# Exhibit 3

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# **Scotts** Miracle Gro

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Brands Lawn Care Gardening & Landscaping Bugs & Rodents Weed Control Birds & Wildlife

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Home » Scotts » Lawn Food » Feed Any Season » Scotts® Green MAX Lawn Fertilizer



# Scotts® Green MAX Lawn Fertilizer



## **Overview & Benefits**

- o Contains triple the iron for fast, extreme greening.\*
- o Kid and pet friendly.
- o Water Smart® improves lawn's ability to absorb water and nutrients.
- \* Compared to regular fertilizers when applied at recommended rates.

# Available sizes:

5,000 sq. ft.



Read all 76 reviews Write a review



Locate Retailer

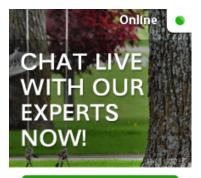
**Receive Email Tips** 

Save to Supply List

Sort by

# Chat with Us

Chat with a Scotts service representative to get immediate help with questions about this product.



**CHAT NOW** 

Live Chat by LivePerson



# **Product Ratings**



# Advanced filters



Click on filters to refine your results.

<u></u>	4	4	4	1

Write a review 👩

# ruined my beautiful lawn

September 25, 2013

Anonymous Brick, NJ, USA

Age: 55 to 64 Gender: Female Gardening Experience: 8 to 15 years

Experience: Intermediate/Average How many days within the past 12 months: This is the first time

How many times purchased in the past: This is the first time

# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 3 of 59

I am a loyal Scotts user. With the early heat we had this year, my lawn needed a boost. "Max" was a big mistake, and I will never stray for "Turfbuilder" again. If I didn't know better I would have sworn I had grubs as I watched my grass grow weak and most of it died. I rate this product as awful. Yes, directions were followed, maybe even applied too lightly. Thank Heavens. Had to rake out almost half of my lawn.

Cons take the name "scotts off this product.



X No, I do not recommend this product.

# Response from scotts Christin, Consumer Service

September 26, 2013

I am sorry that you have experienced problems with your lawn following an application of Scotts Green Max Southern Lawn Fertilizer plus 5.17% Iron. This product has proven to be a good product and has been thoroughly tested on the grass varieties listed on the label when applied according to label directions.

Damage can occur if products are accidentally over applied or applied to drought and heat stressed turf. This type of damage can sometimes be minimized by watering 1/2 inch every 3 days if rain is not expected. We suggest that you follow this program for the next 4 weeks if you do not receive sufficient rainfall. We also recommend that you do not apply any other product for the next 4 weeks while your lawn tries to recover from this situation.

Also, please be aware that issues such as lawn disease or insects feeding are often mistaken for product damage. You may want to take a sample of the damaged area to a reputable nursery to rule these out.

We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>











Reply D





# disappointed

August 10, 2013

# diram

I read all reviews about stains so I was extra careful to sweep my driveway after application. Next day we had rain and spots appeared all over my driveway. Will have to spend more money removing the stains than cost of product. My lawn looked ok, but no different than other scotts fertilizers. Was not worth buying.



No, I do not recommend this product.

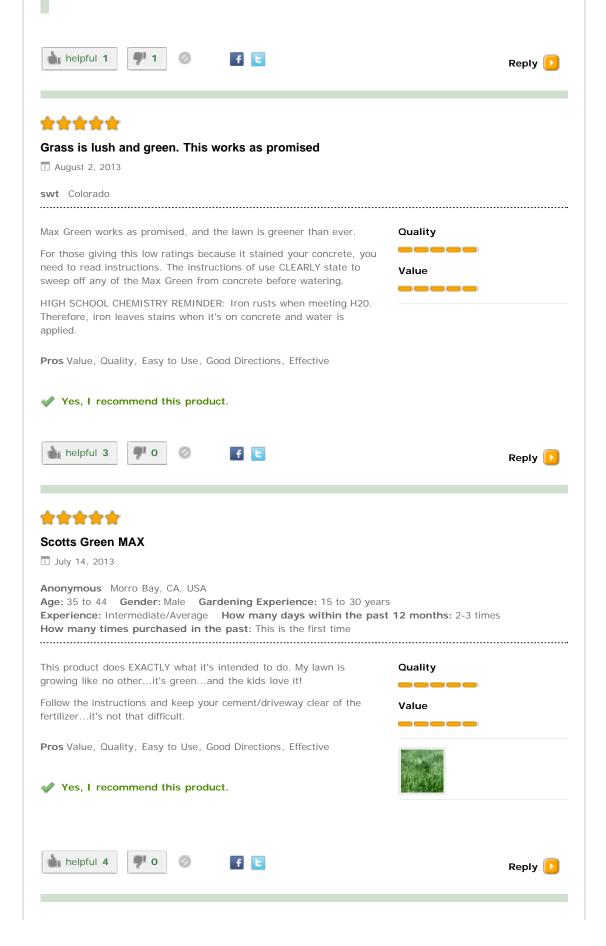
# Response from scotts Christin, Consumer Service

August 12, 2013

I am sorry to hear that your driveway was stained after using Scotts Green Max Lawn Fertilizer plus 5.17% Iron. The iron in Green Max Lawn Fertilizer plus 5.17% Iron may stain as indicated on the back of the label. The quicker a stain removal process is begun, the more effective the process will be. Sunlight and water will help to fade the iron stains from the product on outdoor surfaces, but will not completely remove them. While not endorsed or guaranteed by Scotts, the following products have shown to be effective at removing iron stains from regular concrete and are registered for this use: Signature Concrete Rust Remover, Goof Off Rust Stain Remover Outdoors or Super Iron Out Outdoor.

We suggest you refer to the product label before applying any product to an iron-stained surface. Before using any commercial cleaning products to remove stains, test a small area to make sure the cleaner itself does not cause damage. Most stain removal products work best with two applications.

We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>



# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 5 of 59

# Too difficult to use

July 10, 2013

Ltw1008 Montgomery, TX, USA

Age: 35 to 44 Gender: Male Gardening Experience: 8 to 15 years Experience: Expert

How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time 

I've never used Scott's Green Max product before, but wanted to try it even though I had read all the mixed reviews. I live about an hour north of Houston, TX. My yard is approximately 2.5 acres of sodded St. Augustine grass and it is completely irrigated. When it's green, it looks awesome. Due to virtually no rainfall in my area in the month of June 2013, my grass started losing it's deep green color. I decided to use the Green Max product the last weekend in June to get back the green. While it did work in some areas, it didn't work in other areas. In some

Quality Value 

areas, it even burnt my grass; which I've had to spot water the heck out of it to get it to come back. The other issue is the concrete staining. I was extremely careful to try not to get the fertilizer on my drive way and sidewalk as I had read all the bad reviews about the staining. Like always, I blew everything off after I was done with the yard and even swept along the edges of the grass like the instructions say to do. It didn't matter. The pieces are so small that you can't possibly get them all. The other problem was that I accidentally ran over some of the pieces when they were on the driveway with my spreader thus crushing the pieces into a fine dust on the driveway and sidewalk. Once these crushed pieces got wet, it left long brown stains on my driveway which now look terrible.

There's no doubt that this product will green your lawn under PERFECT circumstances: flat yard, even spreading, perfect watering conditions, etc. But in the real world, this product's positives don't out weigh the negatives...in my opinion anyways. I'm going to stay with Scott's, but will go back to the standard TurfBuilder product. The Green Max product is just too "iffy" for me.

**Pros** Effective

Cons Didn't work as expected, Difficult to use

X No, I do not recommend this product.

# Response from scotts Christin, Consumer Service

July 11, 2013

I am sorry to learn that you have experienced problems with your lawn following an application of Scotts Green Max Lawn Fertilizer plus 5.17% Iron. Damage can occur if products are accidentally over applied or applied to drought and heat stressed turf. This type of damage can sometimes be minimized by watering 1/2 inch every 3 days if rain is not expected. We suggest that you follow this program for the next 4 weeks if you do not receive sufficient rainfall. We also recommend that you do not apply any other product for the next 4 weeks while your lawn tries to recover from this situation.

I am also very sorry to hear about the damage to your concrete driveway and sidewalk that occurred while using Scotts Green Max Lawn Fertilizer plus 5.17% Iron. The iron in Scotts Green Max Lawn Fertilizer plus 5.17% Iron may stain. The quicker a stain removal process is begun, the more effective the process will be. Sunlight and water will help to fade the iron stains from the product on outdoor surfaces, but will not completely remove them. Before using any commercial cleaning products to remove stains, test the product on a small area to see if the product will fade or damage the stained surface. Most stain removal products work best with two applications. Be sure to thoroughly rinse the area after applying a stain removal product.

We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>









Reply 1



# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 6 of 59

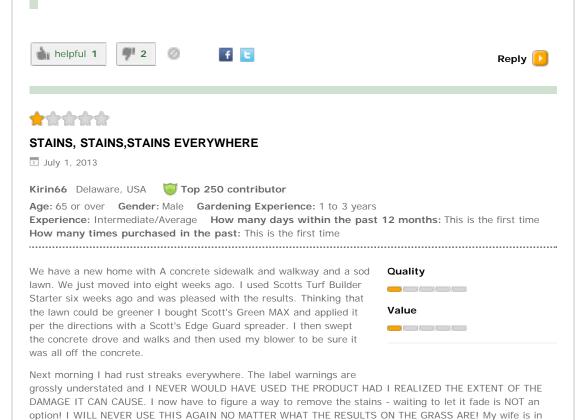
# My light Green Lawn is now Brown ☐ July 2, 2013 Jdogdude All this did was burn my lawn, and I used a Scott's spreader. Cons Didn't work as expected, burn't my lawn Value No, I do not recommend this product.

# Response from scotts Christin, Consumer Service

July 3, 2013

I am sorry that you have experienced problems with your lawn following an application of Scotts Green Max Lawn Fertilizer plus 5.17% Iron. Damage can occur if products are accidentally over applied or applied to drought and heat stressed turf. This type of damage can sometimes be minimized by watering 1/2 inch every 3 days if rain is not expected. We suggest that you follow this program for the next 4 weeks if you do not receive sufficient rainfall. We also recommend that you do not apply any other product for the next 4 weeks while your lawn tries to recover from this situation.

We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>



Response from scotts Christin, Consumer Service

No, I do not recommend this product.

Cons Didn't work as expected, Messy, Difficult to use, Problem with label, horrible results

tears and I am furious!

Case 1:13-cv-24581-UU\_

# Document 1-6 Entered on FLSD Docket 12/20/2013 Page 7 of 59

We're sorry to hear about your experience with the Scotts Green Max Lawn Fertilizer. The iron in Scotts Green Max Lawn Fertilizer plus 5.17% Iron may stain. The quicker a stain removal process is begun, the more effective the process will be. Sunlight and water will help to fade the iron stains from the product on outdoor surfaces, but will not completely remove them. Check with your local hardware store for cleaning products that will remove iron and that are safe for your concrete surfaces. Please contact us at the following link for more information and assistance with our product guarantee. http://tinyurl.com/7ag7a3n

















# Impossible Rust Stains

June 22, 2013

Supercalifragelistic Corona, CA

Age: 65 or over Gender: Male Gardening Experience: 30 or more years

**Experience:** Intermediate/Average How many days within the past 12 months: This is the first time

How many times purchased in the past: This is the first time

I read the Scott Green Max directions prior to use and was careful to sweep the concrete after application. Unfortunately, I missed a few spots during the cleanup and I have unsightly rust stains on my concrete. Now it's down to Home Depot to try and find something to remove the ugliness. The product is effective in greening the lawn but it's too easy to damage your concrete. I'm sorry... I just can't recommend this product and would NEVER buy this again. Ugh...!!

.....

Pros Easy to Use, Effective

Cons Messy, concrete rust stains

No, I do not recommend this product.

# Response from scotts Christin, Consumer Service

June 27, 2013

I am sorry to hear about the damage to concrete or pavers that occurred while using Scotts Green Max Lawn Fertilizer plus 5.17% Iron. The iron in Scotts Green Max Lawn Fertilizer plus 5.17% Iron may stain. The quicker a stain removal process is begun, the more effective the process will be. Sunlight and water will help to fade the iron stains from the product on outdoor surfaces, but will not completely remove them. Before using any commercial cleaning products to remove stains, test the product on a small area to see if the product will fade or damage the stained surface. Most stain removal products work best with two applications. Be sure to thoroughly rinse the area after applying a stain removal product.

We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us at http://tinyurl.com/7ag7a3n

helpful 1









Reply [1]

2 3 4 <u>next</u>

Need an answer to a product question? Scotts experts are always available by email and phone in our Help Center.

.....

# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 8 of 59



















# My Scotts Lawn App

Manage your lawn right from your phone. Get friendly care reminders, exclusive offers, helpful tips and more.

iTunes Store

Google Play



# Ortho Problem Solver App

Have lawn, garden or home pest control problem? Get the solution with the new Ortho Problem Solver App.

iTunes Store

Google Play

# Get the Scotts eNewsletter

Sign up to receive periodic news, expert advice and special offers.

Sign Up

# Connect with Us

Follow Scotts to receive promos, tips and advancements with Lawn care.







# **Our Brands**

Scotts

Miracle-Gro

Roundup

Ortho

Osmocote

Songbird Selections

Scotts Lawn

Services

TOMCAT

# Help Center

Promotions & Coupons

Contact Us

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Privacy

Terms & Conditions

Careers

Submit an Idea

Live Chat

# Useful Tools

My Lawn Care Program

Grass Type Identifier

**Grass Seed Selector** 

Lawn Food Selector

Spreader Selector

Spreader Settings Selector

Ortho Problem Solver

Plant Food Selector

Disease Product Selector

Soil Selector

Mulch Calculator

Plant Identifier

Weed Product Selector

Pest Product Selector

Bird Food Selector

Bird Identifier

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# Scotts® Green MAX Lawn Fertilizer





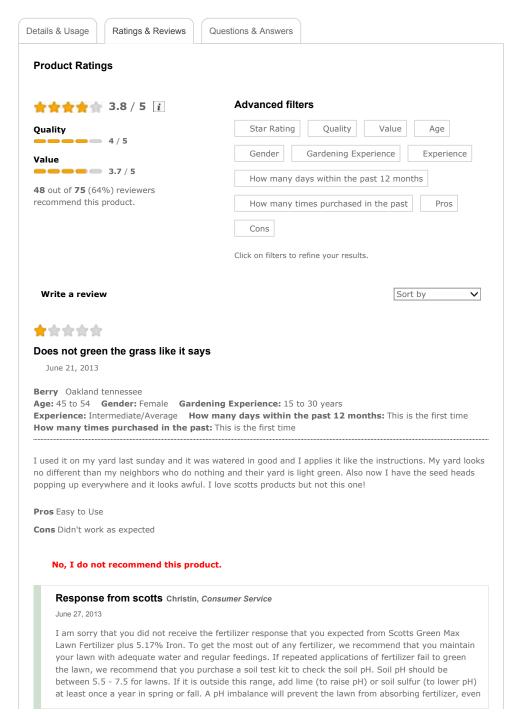


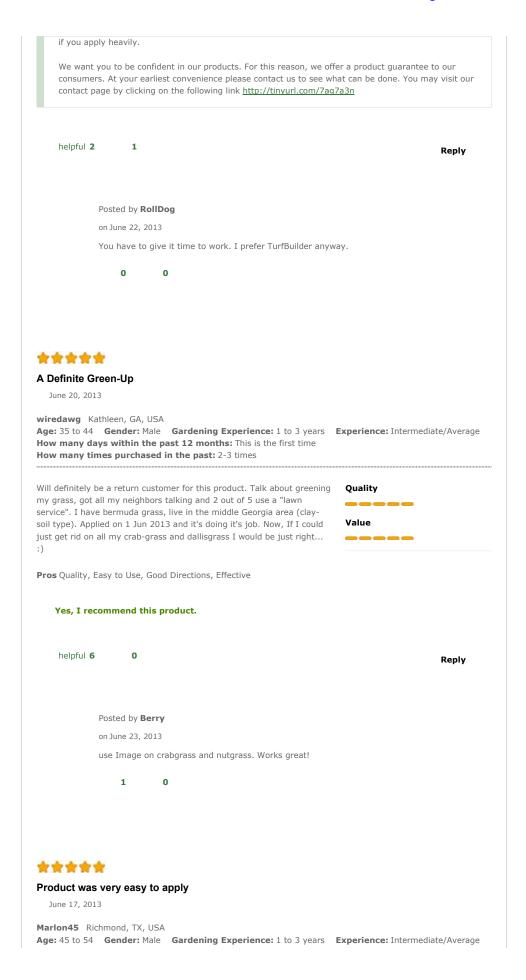
## **Overview & Benefits**

- · Contains triple the iron for fast, extreme greening.3
- · Kid and pet friendly.
- · Water Smart® improves lawn's ability to absorb water and nutrients.
- \* Compared to regular fertilizers when applied at recommended rates.

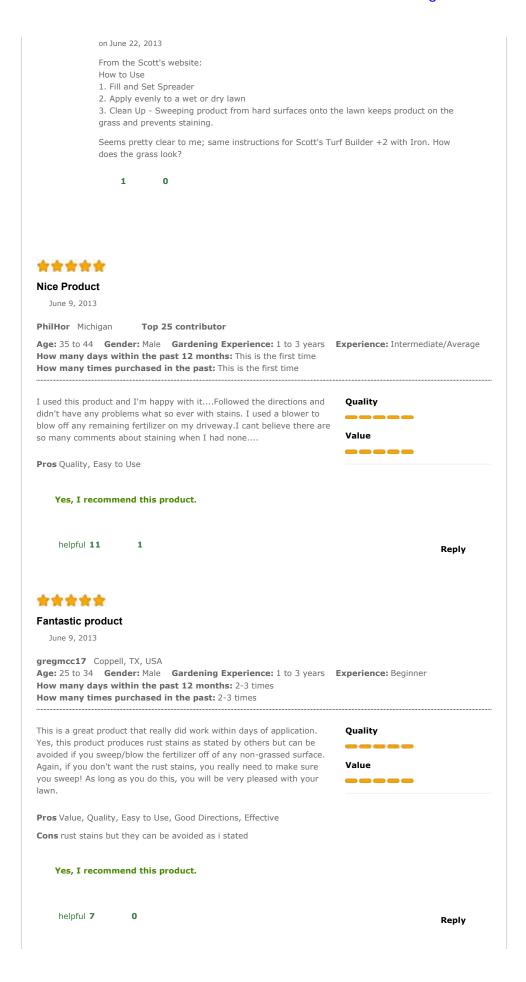
Available sizes:

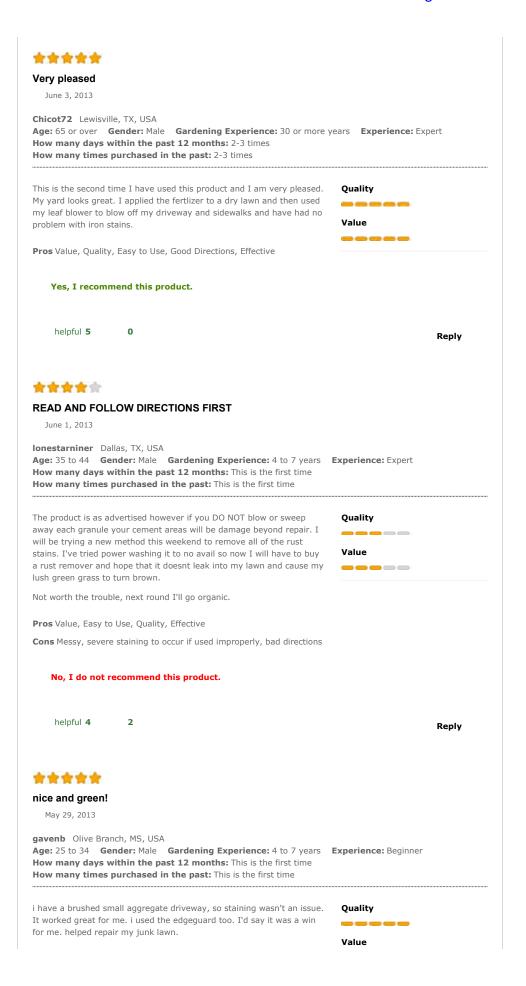
5.000 sq. ft.

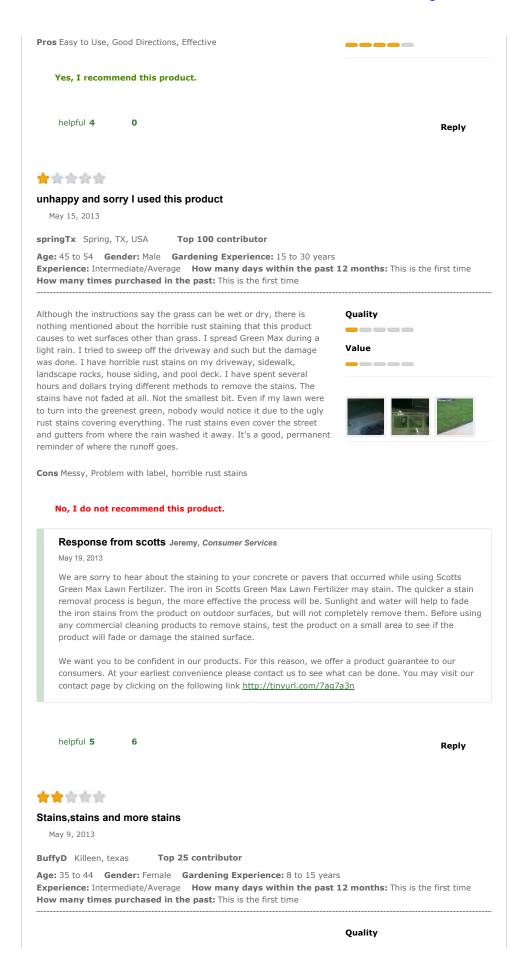




since this was the 3rd product I used over the course of 3 years, I sked the experts about the setting for my spreader, Instead of using that setting I reduced it to #3 & did not over feed, afterwards I cleaned p all excessive fertilizer from drive & sidewalk to ensure none would ause stains & Now my lawn is beautiful once again, No Burn, entire awn evenly deep rich color, Thanks for an excellent product.	Quality d Value
<b>Pros</b> Value, Quality, Easy to Use, Good Directions, Effective	
Yes, I recommend this product.	
helpful <b>6</b> 0	Reply
***	
Driveway and sidewalks are all permanently stained- Bewar	re!
June 11, 2013  sluss Naples, FL, USA Top 25 contributor	
sluss Naples, FL, USA Top 25 contributor  Ige: 35 to 44 Gender: Male Gardening Experience: 15 to 30 year  Ige Many days within the past 12 months: This is the first time  Ige many times purchased in the past: This is the first time	ars <b>Experience:</b> Expert
received this product in the spring at my local Lowes during a promo	Quality
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# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 15 of 59

If you use this you will get a great lawn, but you will have so many stains on your concrete ,( as if you use Ironite). I sweep the concrete (driveway and sidewalk) very ,very well. I had read the reviews and was aware of the staining problems, but like they say hard head makes a soft..... I thought that if I sweep well ,it would be fine. Nope, I applied it before rain and the granules from the lawn ran onto the driveway and sidewalk. I have to buy a rust remover to get rid of all the stains.

Value

Pros Value, Quality, Easy to Use, Effective

Cons Messy, will stain any contact with concrete

#### No, I do not recommend this product.

### Response from scotts Jeremy, Consumer Service

May 19, 201

We are sorry to hear about the staining that has occurred while using Scotts Bonus S MAX Southern Weed & Feed And Fire Ant Killer. The more quickly a stain can be removed, the more effective the process will be.

We strongly recommend that before using any commercial cleaning products to remove stains, test the product on a small area to see if the product will fade or damage the stained surface. Note that sealed or colored concrete or pavers may experience lifting of the sealant or color with many cleaning products.

helpful 3 Reply



### Greens lawn, difficult to spread

May 3, 2013

Tbailey2434 Wetumpka, AL

Age: 35 to 44 Gender: Male Gardening Experience: 15 to 30 years

**Experience:** Intermediate/Average **How many days within the past 12 months:** This is the first time **How many times purchased in the past:** This is the first time

The product worked well on my lawn, but was so amazingly hygroscopic that it pulled moisture from the air and clumped as soon as I put it in the spreader. The bag was solid, like a vacuum-packed brick of coffee when I purchased it; opening it, it poured well into the spreader.

Quality
Value

Then the humidity of Alabama took hold, and it clumped. Every three feet or so, I ended up having to stir the fertilizer with a stick so that it would feed. While I'm sure the water-absorbing/retaining properties are intentional, they work a tad too well for anyone in the Deep South, or any other naturally humid clime.

I am satisfied with the product, but I cannot give it a higher or recommended rating because it was terribly difficult to apply. It greened up the lawn, where I was able to apply it, though the clumping means I have streaks of GREEN grass interspersed with thatchy-brushy looking grass that will take longer to green up. While I have used many Scotts products in the past and readily recommended them, I won't be purchasing this product again.

**Pros** Quality, Effective

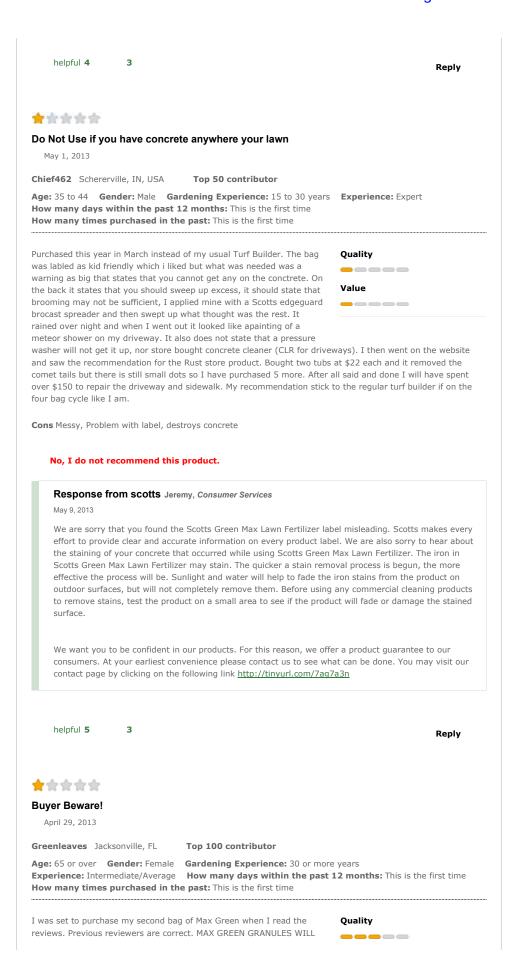
Cons Didn't work as expected, Difficult to use, clumps in the slightest humidity, costly

## No, I do not recommend this product.

## Response from scotts Wendy, Consumer Services

May 12, 2013

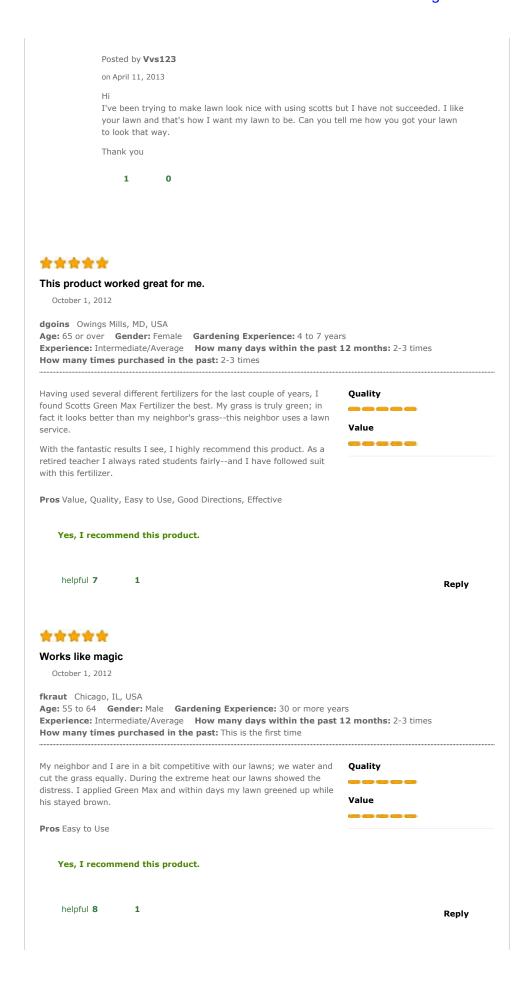
So sorry to hear that you had such problems with the humidity. We do a lot to prevent our lawn food products from clumping. We are glad you are otherwise happy with the product, but sorry this didn't work out.

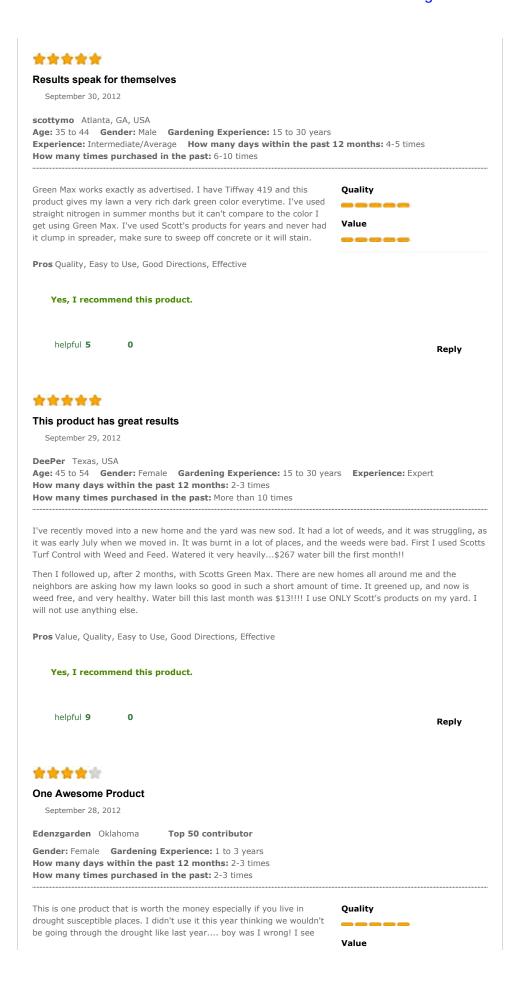


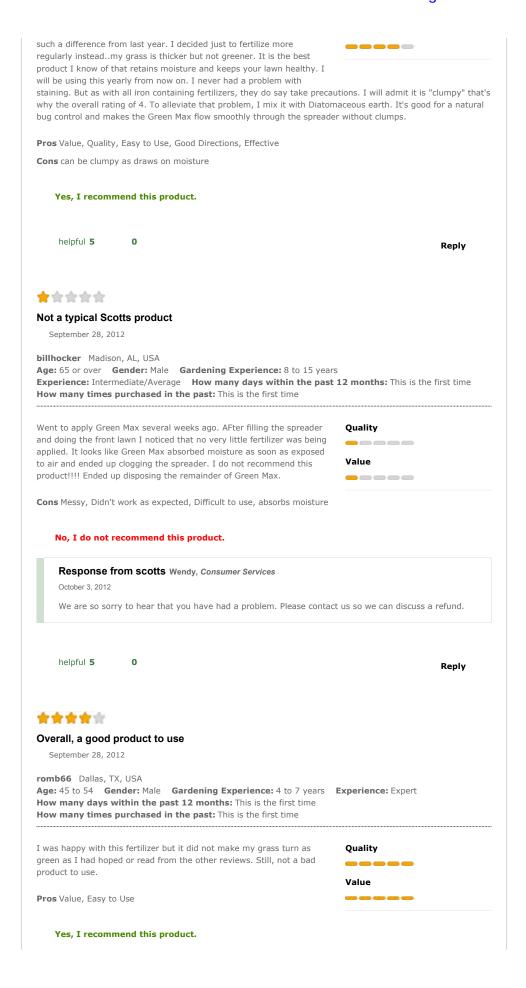
acing a destructive product on the market.	
os Effective	
ons Didn't work as expected, Problem with label, destructive to concrete structu	ıres
No, I do not recommend this product.	
Response from scotts Jeremy, Consumer Services May 9, 2013	
We are sorry that you found the Scotts Green Max Lawn Fertilizer label misl effort to provide clear and accurate information on every product label. This which may cause staining if used on surfaces other than the lawn. To preve suggest carefully sweeping any particles that did not end up on the lawn ba watering.	product does contain iron, nt this kind of staining we
helpful <b>6</b> 5	Reply
r <del>de</del> skrafente	
ecarefull, it will stain your driveway	
April 22, 2013	
rgeort San Antonio, TX, USA	ence: Beginner
pregeort San Antonio, TX, USA ge: 25 to 34 Gender: Male Gardening Experience: 1 to 3 years by many days within the past 12 months: This is the first time by many times purchased in the past: This is the first time  read some of the reviews before using this product so I spent about mins. cleaning my sidewalk and driveway to avoid staining. But I still	
per 25 to 34 Gender: Male Gardening Experience: 1 to 3 years pow many days within the past 12 months: This is the first time pow many times purchased in the past: This is the first time pow many times purchased in th	ity
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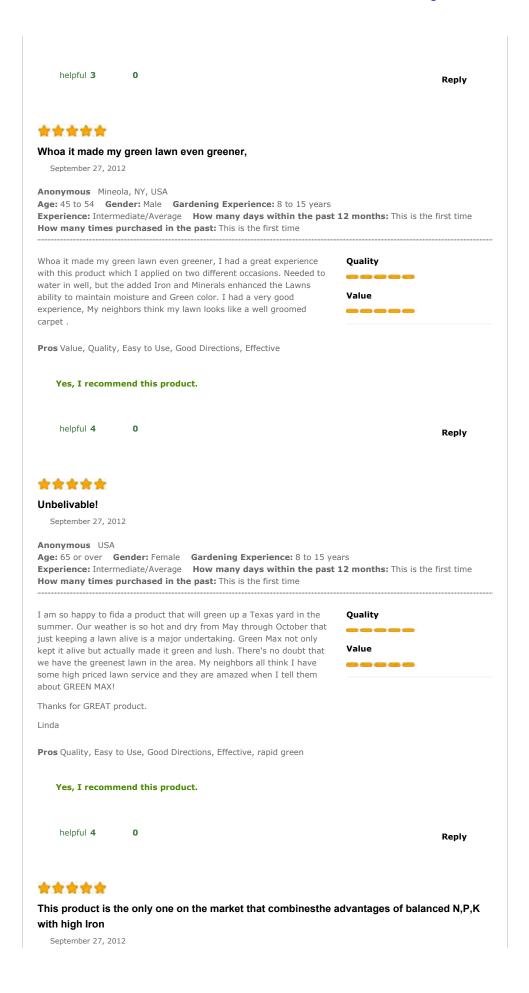
Joese Pasadena, CA, USA Age: 55 to 64 Gender: Male Gardening Experience: 4 to 7 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time The 10X max product worked very well. My lawn is deep green and Quality even deep green throughout. I applied 10X to a dry lawn. I swept the outline area well and avoided all staining. This product is for project Value lovers, so if you don't want to really sweep well and follow directions this is not for you. The deep green took six days to just over a week to fully set in. Pros Quality, Easy to Use, Good Directions, Effective, sweeps up easily Yes, I recommend this product. helpful 8 Reply \*\*\*\* This product stains Horribly! November 24, 2012 DavidPet88 Temecula, CA, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time I purchased Green Max for the first time and read all of the instructions Quality very carefully. I did sweep the pellets off of my concrete as directed, \_\_\_\_ but REALLY regret not making 100% absolutely sure that EVERY pellet, thrown from my "whirly" type spreader was removed from any concrete Value or block work. Each missed pellet leaves a dark "rust" colored stain \_\_\_\_ when it dissolves which DOES NOT wash off even with a power washer. My concrete looks horrible! The product warning needs to be much more specific as to the perils of missing ANY of the pellets and that the stains are permanent! Cons Problem with label, permanent stains No, I do not recommend this product. Response from scotts Lee Ann, Consumer Service November 26, 2012 We're sorry to hear about your experience with the Scotts Green Max. Your comments have been reported to our Marketing Team for review. Unfortunately, when the granules are not removed from hard surfaces staining may occur. Check with your local hardware store for cleaning products that will remove iron and that are safe for your concrete surface. Make sure to research the product and test the application before using. Please contact us at the following link for more information and assistance with our product guarantee. <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a> helpful 3 Reply \*\*\*\*\*\*\*\*\*\*\*\*\* Did not cover anywhere 10,000 sq. feet as claimed. November 4, 2012

# RetiredGovtSlug Age: 35 to 44 Gardening Experience: 15 to 30 years Experience: Expert How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time I purchased two products, Green MAX Lawn Fertilizer and the Turf Quality Builder Classic Drop Spreader in order to rid myself of my professional lawn service. The large MAX bag provided a setting of 7 for the drop spreader and advised that I could expect it to cover 10,000 sq. feet. In Value reality, the spreader ran dry at about the half way point. I doubled \_\_\_\_ checked and confirmed that all settings were correct. At \$40 a bag, this is just too expensive to squander and I am returning the empty bag and the spreader to Home Depot (who usually will refund almost anything...). I haven't seen anything regarding customer service from Scotts so I will go with the Home Depot route. Cons Didn't work as expected, Problem with label, lack of coverage No, I do not recommend this product. Response from scotts Lee Ann, Consumer Service November 5, 2012 We're sorry to hear about your experience with the Scotts Classic Drop Spreader and the Scott Green Max Lawn Fertilizer. There are a few things that can affect the flow rate. Did you check the calibration of the spreader before using it? Some spreaders can go out of calibration over time and should be check periodically or when you notice a problem. Did you overlap properly? With drop spreaders, it is important to line up your wheel marks. Were you walking an average pace? When applying fertilizer the walking pace should be about 20 feet every 5 seconds. Walking too slowly will drop more fertilizer in less area. If none of these situations apply, then I'm as perplexed as you. We do offer a product guarantee. If you would like to discuss this problem or our product guarantee with us please use the following link. http://tinyurl.com/7ag7a3n helpful 2 Reply \*\*\*\* **Dark Green Grass Fast!** October 2, 2012 glewandowski Fairfax, VA, USA Age: 45 to 54 Gender: Male Gardening Experience: 15 to 30 years **Experience:** Intermediate/Average **How many days within the past 12 months:** 2-3 times How many times purchased in the past: 4-5 times I Have been using Scotts products for over 25 years. I love Green Max Quality for the dark rich green color it makes my lawn. The extra Iron in the product does the trick! Without too much Nitrogen, that will make the Value lawn grow faster. It is foolproof, if you follow the instructions. My neighbors always compliment my Lawn, and often ask what I use to get it so Green & Lush. I simply tell them Scotts! Pros Value, Quality, Easy to Use, Good Directions, Effective, darkest green fast! Cons none Yes, I recommend this product. helpful 6 Reply









Osgood Meridian, ID, USA Age: 65 or over Gender: Male Gardening Experience: 30 or more years Experience: Intermediate/Average How many days within the past 12 months: 2-3 times How many times purchased in the past: 4-5 times I live in an area with high calcium in the soil. The calcium in turn makes Quality soil iron unavailable to the grass and causes it to be yellow in many areas. The 5.75 % iron in this product counteracts this soil problem and brings the grass back to a healthy green. Value Pros Value, Quality, Good Directions, Effective, high iron Yes, I recommend this product. helpful 4 Reply \*\*\*\* Only use this if you want the GREENEST lawn in your neighborhood. September 27, 2012 jlantz Roxborough, Colorado Age: 45 to 54 Gender: Male Gardening Experience: 30 or more years **Experience:** Intermediate/Average How many days within the past 12 months: 2-3 times **How many times purchased in the past:** This is the first time This is good stuff, it really works as advertised, and greens up a lawn Quality like nothing else. I use Scotts Turfbuilder with weed control in the Spring, as well as Scotts Winterguard in the late Fall. However, in between, if you want a lush, rich, GREEN lawn, imo, this is what to use Value all Summer long, for a great looking yard that can stand up to the heat. Just be sure to let your grass grow a bit longer, to shade itself, during the extreme heat of Summer. Again, this product works as advertised, and I'd recommend it to anyone. Why? Because it's what I use, and yes, my yard is the nicest in the neighborhood, people tell me so, all the time. Take care. Pros Value, Quality, Easy to Use, Good Directions, Effective Yes, I recommend this product. helpful 4 Reply <u>prev</u> 1 **2** 3 Need an answer to a product question? Scotts experts are always available by email and phone in our Help Center.

## Scotts® Green MAX Lawn Fertilizer



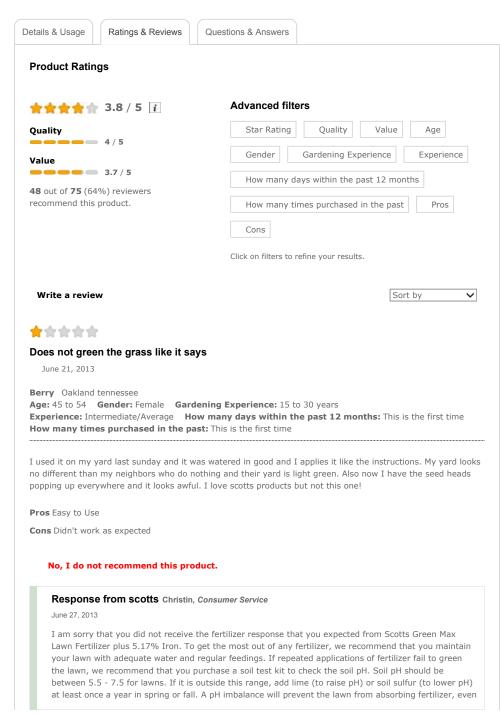


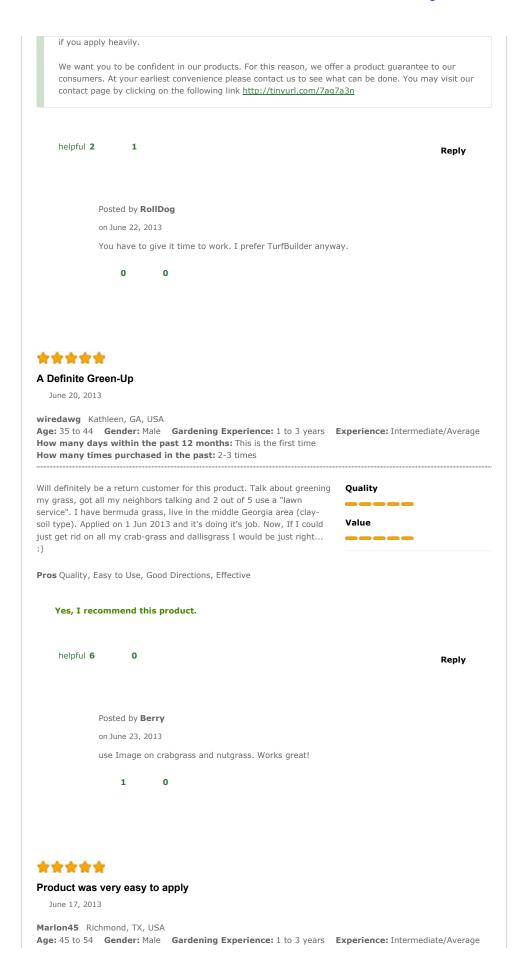


#### **Overview & Benefits**

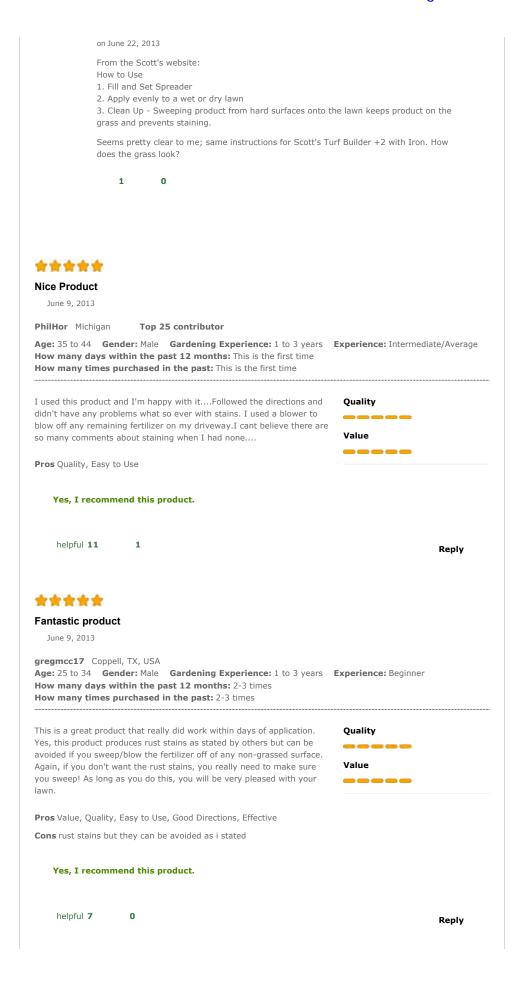
- · Contains triple the iron for fast, extreme greening.3
- · Kid and pet friendly.
- · Water Smart® improves lawn's ability to absorb water and nutrients.
- \* Compared to regular fertilizers when applied at recommended rates.

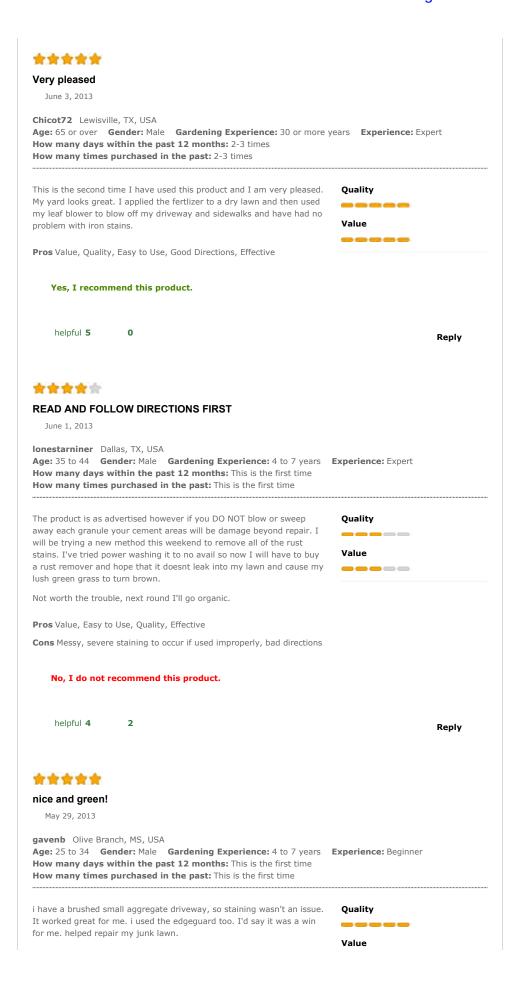
Available sizes: 5.000 sq. ft.

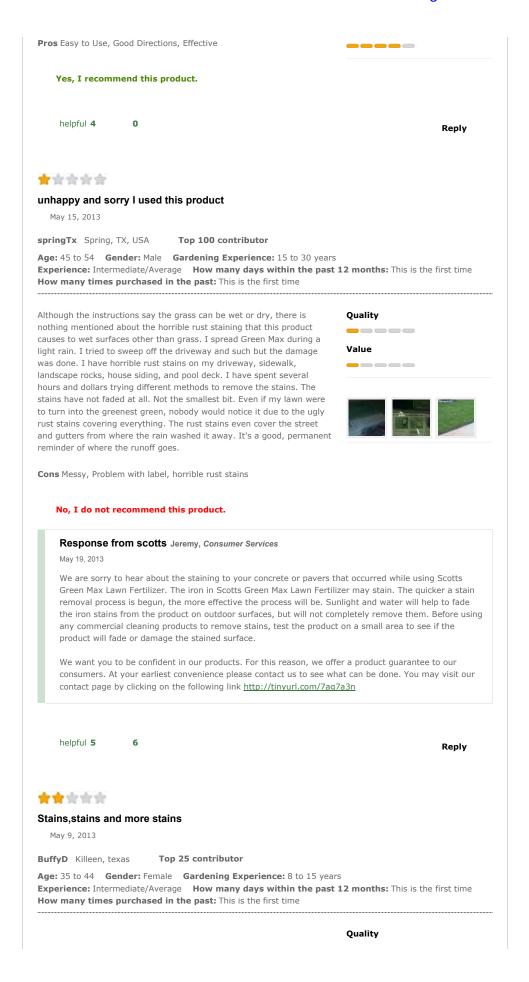




Driveway and sidewalks are all permanently stained- Beware!  June 11, 2013  Top 25 contributor  Age: 35 to 44 Gender: Male Gardening Experience: 15 to 30 years How many days within the past 12 months: This is the first time  Treceived this product in the spring at my local Lowes during a promo In which you got it for free if you purchased Weed and Feed for Southern Lawns. I dont usually use it, but have enjoyed other Scotts  Droducts of I gave it a shot. Like many other reviewers, almost  Tremeway, and perimeter home walkways, which are all  Concrete. I have tried high pressure washing, concrete cleaners,  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers all to no avail. I am also starting to get the  Deleaches and rust removers and to avail. I am also starting to	Since this was the 3rd product I used over the course of 3 yasked the experts about the setting for my spreader, Instead that setting I reduced it to #3 & did not over feed, afterwar up all excessive fertilizer from drive & sidewalk to ensure not cause stains & Now my lawn is beautiful once again, No Burawn evenly deep rich color, Thanks for an excellent productions.	ad of using rds I cleaned one would rn, entire	Quality Value
Driveway and sidewalks are all permanently stained- Beware!  June 11, 2013  Susus Naples, FL, USA Top 25 contributor  Age: 35 to 44 Gender: Male Gardening Experience: 15 to 30 years flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This is the first time flow many days within the past 12 months: This experience will be a stain for years. If you choose to use it, do so on a very dry day and immediately clear it off of surfaces sising a high speed blower, not water.  Cons Messy, poor directions and unclear warnings  No, I do not recommend this product.  Response from scotts Christin, Consumer Service  June 25, 2013  We are sorry to hear about the staining to your concrete or pavers that occurred while using Scotts Green Max Lawn Fertilizer. The iron in Scotts Green Max Lawn Fertilizer may stain. The quicker a stain removal process is begun, the more effective the process will be. Sunlight and water will help to fade the iron stains from the product on undoor surfaces, but will not completely remove them. Before due the iron stains from the product on outdoor surfaces, but will not completely remove them. Before due the iron stains from the product on undoor surfaces, but will not completely remove them. Before due the iron stains from the product on undoor surfaces, but will not completely remove them. Before due the iron stains from the product on undoor surfaces, but will not completely remove them. Before due the iron stains from the product on	Pros Value, Quality, Easy to Use, Good Directions, Effective	2	
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consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>	concrete. I have tried high pressure washing, concrete clear bleaches and rust removers all to no avail. I am also starting the form our community HOA and ACC over how unsightly make me question purchasing Scotts lawn care products even the brand for years. If you choose to use it, do so on a very using a high speed blower, not water.  Cons Messy, poor directions and unclear warnings  No, I do not recommend this product.  Response from scotts Christin, Consumer Service June 25, 2013	ners,  ng to get the  r it is, which cou  rer again, which  r dry day and in	is a shame because I have enjoye mediately clear it off of surfaces
helpful 9 15 Reply	concrete. I have tried high pressure washing, concrete clear bleaches and rust removers all to no avail. I am also startin heat from our community HOA and ACC over how unsightly make me question purchasing Scotts lawn care products even the brand for years. If you choose to use it, do so on a very using a high speed blower, not water.  Cons Messy, poor directions and unclear warnings  No, I do not recommend this product.  Response from scotts Christin, Consumer Service June 25, 2013  We are sorry to hear about the staining to your concrete Green Max Lawn Fertilizer. The iron in Scotts Green Max removal process is begun, the more effective the procest in stains from the product on outdoor surfaces, any commercial cleaning products to remove stains, to	ners,  ng to get the  it is, which cou- ier again, which  dry day and im  ete or pavers the iax Lawn Fertilizess will be. Sun but will not com	is a shame because I have enjoye mediately clear it off of surfaces at occurred while using Scotts er may stain. The quicker a stain light and water will help to fade pletely remove them. Before using
	concrete. I have tried high pressure washing, concrete clear bleaches and rust removers all to no avail. I am also startin heat from our community HOA and ACC over how unsightly make me question purchasing Scotts lawn care products even the brand for years. If you choose to use it, do so on a very using a high speed blower, not water.  Cons Messy, poor directions and unclear warnings  No, I do not recommend this product.  Response from scotts Christin, Consumer Service June 25, 2013  We are sorry to hear about the staining to your concret Green Max Lawn Fertilizer. The iron in Scotts Green M removal process is begun, the more effective the process in the product on outdoor surfaces, I any commercial cleaning products to remove stains, to product will fade or damage the stained surface.  We want you to be confident in our products. For this consumers. At your earliest convenience please contacts.	ners,  ng to get the  it is, which cou- it is, w	is a shame because I have enjoyed mediately clear it off of surfaces at occurred while using Scotts er may stain. The quicker a stain light and water will help to fade pletely remove them. Before using on a small area to see if the a product guarantee to our t can be done. You may visit our
	concrete. I have tried high pressure washing, concrete clean bleaches and rust removers all to no avail. I am also startin heat from our community HOA and ACC over how unsightly make me question purchasing Scotts lawn care products even the brand for years. If you choose to use it, do so on a very using a high speed blower, not water.  Cons Messy, poor directions and unclear warnings  No, I do not recommend this product.  Response from scotts Christin, Consumer Service  June 25, 2013  We are sorry to hear about the staining to your concret Green Max Lawn Fertilizer. The iron in Scotts Green M removal process is begun, the more effective the procente iron stains from the product on outdoor surfaces, I any commercial cleaning products to remove stains, to product will fade or damage the stained surface.  We want you to be confident in our products. For this consumers. At your earliest convenience please contact contact page by clicking on the following link http://tim	ners,  ng to get the  it is, which cou- it is, w	is a shame because I have enjoy mediately clear it off of surfaces at occurred while using Scotts er may stain. The quicker a stain light and water will help to fade pletely remove them. Before using on a small area to see if the raproduct guarantee to our t can be done. You may visit our







If you use this you will get a great lawn, but you will have so many stains on your concrete ,( as if you use Ironite). I sweep the concrete (driveway and sidewalk) very ,very well. I had read the reviews and was aware of the staining problems, but like they say hard head makes a soft..... I thought that if I sweep well ,it would be fine. Nope, I applied it before rain and the granules from the lawn ran onto the driveway and sidewalk. I have to buy a rust remover to get rid of all the stains.



Pros Value, Quality, Easy to Use, Effective

Cons Messy, will stain any contact with concrete

#### No, I do not recommend this product.

### Response from scotts Jeremy, Consumer Service

May 19, 201

We are sorry to hear about the staining that has occurred while using Scotts Bonus S MAX Southern Weed & Feed And Fire Ant Killer. The more quickly a stain can be removed, the more effective the process will be.

We strongly recommend that before using any commercial cleaning products to remove stains, test the product on a small area to see if the product will fade or damage the stained surface. Note that sealed or colored concrete or pavers may experience lifting of the sealant or color with many cleaning products.

helpful 3 Reply



### Greens lawn, difficult to spread

May 3, 2013

Tbailey2434 Wetumpka, AL

**Age:** 35 to 44 **Gender:** Male **Gardening Experience:** 15 to 30 years

**Experience:** Intermediate/Average **How many days within the past 12 months:** This is the first time **How many times purchased in the past:** This is the first time

The product worked well on my lawn, but was so amazingly hygroscopic that it pulled moisture from the air and clumped as soon as I put it in the spreader. The bag was solid, like a vacuum-packed brick of coffee when I purchased it; opening it, it poured well into the spreader.

Value

**Ouality** 

Then the humidity of Alabama took hold, and it clumped. Every three feet or so, I ended up having to stir the fertilizer with a stick so that it would feed. While I'm sure the water-absorbing/retaining properties are intentional, they work a tad too well for anyone in the Deep South, or any other naturally humid clime.

I am satisfied with the product, but I cannot give it a higher or recommended rating because it was terribly difficult to apply. It greened up the lawn, where I was able to apply it, though the clumping means I have streaks of GREEN grass interspersed with thatchy-brushy looking grass that will take longer to green up. While I have used many Scotts products in the past and readily recommended them, I won't be purchasing this product again.

**Pros** Quality, Effective

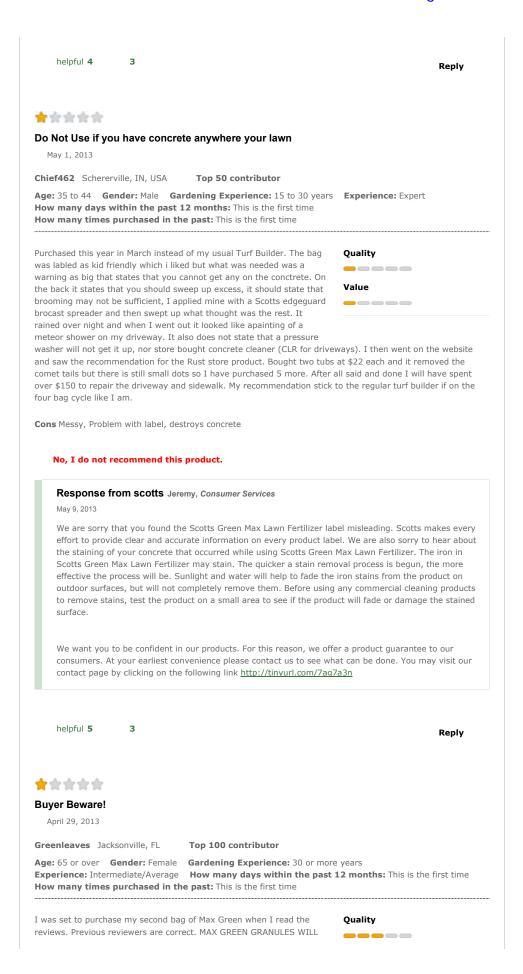
Cons Didn't work as expected, Difficult to use, clumps in the slightest humidity, costly

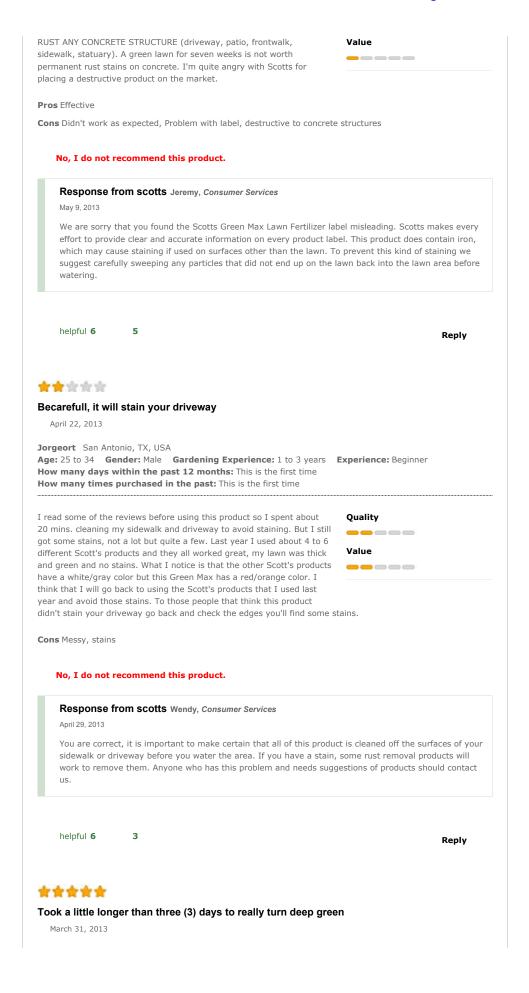
## No, I do not recommend this product.

## Response from scotts Wendy, Consumer Services

May 12, 2013

So sorry to hear that you had such problems with the humidity. We do a lot to prevent our lawn food products from clumping. We are glad you are otherwise happy with the product, but sorry this didn't work out.



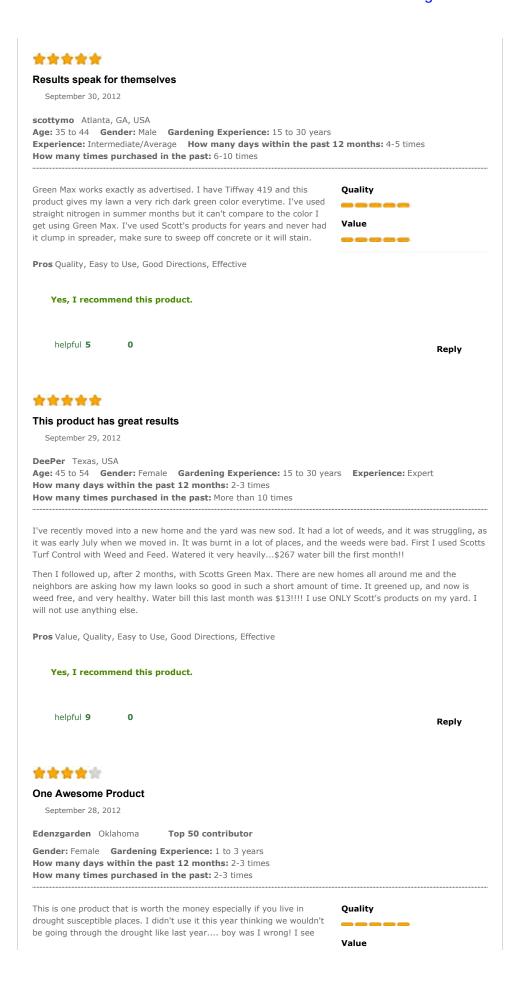


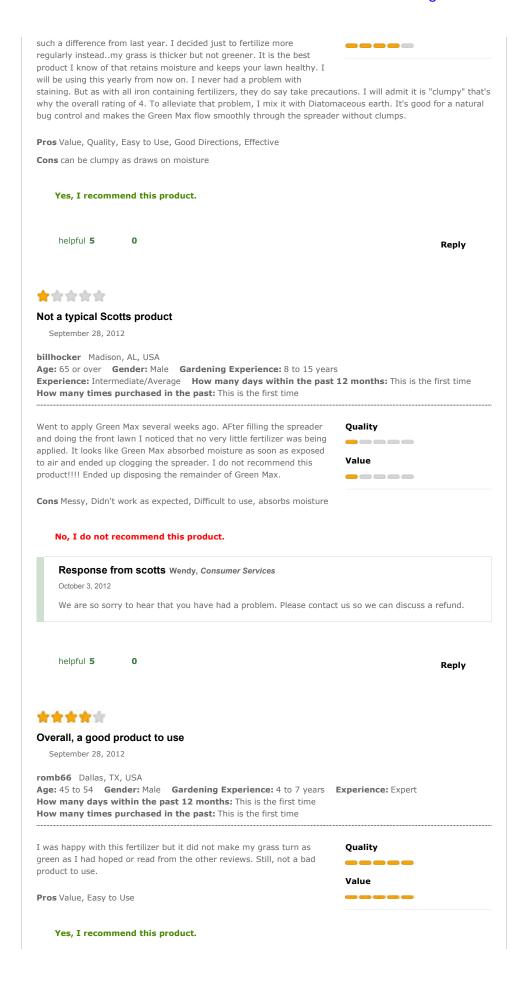
# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 34 of 59

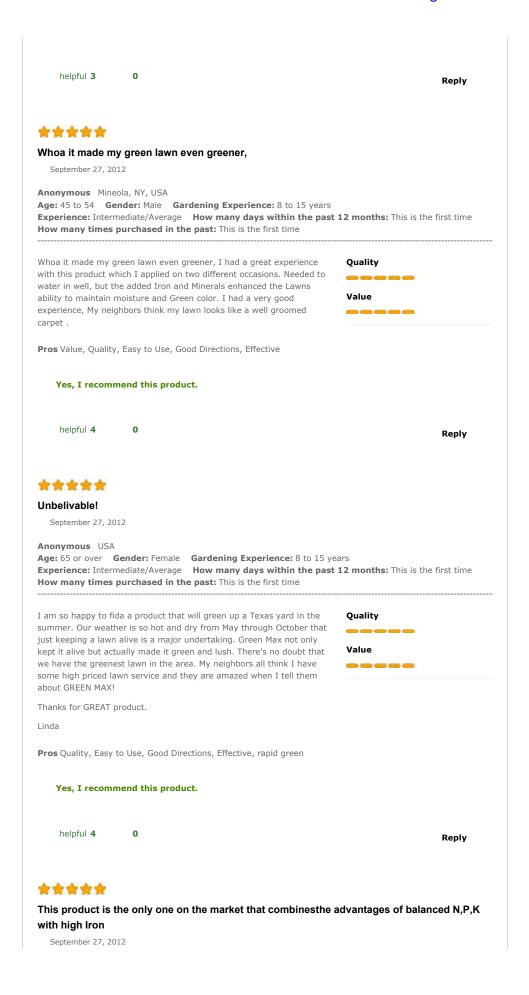
Joese Pasadena, CA, USA Age: 55 to 64 Gender: Male Gardening Experience: 4 to 7 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time The 10X max product worked very well. My lawn is deep green and Quality even deep green throughout. I applied 10X to a dry lawn. I swept the outline area well and avoided all staining. This product is for project Value lovers, so if you don't want to really sweep well and follow directions this is not for you. The deep green took six days to just over a week to fully set in. Pros Quality, Easy to Use, Good Directions, Effective, sweeps up easily Yes, I recommend this product. helpful 8 Reply \*\*\*\* This product stains Horribly! November 24, 2012 DavidPet88 Temecula, CA, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time I purchased Green Max for the first time and read all of the instructions Quality very carefully. I did sweep the pellets off of my concrete as directed, \_\_\_\_ but REALLY regret not making 100% absolutely sure that EVERY pellet, thrown from my "whirly" type spreader was removed from any concrete Value or block work. Each missed pellet leaves a dark "rust" colored stain \_\_\_\_ when it dissolves which DOES NOT wash off even with a power washer. My concrete looks horrible! The product warning needs to be much more specific as to the perils of missing ANY of the pellets and that the stains are permanent! Cons Problem with label, permanent stains No, I do not recommend this product. Response from scotts Lee Ann, Consumer Service November 26, 2012 We're sorry to hear about your experience with the Scotts Green Max. Your comments have been reported to our Marketing Team for review. Unfortunately, when the granules are not removed from hard surfaces staining may occur. Check with your local hardware store for cleaning products that will remove iron and that are safe for your concrete surface. Make sure to research the product and test the application before using. Please contact us at the following link for more information and assistance with our product guarantee. <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a> helpful 3 Reply \*\*\*\*\*\*\*\*\*\*\*\*\* Did not cover anywhere 10,000 sq. feet as claimed. November 4, 2012

# RetiredGovtSlug Age: 35 to 44 Gardening Experience: 15 to 30 years Experience: Expert How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time I purchased two products, Green MAX Lawn Fertilizer and the Turf Quality Builder Classic Drop Spreader in order to rid myself of my professional lawn service. The large MAX bag provided a setting of 7 for the drop spreader and advised that I could expect it to cover 10,000 sq. feet. In Value reality, the spreader ran dry at about the half way point. I doubled \_\_\_\_ checked and confirmed that all settings were correct. At \$40 a bag, this is just too expensive to squander and I am returning the empty bag and the spreader to Home Depot (who usually will refund almost anything...). I haven't seen anything regarding customer service from Scotts so I will go with the Home Depot route. Cons Didn't work as expected, Problem with label, lack of coverage No, I do not recommend this product. Response from scotts Lee Ann, Consumer Service November 5, 2012 We're sorry to hear about your experience with the Scotts Classic Drop Spreader and the Scott Green Max Lawn Fertilizer. There are a few things that can affect the flow rate. Did you check the calibration of the spreader before using it? Some spreaders can go out of calibration over time and should be check periodically or when you notice a problem. Did you overlap properly? With drop spreaders, it is important to line up your wheel marks. Were you walking an average pace? When applying fertilizer the walking pace should be about 20 feet every 5 seconds. Walking too slowly will drop more fertilizer in less area. If none of these situations apply, then I'm as perplexed as you. We do offer a product guarantee. If you would like to discuss this problem or our product guarantee with us please use the following link. http://tinyurl.com/7aq7a3n helpful 2 Reply \*\*\*\* **Dark Green Grass Fast!** October 2, 2012 glewandowski Fairfax, VA, USA Age: 45 to 54 Gender: Male Gardening Experience: 15 to 30 years **Experience:** Intermediate/Average **How many days within the past 12 months:** 2-3 times How many times purchased in the past: 4-5 times I Have been using Scotts products for over 25 years. I love Green Max Quality for the dark rich green color it makes my lawn. The extra Iron in the product does the trick! Without too much Nitrogen, that will make the Value lawn grow faster. It is foolproof, if you follow the instructions. My neighbors always compliment my Lawn, and often ask what I use to get it so Green & Lush. I simply tell them Scotts! Pros Value, Quality, Easy to Use, Good Directions, Effective, darkest green fast! Cons none Yes, I recommend this product. helpful 6 Reply

Posted by <b>Vvs123</b>	
on April 11, 2013 Hi	
I've been trying to make lawn look nice with using scotts be your lawn and that's how I want my lawn to be. Can you to look that way.	
Thank you	
1 0	
****	
This product worked great for me.	
October 1, 2012	
dgoins Owings Mills, MD, USA	
Age: 65 or over Gender: Female Gardening Experience: 4 to 7 yea Experience: Intermediate/Average How many days within the past How many times purchased in the past: 2-3 times	
Having used several different fertilizers for the last couple of years, I found Scotts Green Max Fertilizer the best. My grass is truly green; in	Quality
fact it looks better than my neighbor's grassthis neighbor uses a lawn service.	Value
With the fantastic results I see, I highly recommend this product. As a	
retired teacher I always rated students fairlyand I have followed suit with this fertilizer.	
<b>Pros</b> Value, Quality, Easy to Use, Good Directions, Effective	
Yes, I recommend this product.	
helpful 7 1	Reply
helpful <b>7</b> 1	Reply
	Reply
****	Reply
	Reply
Works like magic October 1, 2012	Reply
Works like magic October 1, 2012  fkraut Chicago, IL, USA  Age: 55 to 64 Gender: Male Gardening Experience: 30 or more year	ars
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more year Experience: Intermediate/Average How many days within the past	ars
Works like magic October 1, 2012  fkraut Chicago, IL, USA  Age: 55 to 64 Gender: Male Gardening Experience: 30 or more year	ars
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yea Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and	ars
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yes Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time	ars <b>12 months:</b> 2-3 times
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yea Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and cut the grass equally. During the extreme heat our lawns showed the	ars 12 months: 2-3 times  Quality  Value
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yea Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and cut the grass equally. During the extreme heat our lawns showed the distress. I applied Green Max and within days my lawn greened up while	ars 12 months: 2-3 times Quality
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yea Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and cut the grass equally. During the extreme heat our lawns showed the distress. I applied Green Max and within days my lawn greened up while his stayed brown.	ars 12 months: 2-3 times  Quality  Value
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yes Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and cut the grass equally. During the extreme heat our lawns showed the distress. I applied Green Max and within days my lawn greened up while his stayed brown.  Pros Easy to Use	ars 12 months: 2-3 times  Quality  Value
Works like magic October 1, 2012  fkraut Chicago, IL, USA Age: 55 to 64 Gender: Male Gardening Experience: 30 or more yes Experience: Intermediate/Average How many days within the past How many times purchased in the past: This is the first time  My neighbor and I are in a bit competitive with our lawns; we water and cut the grass equally. During the extreme heat our lawns showed the distress. I applied Green Max and within days my lawn greened up while his stayed brown.  Pros Easy to Use	ars 12 months: 2-3 times  Quality  Value







live in an area with high calcium in the soil. The calcium in turn makes oil iron unavailable to the grass and causes it to be yellow in many reas. The 5.75 % iron in this product counteracts this soil problem and rings the grass back to a healthy green.	Quality Value			
ros Value, Quality, Good Directions, Effective, high iron				
Yes, I recommend this product.				
helpful <b>4 0</b>			Re	ply
****				
Only use this if you want the GREENEST lawn in your neighbour september 27, 2012	orhood.			
antz Roxborough, Colorado				
ge: 45 to 54 Gender: Male Gardening Experience: 30 or more ye xperience: Intermediate/Average How many days within the past low many times purchased in the past: This is the first time		<b>ns:</b> 2-3 tir	mes	
ge: 45 to 54 Gender: Male Gardening Experience: 30 or more ye xperience: Intermediate/Average How many days within the past	Quality Value			
ge: 45 to 54 Gender: Male Gardening Experience: 30 or more ye xperience: Intermediate/Average How many days within the past low many times purchased in the past: This is the first time his is good stuff, it really works as advertised, and greens up a lawn ke nothing else. I use Scotts Turfbuilder with weed control in the pring, as well as Scotts Winterguard in the late Fall. However, in etween, if you want a lush, rich, GREEN lawn, imo, this is what to use Il Summer long, for a great looking yard that can stand up to the heat. Ust be sure to let your grass grow a bit longer, to shade itself, during the extreme heat of Summer. Again, this product works as advertised, and I'd recommend it to anyone. Why? Because it's what I use, and	Quality Value			
ge: 45 to 54 Gender: Male Gardening Experience: 30 or more ye xperience: Intermediate/Average How many days within the past low many times purchased in the past: This is the first time his is good stuff, it really works as advertised, and greens up a lawn ke nothing else. I use Scotts Turfbuilder with weed control in the pring, as well as Scotts Winterguard in the late Fall. However, in etween, if you want a lush, rich, GREEN lawn, imo, this is what to use Il Summer long, for a great looking yard that can stand up to the heat. Ust be sure to let your grass grow a bit longer, to shade itself, during the extreme heat of Summer. Again, this product works as advertised, and I'd recommend it to anyone. Why? Because it's what I use, and les, my yard is the nicest in the neighborhood, people tell me so, all the	Quality Value			
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## Scotts® Green MAX Lawn Fertilizer







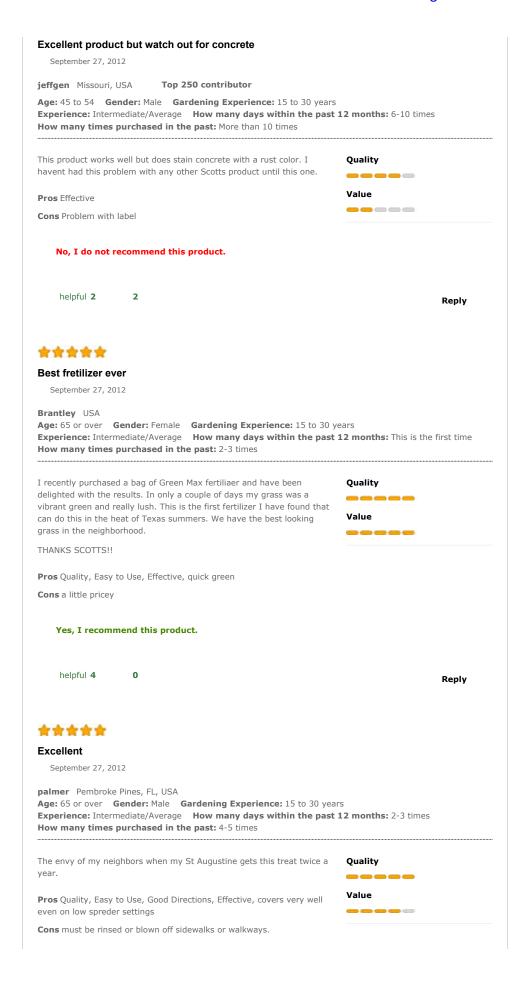
#### **Overview & Benefits**

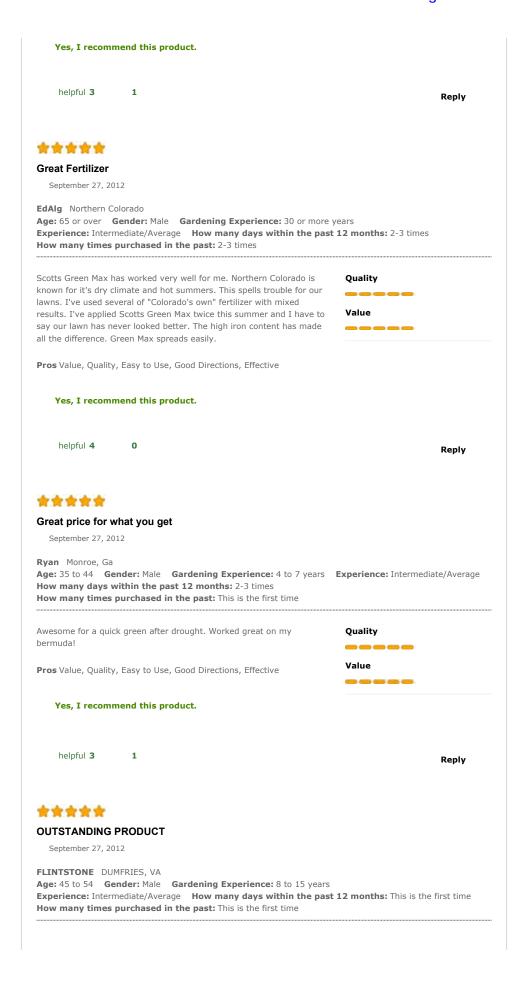
- · Contains triple the iron for fast, extreme greening.
- · Kid and pet friendly.
- · Water Smart® improves lawn's ability to absorb water and nutrients.

\* Compared to regular fertilizers when applied at recommended rates.

Available sizes: 5,000 sq. ft.

Details & Usage Ratings & Reviews Questions & Answers **Product Ratings Advanced filters** \*\*\* 3.8 / 5 i Star Rating Quality Value Age Gender Gardening Experience Experience Value **3.7** / 5 How many days within the past 12 months 48 out of 75 (64%) reviewers recommend this product. How many times purchased in the past Cons Click on filters to refine your results. Write a review Sort by **>** \*\*\*\* Beautiful green grass September 27, 2012 Toms Columbus, OH, USA Age: 65 or over Gender: Female Gardening Experience: 8 to 15 years **Experience:** Intermediate/Average **How many days within the past 12 months:** 4-5 times How many times purchased in the past: 4-5 times I used Scott's Green Max for the first time last year on one half of my Quality lawn. Wow! what a difference when comparing the section of the lawn that I did not treat! I now begin the summer by applying this product on Value my entire lawn. I apply it twice during the summer, within six week intervals. It does yield a rich lush green color lawn. I will continue to use this product every summer. Pros Value, Easy to Use, Good Directions, Effective, consistent Yes, I recommend this product. helpful 3 Reply





I was VERY pessimistic about using this product. I thought it was just another product CLAIMING to make your lawn green. But I was SURPRISINGLY impressed with the results. Within several days, I started to see a HUGE change in the appearance of my lawn. Unfortunately, I got TOO happy with the results and put too much in a couple of trouble areas. Unfortunately, it burned that grass. So be careful with going overboard with this product. Overall, I am EXTREMELY satisfied with this product! Pros Value, Quality, Easy to Use, Good Directions, Effective helpful 4 Reply \*\*\*\* Fast results September 5, 2012 Age: 45 to 54 Gender: Male Gardening Experience: 15 to 30 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time Applied MAX on 8/25 knowing we were having Labor Day visitors. Quality My neighbors grass was the exact same color as mine prior to application. Within 5 days, the grass was noticeably greener in comparison to the neighboring yard. Had a few comments this past Value weekend about the beautiful dark green color of the grass. I used half the amount and criss-cross applied it. Used the blower to remove any product from cement following use. Had no iron stains. I did have a very very slight problem with clumping. If you have weeds, this will not only give the grass a boost, it will also give the weeds a boost. I had a few small weeds and they took off. I treated them and have been watching them wither. Curious to know if a weed control could be added to this product. Pros Quality, Easy to Use, Effective, fast results Cons none to mention. Yes, I recommend this product. helpful 4 Reply \*\*\*\* **Review of Product Application...Not Results** August 19, 2012 LScottC Atlanta, GA, USA Age: 45 to 54 Gender: Male Gardening Experience: 15 to 30 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time Similar to others, I encountered a fertilizer consistency that I never Quality experienced before...I poured it in my spreader, set my opening per \_\_\_\_ instructions, and starting pushing...only nothing was coming out. Upon Value further inspection, I found that the product had the consistency of wet sand, and even after I opened the spreader opening all the way. \_\_\_\_ nothing was coming out. I have never seen such a gummy substance. I figured that somehow moisture had gotten in the bag (which was unopened), so I left it sitting in the spreader in the sun for several hours hoping that it would dry out. Nope, no change in the consistency. I finally got a small hand spreader and broadcast small amounts while shaking vigorously. I am afraid that the distribution will be spotty, but it has not been long enough to see any results. Cons Messy, Difficult to use No, I do not recommend this product. Response from scotts Jeremy, Consumer Service August 21, 2012 We are sorry that you experienced problems while using Scotts Green Max Southern Lawn Fertilizer plus 5.17% Iron. While Scotts makes every effort to package products in such a way that they will not absorb water, occasionally, some water will get in. We recommend that you do not attempt to apply a wet product. Instead, contact us for disposal directions. We want you to be confident in our products. For this reason, we offer a product guarantee to our consumers. At your earliest convenience please contact us to see what can be done. You may visit our contact page by clicking on the following link <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a> helpful 3 Reply \*\*\*\* By far the best fertilizer on the market. August 17, 2012 garrettabe Novi, MI, USA Age: 25 to 34 Gender: Male Gardening Experience: 8 to 15 years Experience: Expert How many days within the past 12 months: 4-5 times How many times purchased in the past: This is the first time This is the best Lawn fertilizer I have ever used in the 12 years of doing Quality my Home lawn. Iam golf course superintendent so I know turf management. The product results I seen was outstanding. The green up Value I had in a few days I was inpressed. Just make sure U sweep up any left on your sidewalk or driveway. the Iron will stain. Pros Value, Quality, Easy to Use, Good Directions, Effective, the color Yes, I recommend this product. helpful 6 Reply \*\*\*\* Max vs. Ironite

August 9, 2012

Wilson Canton, Michigan

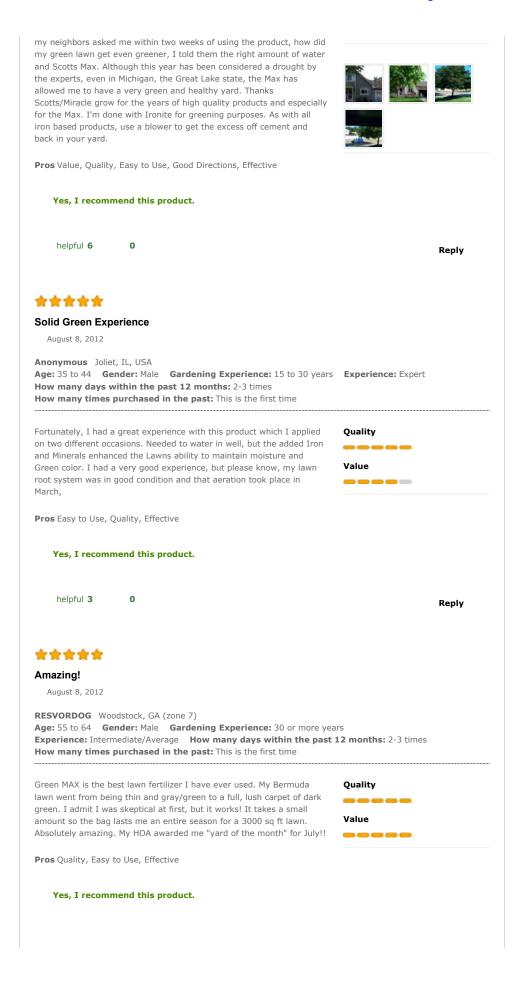
**Age:** 45 to 54 **Gender:** Male **Gardening Experience:** 15 to 30 years

Experience: Intermediate/Average How many days within the past 12 months: 2-3 times

How many times purchased in the past: 2-3 times

I have been a Scotts/Miracle grow user for many years. I always use Scotts/Miracle grow seed and fertilizer because you get what you pay for. The other leading brands do not produce the lush deep rooted lawns that Scotts consistantly does. I'm on my second bag of the Max product and it already has passed the Ironite level of green that I did have. All





helpful 3 Reply rafer sår sår sår Stains Concrete . Keep away use away..far away August 2, 2012 trumpet Hartford, WI, USA Age: 45 to 54 Gender: Male Gardening Experience: 15 to 30 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time 3yr white \$8000 courtyard driveway, walks ,patio . Just resealed \$450 in Quality May. Wisconsin Heat really took it out of the grass. finally got rain and some grass was cooming back and it could really use help Value Tues Rain, Wed applied /max and swept....( needed to sweep off every little granuel..just 1 would leave a bad stain especially with just a little water over spray Thursday today watered 7am.... Stains all over. Just sick totally unexpected Scotts user I decided to do the max green instead of the regular.. Big mistake Do not use near concrete at least 10  $ft. \ or just \ use \ the \ std \ stuff...wife \ called \ Scotts..because \ I \ was \ MAD. \ Used \ "Super Iron Out" 1 \ cup/gall \ of \ warm \ and \ of \ warm \ and \ of \ warm \ of \ out \$ water... 3 hrs later most coming off.. Pros im sure it will be great for the lawn Cons Messy, Didn't work as expected, Difficult to use, do not use near concrete, scrub concrete, sweep /shop vac concrete No, I do not recommend this product. Response from scotts Lee Ann, Consumer Service August 4, 2012 We're sorry to hear about your experience with Scotts Green Max. Iron stains on concrete can be very upsetting. We're glad to hear that the cleaning recommendation is working to remove the stain. If we can answer any additional questions please don't hesitate to contact us again. http://tinyurl.com/7ag7a3n helpful 3 Reply Posted by **johnsull** on September 4, 2012 I wish I had read your comment before applying MAX. I did read the instructions about sweeping off the concrete, but I admit that I usually don't do that. Well, the rain came about 1/2 hour after the application and now the walkway in front of our house has horrible stains on it. I wish there was a way to upload the photos. I will be trying the iron out product for removal. The warning should be in bold letters on the front of the package. I don't know if I will use the product again. If the performance is exceptional I might use it with great care. Posted by trumpet on August 12, 2012 Follow up reply. I Am 100% convinced and want Scotts to know. The Grass is very green and Max is a great product for grass. BUT DO NOT USE NEAR CONCRETE IS VERY IMPORTANT, 1 JUST 1 SMALL 1/64 AND LESS INCH OF A GRANUEL WILL STAIN... PERIOD. I appreciate the blowing recommendation and Scotts may want to add that to the lable. This product can be tracked from grass to concrete after cleaning and may be tracked to areas that were not near the application. I even had 4 spots 40 ft away from applied areas. I spent \$34 in chemicals and almost 6 hours spotting and cleaning. I have

# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 48 of 59

used other products no problem but the extra iron needs extra care in application and can make bad spots. Posted by **RESVORDOG** on August 9, 2012 Label states can stain concrete. Who uses a broom anymore? I use a blower to blow residual back on lawn and I have no stains, none. It pays to read the product label. Do yourself a favor and ditch the broom for a blower. It's a 21st century device I'm sure you will enjoy using. 6 食食治治治 Extremely difficult to apply July 15, 2012 Stewart Georgia Age: 55 to 64 Gender: Male Gardening Experience: 15 to 30 years Experience: Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time I have a Scotts spreader and had to set it at the widest spreader setting Quality to get this product to disperse. Any Moisture and it clogs and binds up and will not spread evenly. Value Not satisfied with that part of the application, now I expect uneven results in the vard. \_\_\_\_ Not happy with this product. Cons Didn't work as expected, Messy, Difficult to use No, I do not recommend this product. Response from scotts Lee Ann, Consumer Services July 16, 2012 We're sorry to hear about your experience. We do not recommend applying a product that has clumps in it because it is difficult to spread and may not spread consistently. Clumps are caused when moisture gets in the bag. Please contact us using the following link for additional assistance. http://tinvurl.com/7ag7a3n helpful 1 Reply Posted by **Edenzgarden** on September 28, 2012 Top 50 contributor Living in Oklahoma even.. yes I have seen this product attract moisture and begin to clump. I use Scott's drop spreader, add the the Green Max, and then I had about 1/2 cup Diatomaceous earth, mix it, so that this retards the clumping. It works great and passes through the spreader as it should. I also make sure that my spreader stays dry and I don't apply this to damp or moist grass. Diatomacous earth can be found at most garden centers.

Posted by MrGreen101

on July 22, 2012

Hello, Had the same problem...seems the humidity and the fine granular size clogs up the holes. Bought the rotary model and works fine...try it again with the new spreader. Peace:)

)



## Doesn't live up to the hype

July 13, 2012

dtillirson fayetteville, GA

Age: 55 to 64 Gender: Male Gardening Experience: 30 or more years

**Experience:** Intermediate/Average How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time

It clumps in the broadcast spreader. Literally bonds together and you have to break it up to get it spread.

The lawn simply does not turn green in three days.

Don't belive the hype!

Pros none i can think of

Cons Didn't work as expected, Difficult to use

#### No, I do not recommend this product.

#### Response from scotts Lee Ann, Consumer Service

July 16, 2012

We're sorry to hear about the difficulty you have with this product and we appreciate your taking the time to share your experience. Clumping is caused by moisture, either moisture in the bag or high humidity. Clumping will cause the product to not spread evenly which may be why you haven't gotten the results you expected. Please contact us using the following link for additional assistance. <a href="http://tinyurl.com/7ag7a3n">http://tinyurl.com/7ag7a3n</a>

helpful 0 1 Reply



#### **Works Great**

July 13, 2012

JJDavis Fayetteville, AR, USA

Age: 25 to 34 Gender: Male Gardening Experience: 1 to 3 years Experience: Beginner

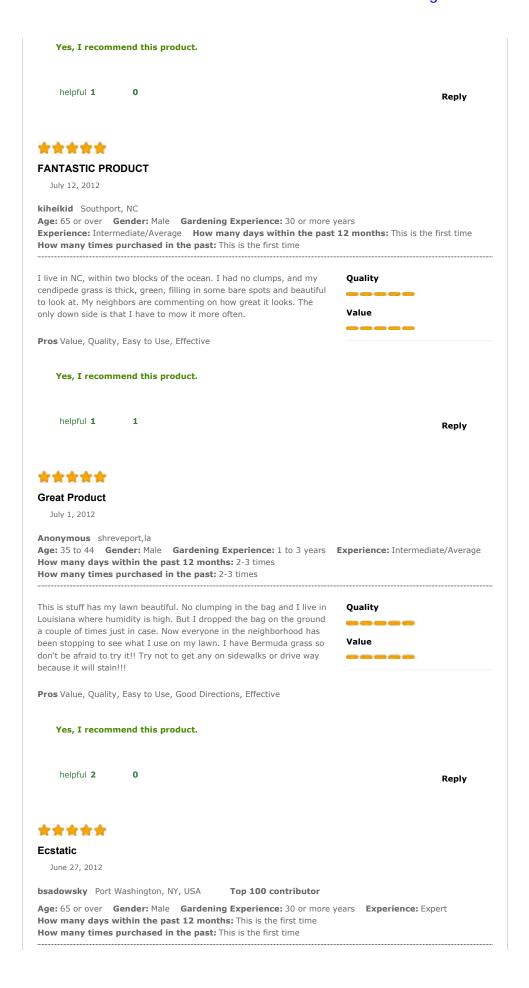
How many days within the past 12 months: This is the first time How many times purchased in the past: This is the first time

I applied this product in early July to a Bermuda lawn that was struggling from extreme heat and drought. After applying and watering for a couple of days, the lawn looks amazing. Grass is green and plush and looks better than lawns in the neighborhood that use professional service. Do be sure to get any excess off the drive or sidewalk because it will leave stains.

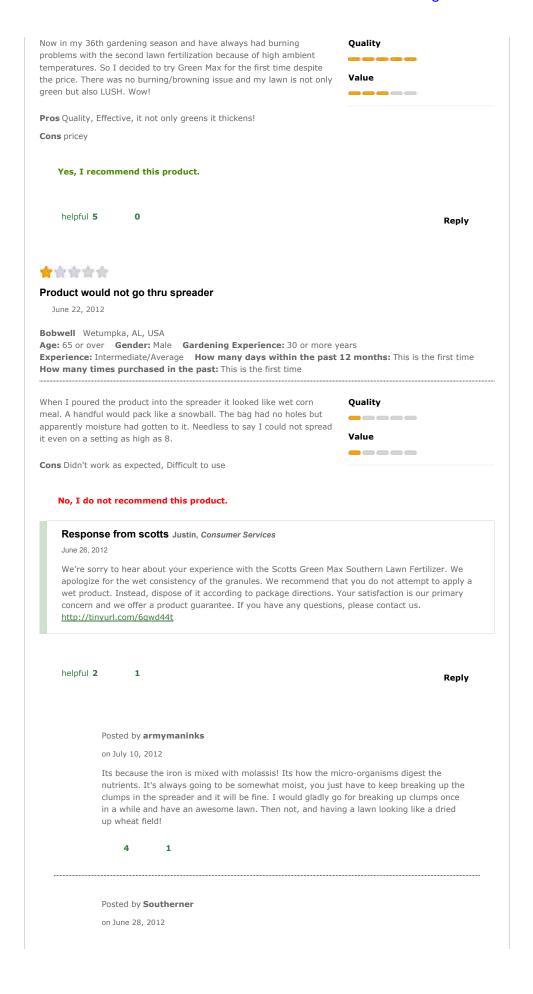
Value

Quality

Pros Quality, Easy to Use, Effective



# Case 1:13-cv-24581-UU Document 1-6 Entered on FLSD Docket 12/20/2013 Page 51 of 59



I live in North Carolina and I also had the same experience. Like wet sand and the bag was sealed so that moisture should not have been able to penetrate. Scotts needs to get this product off the market for states that are very humid in the summer. My local garden center had maybe 100 bags on display. They must all be bad. I have been a customer of Scotts for over 40 years and this is my first disappointment. Scotts....Tell you research lab to do some more testing....

2 1



#### Definately greens up a yellowing lawn

June 20, 2012

Sauer Inverness, FL

Age: 65 or over Gender: Male Gardening Experience: 30 or more years

**Experience:** Intermediate/Average How many days within the past 12 months: This is the first time

**How many times purchased in the past:** This is the first time

Significant improvement in lawn color in one week. No product clumping was observed when the bag was first opened. Appears to absorb moisture from humid air and a few agglomerates were found about one week after opening. I thought that I could use a leaf blower to remove spillage from hard surfaces, but iron staining did occur. Next time I will wash it off with water.

Quality
Value

Pros Value, Quality, Easy to Use, Good Directions, Effective

Cons stains hard surfaces if not completely removed

## Yes, I recommend this product.

helpful 1

Reply



#### TO THE MAX!!!!! GREEN THAT IS!!!

June 18, 2012

cemery GLENNWOOD IL,USA

**Age:** 45 to 54 **Gender:** Male **Gardening Experience:** 8 to 15 years

**Experience:** Intermediate/Average **How many days within the past 12 months:** 2-3 times

How many times purchased in the past: 2-3 times

IT DOES WHAT IT SAYS TO THE MAX. I APPLYED SCOTTS GREEN MAX TO MY LAWN AND WITHIN 72 HOURS MY LAWN WAS DARKER RICH LOOKIN. ON A SCALE OF 1-10 START AT 10 WITH THIS SCOTTS GREEN MAX!!!!! THANX SCOTTS!!!!

Value

Quality

**Pros** Value, Quality, Easy to Use, Good Directions, Effective

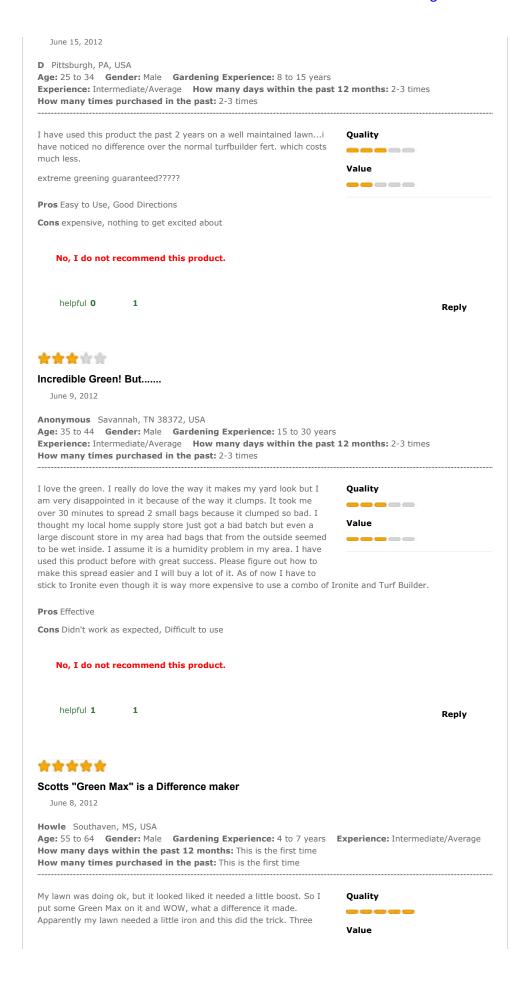
Yes, I recommend this product.

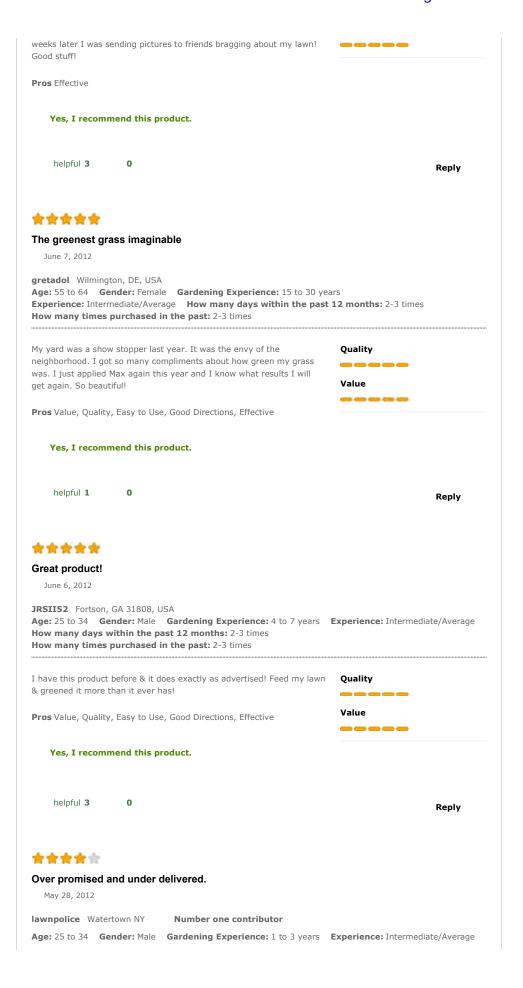
helpful 2

Reply

實實實實實

 $fail \ to \ notice \ much \ difference, \ surprisingly...$ 





	iting this product for a while to give it a chance	Quality	
efore jumping to con	clusions. I used this product on another section of		
,	arate from the main section. same sunlight same	Value	
	thing. did not quite get as good of results that i orf builder, will try again in a different section, i	value	
,	clusively but i am not totally satisfied with this		
•	results i was looking for. Used a knockoff store		
lay, this did not greer	xt to this area of the lawn and it was night and		
.,			
<b>Pros</b> Easy to Use, God	od Directions		
Cons Didn't work as e	xpected, will give it a try again		
Yes, I recomme	nd this product.		
helpful <b>8</b>	0		Reply
***			
Amazing product			
<b>Age:</b> 35 to 44 <b>Gend</b>	, USA ler: Male Gardening Experience: 8 to 15 years diate/Average How many days within the past	<b>12 months:</b> This is th	ne first time
MCL68 Vacaville, CA Age: 35 to 44 Gend Experience: Intermed	ler: Male Gardening Experience: 8 to 15 years	<b>12 months:</b> This is th	ne first time
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## Scotts® Green MAX Lawn Fertilizer





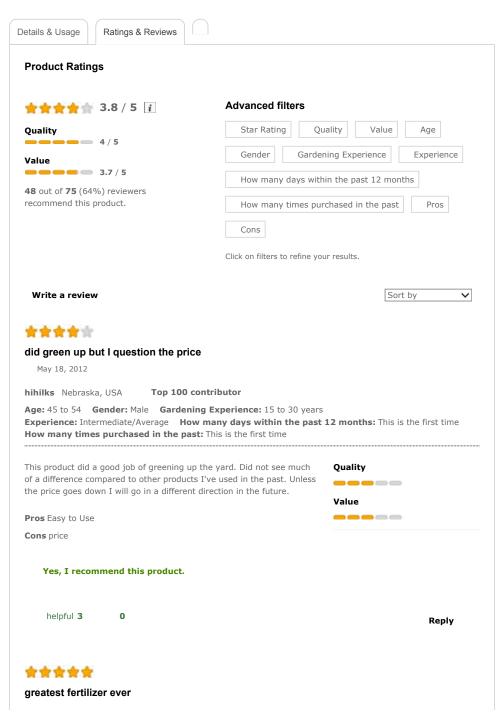


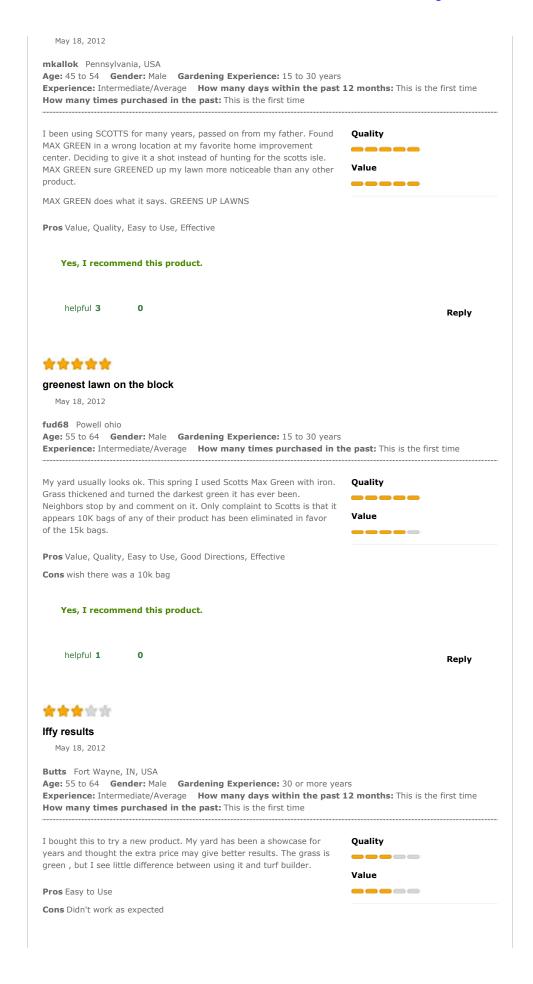
#### **Overview & Benefits**

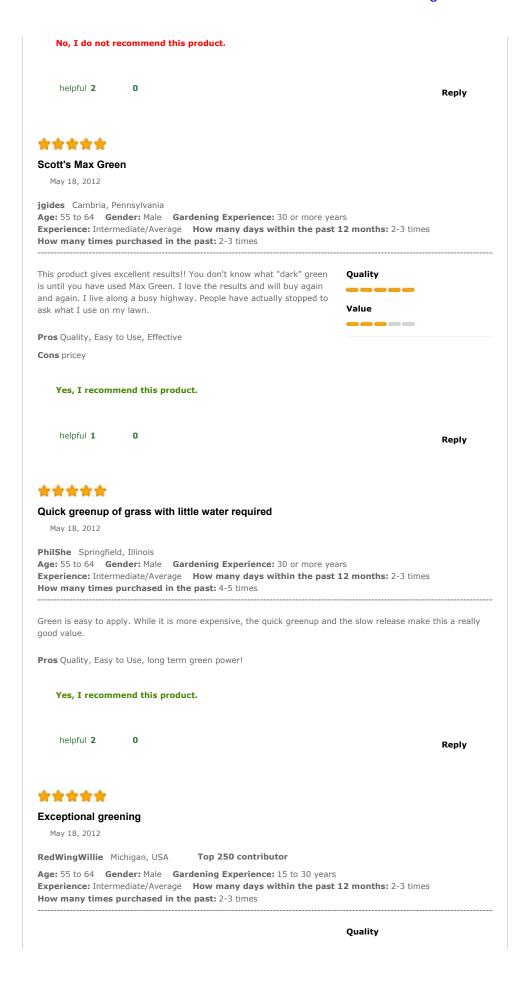
- · Contains triple the iron for fast, extreme greening.
- · Kid and pet friendly.
- · Water Smart® improves lawn's ability to absorb water and nutrients.
- \* Compared to regular fertilizers when applied at recommended rates.

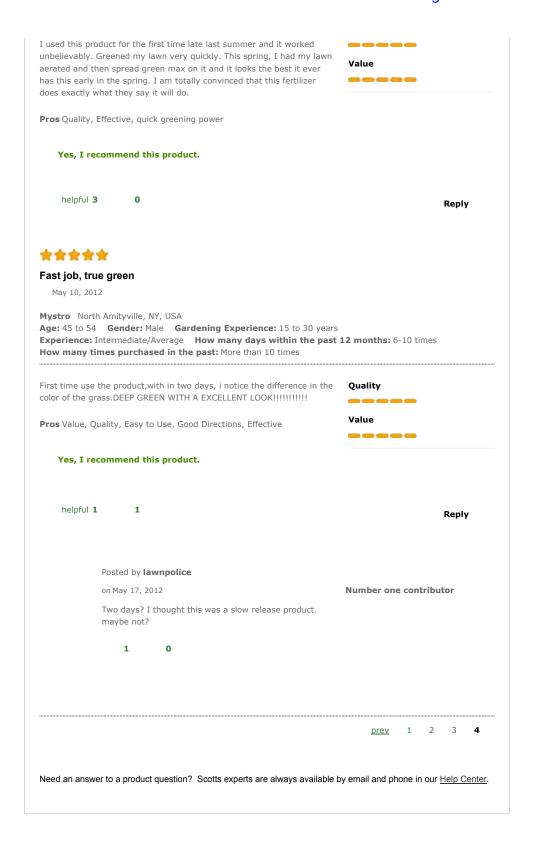
Available sizes:

5,000 sq. ft.

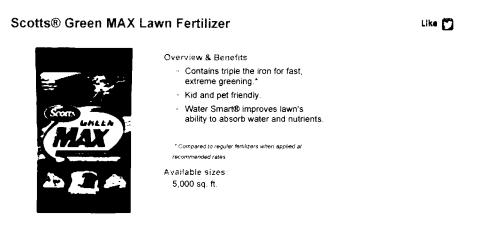








# Exhibit 4



Product Q&A

Details & Usage

Ratings & Reviews

Questions & Answers

# (26 questions: 31 answers) Sort by Search Search all questions and answers for this product How can I remove staining on concrete answers 2 Is this the best product for the summer heat of NC? Comparison: Summerguard vs GreenMax What accessories and addition lawn care go good with Scotts Green Max? 1 where can I buy the green max product? answe How soon after applying Scotts Green Max can I plant new grass seed 6058984 I used Scott Bonus S three weeks ago can I put green max on my lawn now? I have st augustine grass? I live in Houston tx. do I water the grass after applying green max? It says to feed the Green Max Fertilizer every 6-8 weeks for best care, answer but Is this Green Max Fert.the food as well or is there add/diff type how long after applying green max can I apply step 1 or turf builder with crabgrass preventer? 1 next

Ask a new question

# Scotts® Green MAX Lawn Fertilizer





Overview & Benefits

- Contains triple the iron for fast, extreme greening.\*
- Kid and pet friendly.
- Water Smart® improves lawn's ability to absorb water and nutrients.
- \* Compared to regular fertilizers when applied at recommended rates

Available sizes: 5,000 sq. ft.

Details & Usage F

Ratings & Reviews

Questions & Answers

## **Product Q&A**

**Answers** 

(26 questions: 31 answers)

Search all questions and answers for this product	Search	Sort by	~
How can I remove staining on concret I had a little run off when watering and my conc that you recommend to remove rust looking sta	rete boarder is stamed	Is there a product ou	4 answers If there
7 months ago			
chuckster Phoenix, AZ, USA			
Answer this question		helpful <b>0</b>	1

Staff

We are sorry to hear about the rust stains after using Scotts Green Max. Sunlight and water will help to fade the iron stains from the product an outdoor surfaces, but will not completely remove them. The quicker a stain removal process is begun, the more effective the process will be. Before using any commercial cleaning products to remove stains, test the product on a small area to see if the product will fade or damage the stained surface. Most stain removal products work best with two applications. Be sure to thoroughly rinse the area after applying a stain removal product. The following products are effective iron stain removers:

Concrete Rust Remover from <u>www.theruststore.com</u> Super Iron Out Master Plumber Iron and Rust Remover Navai Jelly Rust Dissofver

ScottsCustomerCare

Marysville, OH, USA

0 1

Top 50 contributor

The Rust Stores concrete rust remover works good but is not cheap and you will need a minum of three to do two applications.

7 months ago

3 <b>0</b>	
Top 100 ce	ontributor
I put this down during a light rain. By driveway, sidewalk, landscape rocks, siding, and pool deck are covered with rust streaks. I don't care how green i gets, the rust stains make it all look horrible. I will try the product mentione I've tried several others and they have had no effect at all.	my lawn
7 mgmths aga	
springTx	***************************************
Spring, TX, USA	
3 O	
·	antri <b>butor</b>
I ordered the product from the rust store/around \$23 for about a 220z, it has reviews so hopefully it works. I hate the way my sidewalk and driveway look rust stains. Using the Scott green Max has cost me more money and now towas worth.	k with the
7 months ago	
BuffyD	
BuffyD Kilieen, texas	
Killeen, texas	
Killeen, texas	<b>2</b> answer:
7 0 The best product for the summer heat of NC?	answer:
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Killeen, texas  7 0	answers  2 answers  1 answer  1 answer  1 answer  1 answer

Scatte 9.93 Cover 12/20/2013 Pages 3063

	1	2	next
Ask a new question			