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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

2015 OCT -7 PM 4:00

CLERK OF DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

MATTHEW TIGER, and others  
similarly-situated,

Plaintiff,

vs.

Case No.: 8:15 cv 2375 T26 AEP

DYNAMIC SPORTS NUTRITION, LLC,  
a Texas Limited Liability Company, and  
PBB TRADEMARK HOLDINGS, LLC,  
a Texas Limited Liability Company,

Defendants.

JURY TRIAL DEMANDED

CLASS ACTION COMPLAINT

Plaintiff Matthew Tiger, by and through his undersigned counsel, respectfully files this Class Action Complaint on behalf of himself and a class of similarly-situated individuals who have purchased "Tren 75," "Winn50," "Test 600x," "Clen," "Var," and "Decca 200," which are products manufactured and/or marketed by Defendants Dynamic Sports Nutrition, LLC ("DSN") and PBB Trademark Holdings, LLC ("PBB") (DSN and PBB are collectively referred to as "Defendants"); and, Plaintiff alleges the following in support:

INTRODUCTION

1. This is a consumer protection class action based on Defendants' manufacturing, marketing, advertising, labeling, packaging, and/or selling the bodybuilding dietary supplements at issue, "Tren 75," "Winn50," "Test 600x," "Clen," "Var," "Decca 200" (the "Products"), using false, deceptive, unfair, and/or misleading affirmative representations that are misleading to reasonable consumers because, among other reasons, Defendants misrepresent and omit the true nature and benefits of the Products.

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\$400

2. As will be shown below, and during all times material hereto, Defendants engaged in a common plan and scheme, through the use of misleading labeling and advertising claims, to induce consumers to purchase their “Tren 75,” “Winn50,” “Test 600x,” “Clen,” “Var,” and “Decca 200” strength and conditioning products.

3. Defendants knew or should have known that their representations as to the aforementioned products were false, and they sought to convince consumers that those products were the same or similar to DEA Schedule III anabolic steroid products.

4. As set forth below, it is through Defendants’ labeling, advertising and marketing of the aforementioned products that consumers have been deceived (*see, e.g.*, <http://www.anabolics.com/>). Defendants are defrauding consumers because they are either (i) selling fake steroids (and/or fake supplements), or (ii) illegally selling real steroids by calling them fake steroids).

5. Plaintiff now brings this suit to end Defendants’ misleading practices and to recover the ill-gotten gains obtained by Defendants through this deception.

6. Plaintiff brings this action individually and on behalf of all others who purchased the above named Defendants’ products that were deceptively labeled and marketed.

#### **PARTIES**

7. Plaintiff, Matt Tiger (“Plaintiff”) is a natural person of full age of majority who is domiciled and residing in Orange County, Florida.

8. In or about June 2015, Plaintiff purchased, via Defendants’ website, <http://www.anabolics.com/>, **Tren 75®** and “The Summer Stack,” which includes Test-600x™ - (Overall Muscle Growth, Strength, and Size), **Clen®** - (Fat Loss, Stamina, Endurance, Energy, Appetite Control), **Var-10®** - (Muscle Density, Speed, Athletic Performance, Versatility),

**Winn-50®** - (Lean Muscle, Cutting, Endurance, Strength), and **Deca 200®** - (Strength, Joint Protection, Size, Recovery).

9. Plaintiff used the Products in accordance with the labeling instructions and observed none of Defendants' advertised benefits from his use of the Products.

10. Plaintiff reasonably relied upon the labeling and advertising claims of Defendants in purchasing their Products.

11. Plaintiff would not have purchased the Products had he known that the Products did not provide the claimed results.

12. Plaintiff suffered injury by his purchase of the Products in that he was deceived into purchasing Defendants' Products based upon Defendants' false or misleading representations of the benefits he would receive from the use of the Products.

13. Defendant DSN is a Texas Limited Liability Company, having its principal place of business located at 1330 Post Oak Blvd., Ste. 2900, Houston, Texas, 77056. DSN sells its Products throughout the United States.

14. Defendant PBB Trademark Holdings, LLC (f/k/a Dynamic Sports Nutrition, LLC) is a Texas Limited Liability Company, having its principal place of business located at 1240 Wilson Rd. Ct., Humble, Texas, 77396. PBB sells its Products throughout the United States.

#### **JURISDICTION AND VENUE**

15. This Court has jurisdiction over this action pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d). Jurisdiction is proper because (1) the matter in controversy exceeds the sum or value of \$5,000,000.00, exclusive of interests and costs, and (2) the named Plaintiff and the Defendants are citizens of different states. 28 U.S.C. §1332(d)(2)(A).

16. Venue is proper in this Court pursuant to 28 U.S.C. §1391(a) because a substantial part of the events giving rise to the claim occurred within this judicial district and because Defendants have marketed and sold the products at issue in this action within this judicial district and have done business within this judicial district.

#### **CHOICE OF LAW**

17. Florida law governs the state law claims asserted herein by Plaintiff and the class members.

18. Defendants' acts and omissions described herein were implemented in the State of Florida through Defendants' marketing and sales of their products within the State of Florida.

19. Florida has a substantial interest in protecting the rights and interests of Florida residents and others who purchase goods in Florida against wrongdoing by companies which market and distribute their products within the State of Florida, which interest is greater than that of any other state or country.

#### **GENERAL ALLEGATIONS**

20. Defendants claim to be one of the leading manufacturers and sellers of dietary and nutritional supplements in the United States.

21. Defendants target consumers are primarily bodybuilders.

22. Defendants' Products packaging and marketing are designed to deceive purchasers into believing that they are purchasing "legal steroids" and are marketed on the internet through web domain names including, but not limited to, [www.steroids.com](http://www.steroids.com), [www.buvsteroids.com](http://www.buvsteroids.com), or [www.anabolics.com](http://www.anabolics.com).

#### **A. TREN 75:**

23. Defendants market a product called "Tren 75" - U.S. Trademark Registration No.

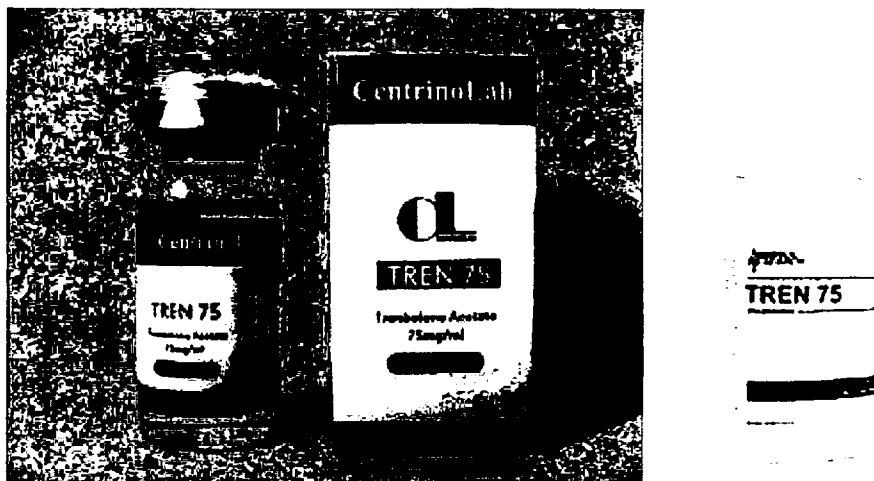
4,140,455.

24. Defendants' website, [www.steroid.com](http://www.steroid.com), defines "Tren" as follows:

Tren is one of the most popular steroids of all time as it is one of the most powerful and most effective. Officially known as Trenbolone, Tren can come in many forms with the small ester version Trenbolone-Acetate and the large ester version Trenbolone-Enanthate being the most common. Originally developed for the purpose of beefing up livestock Tren became very popular during the golden age of bodybuilding as it was discovered what's good for the cow is just as good for the athlete. During this time the Acetate version was all that was available in the form of an implant pellet known as Finaplix; these subcutaneous pellets were easily transformed into an injectable solution. However, as the years went by many other Tren forms would hit the shelf from the original Finaject and Parabolan but in the end the Acetate version remains king.

25. Defendants name and package their Tren 75 product similarly to the anabolic steroid (*e.g.*, *see pictures below*).

26. Tren 75 lists as its primary content, "Finabolon Proprietary Blend - 292 mg." Just like the term "Tren," Finabolon is also the name given to an injectable steroid.



27. Defendants' website, [www.steroid.com](http://www.steroid.com), defines Finabolon as follows:

Finabolon (Tren 75)  
Anabolic Steroids Profile

Finabolon is a massive strength and hardening agent well-known worldwide as a top notch anabolic. Also, because of its potent androgenic characteristics, it is

used by elite bodybuilding and powerlifting athletes alike. Users often report little weight gain however gains of 8-15 pounds have been claimed over an 8 week period on this product alone. Finabolan is typically best utilized during the cutting or hardening phases of a cycle but is commonplace in bulking stacks as well. It is the MOTHER of all anabolics and a very well rounded androgenic agent.

**Dosage:**

Finabolan should be used only under the supervision of a doctor or other medical authority. Typical dose is 150mg per day split into two or more even doses. It is best utilized on an empty stomach however can be taken with food. This is a very fast acting product and therefore is in and out of your system quickly. An additional dose is often taken 30-45 minutes before working out to capitalize on the massive testosterone energy rush but be careful, it is very powerful.

**Side Effects:**

**Due to advances in product manufacturing Finabolan is a much safer product than once believed. Side effects include aggressiveness, restlessness, sleeplessness and possible mood swings. Use of Finabolan relatively safe, when used within the manufacturers recommendations. Its a very fast acting product that you should be able to feel within minutes of each dose. The testosterone rush is intense and can be overwhelming for some, less experienced users. Be careful not to take it too late in the day to avoid sleeplessness (emphasis added). People with extreme anger management problems should avoid this product completely. Trenbolone Acetate. Finabolans sister anabolic is well known as a side effect nightmare and should be avoided at all costs.**

28. Just like “Tren”, Finabol, Finabolan, and Finabolin are all names for injectable steroids consisting of, *inter alia*, Trenbolone Acetate (e.g., see pictures below).

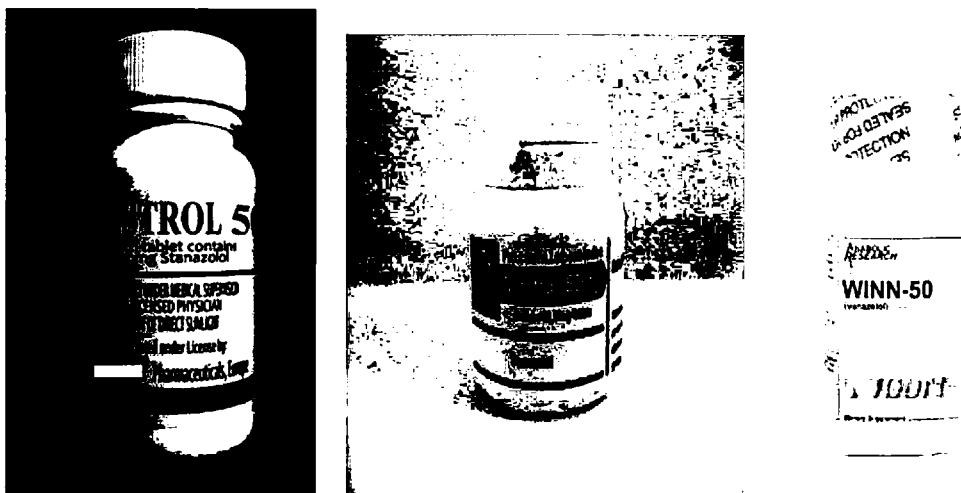


29. Defendants are intentionally using false and misleading marketing to confuse a consumer into believing that, as a “sister” to Trenbolone Acetate, Tren 75 is a powerful anabolic steroid, to be taken only under the supervision of a doctor.

**B. WINN - 50**

30. Defendants market a trademarked product called, “Winn-50.” U.S. Trademark Registration No. 4.045.084.

31. Defendants name and package their Winn-50 product similarly to the anabolic steroid, “Winstrol” (e.g., see pictures below):



32. Defendants’ website, [www.steroid.com](http://www.steroid.com), defines “Winn-50” as follows:

Winn 50® is a unique and specific compound with the prime objective of **transforming your body into a much stronger and leaner machine!**

If you’ve built all the muscle you need, but just can’t seem to reach the level of definition you desire, **Winn 50** is for you! Often used by professional and recreational bodybuilders to greatly enhance vascularity, and incinerate body fat en route to contest level definition, this wildly popular anabolic can rapidly take your physique to the next level. Mild enough for female athletes, Winn 50’s signature potency is just as effective alone or at the end of a cutting cycle. It’s time-tested and proven to provide all of the finishing touches solid muscular foundations require!

As important as diet and cardio are, anabolic veterans know Winn 50 is central to developing the clean, dense, high quality muscular appearance that separates them from the crowd by:

- PROMOTING the preservation of LEAN BODY MASS
- Tweaking your metabolism to efficiently BURN EXCESS CALORIES
- DRAINING definition blurring WATER from your body TO EXPOSE hard earned MUSCLE
- Augmenting nutrient supplies via VASODILATION leading to BETTER PUMPS & fuller muscles
- POLISHING your MUSCLE density TO COMPETITION QUALITY

33. Winn-50 lists as its primary content “Vanazolol Proprietary Blend” – 356.35 mg.

34. Defendants’ website, [www.steroid.com](http://www.steroid.com), describes Vanazolol as follows:

**Vanazolol  
(Winn-50)**

Often called Winny V, Vanazolol is among the most popular oral anabolics ever known. It is used mainly by sprinters, football players, swimmers, and powerlifters because of its unique and powerful strengthening abilities. Endurance athletes especially love this product because when combined with the right diet and workout program, it can add extreme strength and harness with little weight gain. It can help increase muscle size too; but is definitely best used to achieve that look of hard cuts that is so appealing. Bodybuilders typically use it toward the end of cutting cycles or during pre-contest stages to get the finishing touches on their physique.

**Dosage:**

Start with a lower dose and work up depending on how you are responding to it. At 50mg, 3 times per day, a person can expect outstanding results in hardness and strength.

**Side Effects:**

Vanazolol is unique among other products like it because it is not liver toxic. Restlessness and sleeplessness are potential sides. Watch for dehydration too. Over aggressiveness isn’t a concern for most however, it is extremely powerful and should be taken only under a doctors supervision. Women and men under 20 should steer clear of this product completely.

35. Vanazolol is a name Defendants made up, for its similarity to Stanozolol, which

Wikipedia defines as:

**Stanozolol**, commonly sold under the name **Winstrol** (oral) and **Winstrol Depot** (intramuscular), is a synthetic anabolic steroid derived from dihydrotestosterone.



It was developed by Winthrop Laboratories (Sterling Drug) in 1962, and has been approved by the FDA for human use. See <https://en.wikipedia.org/wiki/Stanozolol>.

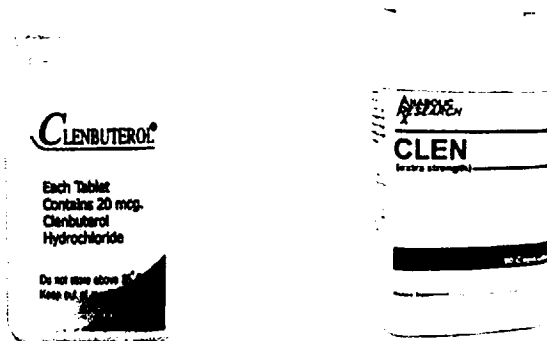
36. The Urban dictionary defines “Winny,” as it relates to bodybuilding as, “slang term for injectable anabolic steroid called winstrol (stanozolol)” (see, e.g., [www.urbandictionary.com](http://www.urbandictionary.com)).

37. Defendants’ false and misleading marketing is intended to confuse the consumer into believing that their Winn-50’s primary ingredient, “often called Winny V.” is the same or similar to the anabolic steroid called Winstrol (stanozolol).” called Winny (*for example, Defendants represent to consumers that their product is extremely powerful and should be taken only under a doctor’s supervision*).

**C. CLEN**

38. Defendants market a trademarked product called “Clen.” U.S. Trademark Registration No. 4,416,649.

39. Defendants name and package their “Clen” product similarly to “Clenbuterol,” a prescription drug prescribed for breathing disorders, which also happens to be a powerful stimulant, abused for its weight loss properties (*e.g., see pictures below*):



40. Defendants' website, [www.steroid.com](http://www.steroid.com), defines Clen as follows:

When it comes to burning body fat and increasing stamina, nothing is more powerfully effective than Maximum Strength Clen®.

There are numerous fat loss products on the market, stimulants and fat burners alike, but Maximum Strength Clen® is truly unique for one very special reason...IT WORKS...IT ABSOLUTELY WORKS!

While we carry a host of the most effective and powerful muscle building products on the market, our most popularly requested formula is our Maximum Strength Clen® and the reasons are straightforward:

Clen® has been formulated with beta-2 receptor stimulation in mind and is designed to promote a simultaneously thermogenic and lipolysis effect. This action provides a significant metabolic boost and creates an internal environment that is perfect for fat loss. Not only does Clen® effectively help burn stubborn body fat, it can significantly reduce and help you control your hunger and cravings. A stronger and more powerful metabolism with more appetite control means one thing - Clen® will help you reach the lean physique you crave!

Surprisingly to some, Clen® is also a great tool for those who are looking to build up muscle mass or who are in what's commonly known as a "bulking phase." Gaining too much body fat is a common problem when bulking, but Clen® will help you control the unwanted fat gain so that your gains are of a higher quality. Athletes, be it high performance or endurance, will find Clen® to be invaluable as it has been designed to promote cardiovascular endurance and stamina, which means you will breath easier. All athletes from all walks of life will also find Clen® provides a significant boost of energy, which is always welcomed when training.

If you want to lose body fat, if you're looking to enhance your athletic performance or if you simply need a boost of energy or appetite control, you will find Clen® is the top choice to meet your needs. A highly effective product when used alone, the effects of Maximum Strength Clen® are a perfect addition to any performance stack.

**Clen® was scientifically formulated to help:**

- Rapidly Remove Body Fat
- Efficiently Burn Fat Calories
- Stimulate Fat Cells to Enhance the Breakdown of Triglycerides
- Improve Stamina and Endurance
- Safely and Substantially Reduce Appetite

41. Clen has as its primary content, “Clen Proprietary Blend - 288.5 mg.” Like Tren and Winn, Clen is the street name for the drug given to Clenbuterol. The Urban Dictionary defines Clen as follows:

Clenbuterol is a drug prescribed to sufferers of breathing disorders as a decongestant. People with chronic breathing disorders like asthma use this as a bronchodilator to make breathing easier. It is most commonly available in salt form as Clenbuterol hydrochloride. Clenbuterol is often mistaken for a steroid because of its illicit use in athletics.

Also referred to as Clen, people who abuse this drug typically do it for its slimming effects. It is a stimulant similar to ephedrine, only much longer-lasting. When taken daily, the abuser can lose up to ten pounds in two weeks. <http://www.urbandictionary.com/define.php?term=clenbuterol>



42. Defendants’ website states as follows about CLEN:

Clenbuterol (Clen) is the common term used that refers to the popular bronchodilator Clenbuterol Hydrochloride. Designed with the intent of treating chronic asthma, Clen is also a powerful fat-burner with some similarities to Ephedrine yet far more powerfully effective. While designed to treat respiratory issues it is this medications fat-burning abilities that have intrigued so many and

by and large without question it is the number one reason many buy Clenbuterol (Clen) in the first place. The reason is simple; Clenbuterol (Clen) greatly increases your total metabolic activity by stimulating the Beta-2 receptors; once this process is in play the results are very simple, we now use stored body-fat for energy to a higher degree. While direct fat-burning is the primary mode of action regarding its metabolic activity properties Clen has been shown to also greatly reduce total appetite in some; for some it wont but decreasing appetite can be useful to those struggling to lose weight.

**How Clenbuterol (Clen) Works:**

The process is rather simple; the Beta-2 receptors are stimulated to increase metabolic activity. This increase leads to an increase in your core temperature due to an increase in cellular heat. This cellular increase is brought about by the mitochondria of the cells as they are what heats up thereby affecting the total body temperature. This increase in temperature increases metabolic rate, so you have a full circle effect apt towards promoting the use of stored body-fat for energy.

**The Benefits of Clenbuterol (Clen):**

Obviously it goes without saying; if you supplement with Clen you're going to burn more body-fat but as it was designed to treat asthma as you may already suspect it can also improve greatly cardiovascular efficiency. Even so, fat-loss remains its primary force of action but Clenbuterol (Clen) also unsuspectingly to many carries with it anabolic properties. Although the anabolic nature of this drug is very mild it has been shown to have the ability to slightly increase fat-free mass. As you understand the more fat-free mass we hold the greater our metabolism functions; again, this only promotes the fat-burning abilities of Clenbuterol (Clen).

**The Downside of Clenbuterol (Clen):**

Clenbuterol, steroids, Clen Like all things in life that sound too good to be true, well, in this case the benefits are true but they are not perfect. Clenbuterol Hydrochloride is not without side-effects and they can be quite annoying to say the least. Clen has a great stimulating effect making the individual very jittery and often falling prey to insomnia. How severe these conditions will be will vary greatly from one person to the next and for most will be their worst the first few days of use but some level of a jittery effect will exist in most all that use it. Some individuals may also experience muscle cramps while supplementing with Clenbuterol (Clen) but generally if the individual simply takes in a little extra water each day he will be fine; in-fact, you can almost guarantee it.

While cramps and jitters are annoying they are not seriously problematic but Clen carries with it other side-effects as well, most notably possible cardiac hypertrophy. While this is a concern it is one that is very dose dependent and those who supplement responsibly will not find such a concern to be a reality. Responsible use will not only revolve around dose but duration of use as well; Clenbuterol (Clen) should never be used in a year round fashion and generally

speaking 4 months of total use per year is about as far as we want to take it in order to remain safe and healthy.

43. Defendants' false and misleading marketing is intended to confuse the consumer into believing that their "Clen" primary ingredient "Clen Proprietary Formula" is the same or similar to the prescription stimulant, Clenbuterol Hydrochloride.

**D. VAR - 10**

44. Defendants market and sell a trademarked product called "Var 10" - U.S. Trademark Registration No. 4,1696,455.

45. Defendants' website, [www.steroid.com](http://www.steroid.com), defines "Var 10" as follows:

Oxandrolone is known as one of the safest products on the market. It isn't quite as effective as most bodybuilders would like which makes it less popular. For those who are looking for a clean, safe product with solid results and an extremely low chance for side effects, this is the product for you! It is commonly used in mass cycles as it has a stronger anabolic effect than androgenic. Most users are happy with the results they get on this product. Its a perfect entry level product as well.

46. Defendants name and package their Var 10 product similarly to the anabolic steroid (*e.g., see pictures below*).



47. Defendants list Var 10's primary ingredient as, "Oxantrione Proprietary Blend - 66.6 mg." a play on Oxandrolone, a synthetic anabolic steroid first synthesized by Searle Laboratories, under the trademark Anavar (*see, e.g.,* <https://en.wikipedia.org/wiki/Oxandrolone>).

48. The Association Against Steroid Abuse or "AASA" has a listing of the most common street name for steroids and AASA lists "Var" as Oxandrolone – Anavar (*see, e.g.,* <http://www.steroidabuse.com/street-names-for-steroids.html>).

49. Wikipedia also notes that:

The drug [Oxandrolone] was prescribed to promote muscle regrowth in disorders which cause involuntary weight loss, and is used as part of treatment for HIV/AIDS.... However, in part due to bad publicity from its abuses by bodybuilders, production of Anavar was discontinued by Searle Laboratories in 1989 (*see* <https://en.wikipedia.org/wiki/Oxandrolone>).

50. Defendants make the following claims for their Var 10 product:

**Var-10**

Renowned for possessing marvelous fat-burning and muscle sculpting properties, Var 10 is pound for pound the best ALL-AROUND anabolic available!

This fast-acting, highly absorbable oral compound's modest, yet substantial impact makes it immensely popular with athletes in all sports. Beyond versatile, Var 10 literally provides you with some of everything including:

- Potent clinically proven visceral and subcutaneous fat-burning ability
- Equal effectiveness in Var 10-Only cycles and as a stacked ingredient
- Incredible muscle pumps that enhance training intensity
- A chemical structure that's mild enough for both men and women
- An anabolic number high enough to increase size and strength
- Improved muscle hardness for a denser, sharper appearance

Directions For Use: This product contains 90 capsules and is designed to be a 30 day cycle. Take 3 capsules 1-2 times daily with 8 ounces of water. Doses should be spaced evenly throughout the day. (See: <https://web.archive.org/web/20140627215019/http://www.steroids.com/categories/All-Products/Var-10/>)

51. Like Defendants' other Products described herein, Defendants seek to mislead and/or deceive consumers into believing that their Var 10, containing "Oxantrione," is the same or similar to the prescription only anabolic steroid "Anavar," containing "Oxandrolone," and that their Var 10 confers the same or similar benefits as the anabolic steroid "Anavar."

**E. DECCA - 200**

52. Defendants market and sell a trademarked product called "Decca 200." The actual U.S. Trademark Registration No. 4,1696,455 is for the mark, "**Deca-Durabolin.**"

53. Defendants' website steroid.com defines "Decca 200" as follows:

**Nandecionate (Deca 200)  
(Deca 200)**

Nandecionate is the compound of choice for many bodybuilders because it reportedly gives you the best benefit to side effect ratio of any other product. Its a very strong anabolic agent with low androgenic effects. It seems to increase nitrogen retention and can improve recovery time. This results in excellent size and strength development that is good for both bulking and cutting cycles. Its versatility is unmatched and is a good base anabolic meaning it can be stacked with virtually any other drug or supplement with low chance of negative interactions.

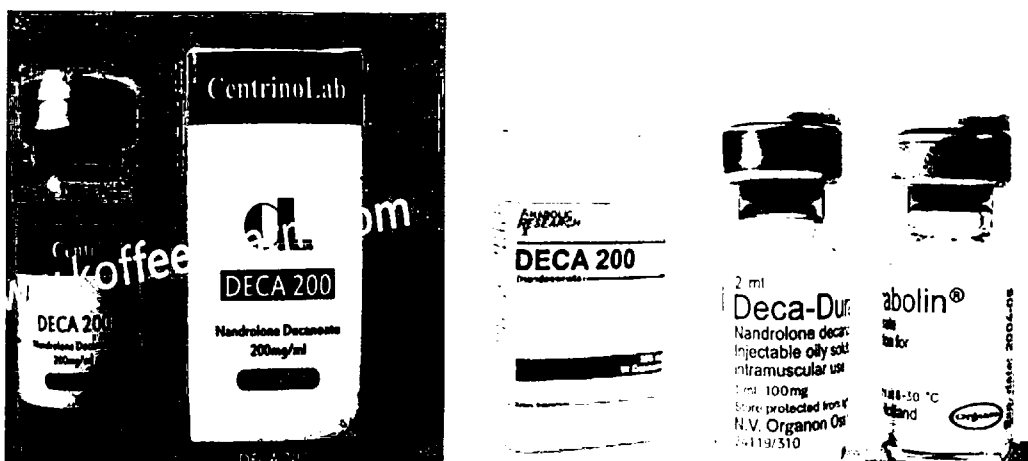
**Dosage:**

Nandecionate should be used only under the supervision of a doctor or other medical authority. Typical dose is 600mg per day. It is best utilized on an empty stomach however can be taken with food. This is a very fast acting anabolic and therefore is in and out of your system quickly. With that said, it is probably best to split it up into even doses throughout the day as to keep the product active in your system as much as possible.

**Side Effects:**

As stated above, the benefit to side effect ratio with Nandecionate is as good as it gets with any other drug or supplement. Side effects include aggressiveness, restlessness, and mood swings. Androgenic side effects such as accelerated hair loss and oily skin are essentially non-existent.

54. Defendants name and package their Deca 200 product similarly to the injectable anabolic steroid (*e.g., see pictures below*):



55. Defendants' claimed benefits of Deca 200 are as follows:

**Deca 200® - (Strength, Joint Protection, Size, Recovery)**

Deca 200® is popularly known for its incredible strength and size generating properties, while putting an emphasis on muscle recovery and protecting and strengthening your joints.

This hyper fast-acting compound helps you blast through plateau sticking points by allowing you to increase your weights and repetitions, but more importantly helps you fully recover from the day's strenuous workout.

It is no secret that the work you do in the gym is only half of the muscle building process. The other half of the process, which is often neglected, is the process of allowing your muscles to fully recover and grow back thicker and stronger. Deca 200® will dramatically help you during this process and allow you to focus on feeding and hydrating your muscles with a well balanced, high protein diet and ample amounts of water.

While it is true that Deca 200® is considered by many to be the single best lean muscle and strength enhancing product on the market, it is also touted to help improve numerous other physiological properties which contribute to creating a "Genuine Muscle Building Environment."

**Deca 200® was designed specifically to:**

- Enhance Lean Muscle Development, Through Improved Protein Synthesis
- Help Soothe Hard Working, Aching and Injured Joints
- Boost Strenuous Exercise Recovery Through Increased Nitrogen Retention
- Support Both Mass Gaining and Definition-Oriented Cycles
- Optimize Red Blood Cell Production and Increase Bone Density
- Substantially Improve Fat Free Mass (FFM) Via Reduced Overall Body Fat



56. Once again, Defendants are intentionally deceiving, misleading and/or confusing consumers by, *inter alia*, using a made-up word: "Nandecionate." Wikipedia states, "**Nandrolone** [...] is an anabolic steroid. **Nandrolone** is most commonly sold commercially as its decanoate ester (**Deca-Durabolin** [...], eubolin, retabolil) and less commonly as a phenylpropionate ester (**Durabolin** [...], **fenobolin**) (see, <https://en.wikipedia.org/wiki/Nandrolone>).

**F. TEST 600x**

57. Defendants market a product called TEST 600x. Defendants' website, [www.steroid.com](http://www.steroid.com), makes the following claims for TEST 600x:

**Test-600x®**

**Learn more about Test 600x® - WATCH THE VIDEO**

Pound for pound Test-600x® is one of the strongest and most comprehensive oral anabolics on the market, with a reputation founded on rapid results in the form of MASSIVE muscle gains, RIDICULOUS strength, a SMALLER waistline, and REDUCED body fat this anabolic is incredible. Plus, Test-600x® effectively works on your masculinizing properties to enhance SEXUAL PERFORMANCE, by increasing SEX DRIVE & STAMINA. This powerful multi-faceted anabolic is often stacked as the base in both CUTTING and BULKING cycles, but can also be taken alone in "Test600x only" cycles for remarkable STAND-ALONE RESULTS which dramatically impact both your anabolic training and quality of life by:

- Swiftly promoting huge lean muscle mass gains
- Improving attitude & mood, and sleep & health for greater well being
- Substantially decreasing stress while augmenting mental clarity
- Enhancing activeness and energy for true revitalization
- Significantly increasing Fat Free Mass (FFM) for reducing body fat
- Producing stronger and firmer spontaneous erections
- Enhancing male potency and libido for improved overall sexual performance

58. Test-600x® lists its contents as follows:

**Proprietary Blend - 600mg**

- L-Arginine (as HCl)
- Tribulus Fruit Powder
- Caffeine
- Maca Root Powder
- Eurycoma Longfolia (Long Jack) Fruit Powder

**Other Ingredients**

- Stearic Acid
- DiCalcium Phosphate
- Micro Crystalline Cellulose
- Magnesium Stearate
- Croscarmellose Sodium
- Silicon Di Oxide
- Pharmaceutical Glaze (Shellac, Povidone)

59. There is no study or literature generally accepted in the scientific community substantiating, or even suggesting, that the ingredients in Test-600x, when consumed as directed can or will result in MASSIVE muscle gains, RIDICULOUS strength, a SMALLER waistline, REDUCED body fat, and enhance SEXUAL PERFORMANCE, by increasing SEX DRIVE & STAMINA.

**CLASS ALLEGATIONS**

60. Plaintiff brings this action on behalf of himself and the members of the proposed Classes under Rule 23(b)(2) and (3) of the Federal Rules of Civil Procedure. The proposed Classes consist of:

A. All individuals in the United States who, within the applicable statute of limitations preceding the filing of this action, purchased the Defendants' Products (the "National Class").

B. All individuals in the State of Florida who, within the applicable statute of limitations preceding the filing of this action, purchased the Defendants' Products (the "Florida Subclass").

All of the above described classes and subclasses are collectively referred to as the "Classes."

61. Plaintiff reserves the right to modify or amend the definitions of the proposed classes.

62. The members of the Classes are so numerous that joinder is impractical. The Classes consist of thousands of members, the precise number of which is within the knowledge of and can be ascertained only by resort to Defendants' records.

63. There are numerous questions of law and fact common to the Classes which predominate over any questions affecting only individual members of the Classes.

64. Among the questions of law and fact common to the Classes are as follows:

a. Whether Defendants labeled, marketed, advertised and/or sold their Products to Plaintiff and those similarly situated using false, misleading and/or deceptive statements or representations, including statements or representations concerning the benefits of their Products;

b. Whether Defendants misrepresented material facts in connection with the sales of the Products;

c. Whether Defendants participated in and pursued the common course of conduct complained of and described herein;

d. Whether Defendants' labeling, marketing, advertising and/or selling of their Products' benefits constitute an unfair and deceptive act or practice in the conduct of business, trade, or commerce under the Florida Deceptive and Unfair Trade Practices Act;

e. Whether Defendants were unjustly enriched as a result of their labeling, marketing, advertising and/or selling of their Products;

f. Whether Plaintiff and the members of the Classes were harmed by Defendants' wrongful acts and omissions, and the measure of damages; and,

g. Whether Plaintiff and the members of the Classes are entitled to equitable relief.

65. Plaintiff's claims are typical of the claims of the members of the National Class and Florida Subclass because Plaintiff, like all members of the National Class and Florida Subclass, purchased Defendants' Products that falsely conveyed the benefits of the Products and sustained damages from Defendants' wrongful conduct. Accordingly, Plaintiff has no interests antagonistic to the interests of any other member of these classes.

66. Plaintiff is a representative who will fully and adequately assert and protect the interests of the Classes, and has retained counsel who is experienced in prosecuting class actions. Accordingly, Plaintiff is an adequate representative and will fairly and adequately protect the interests of the Classes.

67. A class action is superior to all other available methods for the fair and efficient adjudication of this lawsuit, because individual litigation of the claims of all members of the Classes is economically unfeasible and procedurally impracticable.

68. While the aggregate damages sustained by the Classes are in the millions of dollars, the individual damages incurred by each member of the Classes resulting from Defendants' wrongful conduct are too small to warrant the expense of individual lawsuits. The likelihood of individual Class members prosecuting their own separate claims is remote, and, even if every member of the Classes could afford individual litigation, the court system would be unduly burdened by individual litigation of such cases.

69. Defendants have acted or refused to act on grounds that apply generally to the Florida Subclass, thereby making appropriate final injunctive and corresponding declaratory relief with respect to this subclass as a whole.

70. The prosecution of separate actions by members of the Classes would create a risk of establishing inconsistent rulings and/or incompatible standards of conduct for Defendants. For example, one court might enjoin Defendants from performing the challenged acts, whereas

another might not. Additionally, individual actions may be dispositive of the interests of the Classes, although certain class members are not parties to such actions. The conduct of Defendants is generally applicable to the Classes as a whole and Plaintiff seeks, inter alia, equitable remedies with respect to the Classes as a whole. As such, the systematic policies and practices of Defendants make declaratory relief with respect to the Florida Subclass as a whole appropriate.

**COUNT I**  
**Violation of the Florida Deceptive and Unfair Trade Practices Act**  
**§ 501.201, *et seq.*, Fla. Stat.**  
**(On Behalf of the Florida Consumers Subclass)**

71. Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 through 70 above as if fully set forth herein.

72. The Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”) renders unlawful unfair methods of competition, unconscionable acts or practice, and unfair or deceptive acts or practices in the conduct of any trade or commerce. § 501.204, Fla. Stat.

73. Among other purposes, FDUTPA is intended “[t]o protect the consuming public and legitimate business enterprises 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, Fla. Stat.

74. Defendants, at all relevant times, solicited, advertised, offered, provided and distributed goods in the State of Florida, and thereby was engaged in trade or commerce as defined by § 501.203(8), Fla. Stat.

75. Plaintiff, and all others similarly situated, at all material times was a consumer as defined by § 501.203(7), Fla. Stat., and is entitled to seek the underlying relief.

76. Defendants' packaging, and marketing of the Defendants nutritional supplements, as set forth above, constitutes a deceptive act in violation of FDUTPA.

77. As set forth above, the labeling and marketing of Defendants nutritional supplements are false, deceptive, and misleading because they cause consumers to believe that the products are legal forms of illegal substances that provide results that are the same or similar to those obtained by using illegal anabolic steroids.

78. Defendants designed and used false, deceptive, and misleading packaging and labeling with the intent to sell, distribute, and increase the consumption of Defendants' dietary and nutritional supplements.

79. Defendants' violation of the FDUTPA caused Plaintiff and members of the putative Florida Subclass to suffer ascertainable losses.

80. Pursuant to § 501.211(2), Fla. Stat., Plaintiff is authorized to bring a civil action to recover Plaintiff's actual damages, attorneys' fees and court costs, as provided by § 501.2105(1)(3), Fla. Stat, and for and for injunctive and declaratory relief, as provided by § 501.211(1), Fla. Stat.

**COUNT II**  
**Unjust Enrichment**  
**(On Behalf of the Non-Florida Consumers Class)**

81. Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 through 70 above as if fully set forth herein.

82. As a result of Defendants' wrongful and deceptive conduct alleged above and herein, Defendants knowingly and voluntarily accepted and retained wrongful benefits in the form of money paid by the Plaintiff and members of the Non-Florida Class when they purchased the Defendants dietary and nutritional supplements.

83. In so doing, Defendants acted with conscious disregard for the rights of Plaintiff and members of the Non-Florida Class.

84. As a result of Defendants' wrongful conduct as alleged herein, Defendants have been unjustly enriched at the expense of, and to the detriment of, Plaintiff and members of the Non-Florida Class.

85. Defendants' unjust enrichment is traceable to, and resulted directly and proximately from, the misconduct alleged herein.

86. Under the common law doctrine of unjust enrichment, it is inequitable for Defendants to be permitted to retain the benefits they received, and are still receiving, without justification, from the false and deceptive labeling and marketing of Defendants' dietary and nutritional supplements to Plaintiff and members of the Non-Florida Class.

87. Defendants' retention of such funds under these circumstances makes it inequitable to do so and constitutes unjust enrichment.

88. The financial benefits derived by Defendants rightfully belong to Plaintiff and members of the Non-Florida Class.

89. Defendants should be compelled to disgorge in a common fund for the benefit of Plaintiff and members of the Non-Florida Class all wrongful or inequitable proceeds received by Defendants.

90. Plaintiff and members of the Non-Florida Class have no adequate remedy at law.

**DEMAND FOR JURY TRIAL**

91. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury of all issues properly triable by jury.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff and the members of the Classes demand a jury trial on all claims so triable and judgment against the Defendants, Defendants, as follows:

A. Declaring this action to be a proper class action pursuant to Fed. R. Civ. P. 23 of a class of all persons who purchased the Defendants Nutritional supplements bearing the label of, “Tren 75,” “Winn50,” “Test 600x,” “Clen,” “Var,” and “Decca 200,” and appointing Plaintiff as class representative for the Classes and his counsel as Class Counsel;

B. Enjoining Defendants, and anyone in active concert with Defendants, from continuing the acts and practices complained of herein in the State of Florida;

C. Declaring that Defendants’ marketing of their dietary and nutritional supplements “Tren 75,” “Winn50,” “Test 600x,” “Clen,” “Var,” and “Decca 200” are deceptive and/or misleading in the State of Florida;

D. Ordering Defendants to pay restitution to Plaintiff and members of the Classes in an amount that is the equivalent to the amounts received by means of Defendants’ unfair, deceptive, misleading, unconscionable, or negligent acts as referenced in this Complaint, or any other amount authorized by statute;

E. Ordering Defendants to disgorge any ill-gotten benefits received from Plaintiff and members of the Classes as a result of Defendants’ deceptive or misleading packaging, labeling, and advertising of Defendants Nutritional supplements;

F. Awarding reasonable costs and attorneys’ fees;

G. Awarding applicable pre-judgment or post-judgment interest; and,

H. Awarding such other and further relief as the Court may deem necessary or appropriate.



Respectfully submitted.  
***DIXIT LAW FIRM, P.A.***

*s/ Shyamie Dixit*

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Telephone: (813) 252-3999

Facsimile: (813) 252-3997

*Attorneys for Plaintiff*

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)

<p><b>I. (a) PLAINTIFFS</b> MATTHEW TIGER, and others similarly-situated.</p> <p><b>(b)</b> County of Residence of First Listed Plaintiff <u>Orange County, FL</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p><b>(c)</b> Attorneys (Firm Name, Address, and Telephone Number) Dixit Law Firm 3030 N Rocky Pt Dr W, Ste 260, Tampa, FL 33607 Tel: 813-252-3999</p>	<p><b>DEFENDANTS</b> DYNAMIC SPORTS NUTRITION, LLC, a Texas Limited Liability Company, and PBB TRADEMARK HOLDINGS, LLC.</p> <p>County of Residence of First Listed Defendant <u>Harris County, TX</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</p> <p>Attorneys (If Known) unknown</p>
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<p><b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="width:33%;"><input checked="" type="checkbox"/> 1 Citizen of This State</td> <td style="width:33%;"><input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State</td> <td style="width:33%;"><input type="checkbox"/> 4</td> </tr> <tr> <td><input type="checkbox"/> 2 Citizen of Another State</td> <td><input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td><input type="checkbox"/> 3 Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3 Foreign Nation</td> <td><input type="checkbox"/> 6</td> </tr> </table>	<input checked="" type="checkbox"/> 1 Citizen of This State	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 2 Citizen of Another State	<input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input checked="" type="checkbox"/> 5	<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6
<input checked="" type="checkbox"/> 1 Citizen of This State	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4								
<input type="checkbox"/> 2 Citizen of Another State	<input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input checked="" type="checkbox"/> 5								
<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6								

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

<b>CONTRACT</b>	<b>TORTS</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care - Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input checked="" type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing - Accommodations <input type="checkbox"/> 445 Amer. w Disabilities - Employment <input type="checkbox"/> 446 Amer. w Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

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

1 Original Proceeding     2 Removed from State Court     3 Remanded from Appellate Court     4 Reinstated or Reopened     5 Transferred from Another District (specify)     6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. §1332(d)(2)(A) and 28 U.S.C. § 1332(d)

Brief description of cause:  
consumer protection class action based on, inter alia, selling, etc., dietary supplements

**VII. REQUESTED IN COMPLAINT:**     CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.C.P.    DEMAND \$ 500,000.00    CHECK YES only if demanded in complaint JURY DEMAND:  Yes     No

**VIII. RELATED CASE(S) IF ANY** (See instructions)    JUDGE \_\_\_\_\_    DOCKET NUMBER \_\_\_\_\_

DATE: 10/07/2015    SIGNATURE OF ATTORNEY OF RECORD: \_\_\_\_\_

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_    AMOUNT \_\_\_\_\_    APPLYING FFP \_\_\_\_\_    JUDGE \_\_\_\_\_    MAG JUDGE \_\_\_\_\_