

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Daniel J. Orlowsky  
**ORLOWSKY LAW, LLC**  
7777 Bonhomme, Suite 1910  
St. Louis, Missouri 63105  
Phone: (314) 725-5151  
Fax; (314) 455-7375  
*dan@orlowskylaw.com*  
*(Pro Hac Vice)*

Adam M. Goffstein  
**GOFFSTEIN LAW, LLC**  
7777 Bonhomme, Suite 1910  
St. Louis, Missouri 63105  
Phone: (314) 725-5151  
Fax: (314) 455-7278  
*adam@goffsteinlaw.com*  
*(Pro Hac Vice)*

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN KUTZA and ANIL KUMAR URMIL  
on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

WILLIAMS-SONOMA, INC.,

Defendant.

James A. Morris, Esq. (CSBN 296852)  
*jmorris@jamlawyers.com*  
Shane. A. Greenberg, Esq. (CSMN 210932)  
*sgreenberg@jamlawyers.com*  
**MORRIS LAW FIRM**  
4111 W. Alameda Avenue, Suite 611  
Burbank, CA 91505  
Tel: (747) 283-1144  
Fax: (747) 283-1143

Case No. 3:18-cv-03534-RS

**FIRST AMENDED CLASS ACTION  
COMPLAINT**

**JURY TRIAL DEMANDED**

1 **CLASS ACTION COMPLAINT**

2 Plaintiffs Brian Kutza and Anil Kumar Urmil (“Plaintiffs”) bring this action on behalf of  
3 themselves and all others similarly situated against Williams-Sonoma, Inc. (otherwise referred to  
4 as “Defendant” or “Williams Sonoma”). Plaintiffs make the following allegations based upon  
5 information and belief, except as to the allegations specifically pertaining to themselves, which are  
6 based on personal knowledge.  
7

8 **INTRODUCTION**

9 1. This is a class action lawsuit against Defendant Williams-Sonoma, Inc. for selling  
10 its household and personal care products as “natural” when, in fact, they contain unnatural and/or  
11 synthetic ingredients.

12 2. Founded in 1956, Williams-Sonoma, Inc. is an American publicly traded consumer  
13 retail company that is headquartered in San Francisco, California. Williams-Sonoma, Inc.  
14 operates a portfolio of brands including Williams Sonoma, which sells upscale products for the  
15 kitchen and home. Williams Sonoma’s products range from cookware to household and personal  
16 care products that include soaps, lotions, cleaning essentials, and other home keeping products.  
17

18 3. Among other purportedly “natural” products, Defendant develops, manufactures,  
19 markets, and sells a variety of household and personal care products, including:

- 20
- 21 • Williams Sonoma Fleur de Sel Hand Soap
  - 22 • Williams Sonoma Fleur de Sel Dish Soap
  - 23 • Williams Sonoma Fleur de Sel All-Purpose Cleaner
  - 24 • Williams Sonoma Fleur de Sel Countertop Spray
  - 25 • Williams Sonoma Fleur de Sel Hand Lotion
  - 26 • Williams Sonoma Fleur de Sel Room Spray
  - 27 • Williams Sonoma French Lavender Hand Soap
  - 28

- 1 • Williams Sonoma French Lavender Dish Soap
- 2 • Williams Sonoma French Lavender All-Purpose Cleaner
- 3 • Williams Sonoma French Lavender Countertop Spray
- 4 • Williams Sonoma French Lavender Hand Lotion
- 5 • Williams Sonoma French Lavender Room Spray
- 6 • Williams Sonoma Frosted Clove Hand Soap
- 7 • Williams Sonoma Frosted Clove Hand Lotion
- 8 • Williams Sonoma Frosted Clove Dish Soap
- 9 • Williams Sonoma Frosted Clove Room Spray
- 10 • Williams Sonoma Lemongrass Ginger Hand Soap
- 11 • Williams Sonoma Lemongrass Ginger Dish Soap
- 12 • Williams Sonoma Lemongrass Ginger All-Purpose Cleaner
- 13 • Williams Sonoma Lemongrass Ginger Countertop Spray
- 14 • Williams Sonoma Lemongrass Ginger Hand Lotion
- 15 • Williams Sonoma Lemongrass Ginger Room Spray
- 16 • Williams Sonoma Meyer Lemon Hand Soap
- 17 • Williams Sonoma Meyer Lemon Dish Soap
- 18 • Williams Sonoma Meyer Lemon All-Purpose Cleaner
- 19 • Williams Sonoma Meyer Lemon Countertop Spray
- 20 • Williams Sonoma Meyer Lemon Hand Lotion
- 21 • Williams Sonoma Meyer Lemon Room Spray
- 22 • Williams Sonoma Pink Grapefruit Hand Soap
- 23 • Williams Sonoma Pink Grapefruit Dish Soap
- 24
- 25
- 26
- 27
- 28

- 1 • Williams Sonoma Pink Grapefruit All-Purpose Cleaner
- 2 • Williams Sonoma Pink Grapefruit Countertop Spray
- 3 • Williams Sonoma Pink Grapefruit Hand Lotion
- 4 • Williams Sonoma Pink Grapefruit Room Spray
- 5 • Williams Sonoma Pumpkin Spice Hand Soap
- 6 • Williams Sonoma Pumpkin Spice Hand Lotion
- 7 • Williams Sonoma Pumpkin Spice Dish Soap
- 8 • Williams Sonoma Spiced Chestnut Hand Soap
- 9 • Williams Sonoma Spiced Chestnut Hand Lotion
- 10 • Williams Sonoma Spiced Chestnut Dish Soap
- 11 • Williams Sonoma Spiced Chestnut Room Spray
- 12 • Williams Sonoma Sunny Orange Citrus Hand Soap
- 13 • Williams Sonoma Sunny Orange Citrus Dish Soap
- 14 • Williams Sonoma Sunny Orange Citrus Hand Lotion
- 15 • Williams Sonoma Sunny Orange Citrus Room Spray
- 16 • Williams Sonoma White Gardenia Hand Soap
- 17 • Williams Sonoma White Gardenia Dish Soap
- 18 • Williams Sonoma White Gardenia All-Purpose Cleaner
- 19 • Williams Sonoma White Gardenia Countertop Spray
- 20 • Williams Sonoma White Gardenia Hand Lotion
- 21 • Williams Sonoma White Gardenia Room Spray
- 22 • Williams Sonoma Winter Berry Hand Soap
- 23 • Williams Sonoma Winter Berry Hand Lotion
- 24
- 25
- 26
- 27
- 28

- 1 • Williams Sonoma Winter Berry Dish Soap
- 2 • Williams Sonoma Winter Berry Room Spray
- 3 • Williams Sonoma Winter Forest Hand Soap
- 4 • Williams Sonoma Winter Forest Hand Lotion
- 5 • Williams Sonoma Winter Forest Dish Soap
- 6 • Williams Sonoma Winter Forest Room Spray
- 7 • Williams Sonoma Winter Forest Room Spray

8 (hereinafter the “Products”).

9           4. This action seeks to remedy the unlawful, unfair, deceptive, and misleading  
10 business practices of Defendant with respect to the marketing and sale of its household and  
11 personal care products, which are sold throughout the State of California and throughout the  
12 country.

13  
14           5. Defendant’s marketing materials are replete with statements that the Products are  
15 natural, naturally derived or plant-based, and the labels of all of the Products state the products  
16 are naturally derived.

17           6. Williams Sonoma’s website contains numerous claims that the Products “reflects  
18 our culinary roots with a bright, clean fragrance that blends into the kitchen naturally.” Williams  
19 Sonoma also claims that: “Our exclusive essential oil blends nourish your skin with plant-based  
20 ingredients and contain no harmful parabens or chlorine.”

21  
22           7. Defendant falsely, misleadingly, and deceptively labels the Products as “natural”  
23 and containing “Active Ingredients Derived from Natural Sources.” The Products’ ingredients are  
24 not “derived from natural sources” because they contain unnatural and/or synthetic ingredients,  
25 such as phenoxyethanol, methylisothiazolinone, sodium lauryl sulfate, sodium laureth sulfate,  
26 and/or caprylic/capric triglyceride.  
27  
28

1           8.       Plaintiffs allege that the Products’ “natural” claims apply to all of the Products’  
2 ingredients and not just to the Products’ “active” ingredients. A reasonable consumer would likely  
3 be deceived by these “natural” claims to believe that all of the ingredients in the Products are  
4 “derived from natural sources.” The ingredient lists on the Products’ labels and Defendant’s  
5 website do not differentiate between “active” and “inactive” ingredients. Moreover, the Products  
6 contain numerous unnatural and/or synthetic “active” ingredients as well, such as citric acid,  
7 dimethicone, lauryl sulfate, potassium sorbate, sodium chloride, and sodium lauryl sulfate.

9           9.       *Phenoxyethanol* is one of the ingredients used in numerous Williams Sonoma  
10 Products. Phenoxyethanol is toxic by definition under federal law, based on animal testing  
11 demonstrating that the substance is lethal even in very small doses. Even short exposure could  
12 cause serious temporary or residual injury. It is toxic to the kidneys, the nervous system, and the  
13 liver. It is extremely hazardous in case of eye contact and very hazardous in case of skin contact  
14 (defatting the skin and adversely affecting the central nervous system and peripheral nervous  
15 system, causing headaches, tremors, and central nervous system depression). It is also very  
16 hazardous in case of ingestion or inhalation. It degrades into substances that are even more toxic.  
17 It is a Category 2 germ cell mutagen, meaning that it is suspected of mutating human cells in a  
18 way that can be transmitted to children conceived after exposure. Phenoxyethanol is an ethylene  
19 glycol ether, which is known to cause wasting of the testicles, reproductive changes, infertility,  
20 and changes to kidney function. Phenoxyethanol is also Category 2 carcinogen, meaning that it is  
21 suspected to induce cancer or increase its incidence.

24           10.       Case studies indicate that repeated exposure to phenoxyethanol results in acute  
25 neurotoxic effects, as well as chronic solvent-induced brain syndrome, constant irritability,  
26 impaired memory, depression, alcohol intolerance, episodes of tachycardia and dyspnea, and  
27 problems with balance and rash.

1 11. Plaintiffs purchased the Products in reliance on Defendant’s representations that  
2 these Products are “natural,” “plant-based” and contain “Active Ingredients Derived from Natural  
3 Sources.” He would not have purchased the Products had he known that they contained unnatural  
4 and/or synthetic ingredients.

5 12. Plaintiffs and the Class reasonably believed Defendant’s false and misleading  
6 representations. Defendant knew or reasonably should have known that its representations  
7 regarding the Products were false, deceptive, misleading, and unlawful under California law.

8 13. Plaintiffs and the Class Members paid a premium for the Products over comparable  
9 products that did not purport to be “natural,” “plant-based,” and contain “Active Ingredients  
10 Derived from Natural Sources.” Given that Plaintiffs and Class Members paid a premium for the  
11 Products based on Defendants’ representations that they are “natural,” “plant-based,” and contain  
12 “Active Ingredients Derived from Natural Sources,” Plaintiffs and Class Members suffered an  
13 injury in the amount of the purchase price and/or the premium paid.

14 14. Plaintiffs bring claims against Defendant individually and on behalf the Class  
15 Members who purchased the Products during the applicable statute of limitations period (the  
16 “Class Period”) for (1) violation of California’s Consumer Legal Remedies Act (“CLRA”), Civil  
17 Code §§ 1750, *et seq.*; (2) violation of California’s False Advertising Law (“FAL”), Business &  
18 Professions Code § 17500 *et seq.*; (3) violation of California’s Unfair Competition Law (“UCL”),  
19 California Business & Professions Code §§ 17200, *et seq.*; (4) unjust enrichment; (5) negligent  
20 misrepresentation; and (6) fraud.

21 **PARTIES**

22 15. Plaintiff Brian Kutza is a California citizen who resides in Pasadena, California.  
23 During the class period alleged herein, Plaintiff Kutza purchased several Williams Sonoma  
24 Products on numerous occasions from a William Sonoma store in Los Angeles County. Plaintiff  
25  
26  
27  
28

1 Kutza was specifically interested in purchasing natural household and personal care products.  
2 Plaintiff Kutza’s purchases include, without limitation, Williams Sonoma Meyer Lemon Hand  
3 Lotion, Williams Sonoma Meyer Lemon Hand Soap, Williams Sonoma White Gardenia Dish  
4 Soap, Williams Sonoma Fleur de Sel All-Purpose Cleaner, and Williams Sonoma Pink Grapefruit  
5 Countertop Spray.  
6

7 16. Plaintiff Kutza purchased the Williams Sonoma Products because he saw the  
8 labeling, advertising, the Defendant’s website, and read the packaging, which represented that the  
9 Products are “natural” and contain “Active Ingredients Derived from Natural Sources.” Plaintiff  
10 Kutza relied on Defendants’ false, misleading, and deceptive representations that the Products are  
11 “natural” and contain “Active Ingredients Derived from Natural Sources.” He understood this to  
12 mean that he was purchasing natural products that did not contain any unnatural and/or synthetic  
13 ingredients. Plaintiff Kutza would not have purchased the Products at all, or would have been  
14 willing to pay a substantially reduced price for the Williams Sonoma Products, if he had known  
15 that they contained unnatural and/or synthetic ingredients. Plaintiff Kutza would purchase the  
16 products in the future if Defendant changed the composition of the Products so that they  
17 conformed to their “natural” and “Active Ingredients Derived from Natural Sources” labeling, or if  
18 the labels were corrected and he could trust that they were correct.  
19

20 17. Plaintiff Anil Kumar Urmil is a California citizen who resides in Alhambra,  
21 California. During the class period alleged herein, Plaintiff Kumar purchased several Williams  
22 Sonoma Products on numerous occasions from a Williams Sonoma store in Los Angeles County.  
23 Plaintiff Urmil was specifically interested in purchasing natural household and personal care  
24 products. Plaintiff Urmil’s purchases include, without limitation, Williams Sonoma Meyer Lemon  
25 Hand Lotion, Williams Sonoma Meyer Lemon Hand Soap, and Williams Sonoma White Gardenia  
26 Dish Soap.  
27  
28



1           18. Plaintiff Urmil purchased the Williams Sonoma Products because he saw the  
2 labeling, advertising, the Defendant’s website, and read the packaging, which represented that the  
3 Products’ are “natural” and contain “Active Ingredients Derived from Natural Sources.” Plaintiff  
4 Urmil relied on Defendants’ false, misleading, and deceptive representations that the Products are  
5 “natural” and contain “Active Ingredients Derived from Natural Sources.” He understood this to  
6 mean that he was purchasing natural products that did not contain any unnatural and/or synthetic  
7 ingredients. Plaintiff Kumar would not have purchased the Products at all, or would not have paid  
8 the price he paid for the Products he purchased, if he had known that they contained unnatural  
9 and/or synthetic ingredients. Plaintiff Urmil would purchase the products in the future if  
10 Defendant changed the composition of the Products so that they conformed to their “natural” and  
11 “Active Ingredients Derived from Natural Sources” labeling, or if the labels were corrected and he  
12 could trust that they were correct.  
13  
14

15           19. Defendant, Williams-Sonoma, Inc. is a Delaware Corporation that has its principal  
16 place of business located at 3250 Van Ness Ave., San Francisco, California 94109. Defendant  
17 manufactures, markets, distributes, and sells the Williams Sonoma Products throughout the United  
18 States at its retail stores as well as direct to consumer through channels such as catalogs and e-  
19 commerce. Williams-Sonoma, Inc. is publicly traded on the New York Stock Exchange and  
20 wholly owns and operates the Williams Sonoma brand.  
21

### **JURISDICTION AND VENUE**

22  
23           20. This Court has subject matter jurisdiction over this civil action pursuant to 28  
24 U.S.C. § 1331 (federal question).

25           21. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §  
26 1332(d) because there are more than 100 class members and the aggregate amount in controversy  
27 exceeds \$5,000,000, exclusive of interest, fees, and costs, and at least one Class member is a  
28

1 citizen of a state different from Defendant. This Court has supplemental jurisdiction over state  
2 law claims pursuant to 28 U.S.C. § 1367.

3 22. This Court has personal jurisdiction over Defendant because Defendant conducts  
4 substantial business within California such that Defendant has significant, continuous, and  
5 pervasive contacts with the State of California. Additionally, Defendant's principal place of  
6 business is in this District.  
7

8 23. Venue is proper in this District pursuant to 28 U.S.C. 1391 because Defendant does  
9 substantial business in this District, a substantial part of the events giving rise to Plaintiffs' claims  
10 took place within this District (*e.g.*, the research, development, design, and marketing of Williams  
11 Sonoma Products), and Defendant's principal place of business is in this District.  
12

13 **COMMON FACTUAL ALLEGATIONS**

14 24. Consumers have become increasingly concerned about the effects of synthetic and  
15 chemical ingredients in food, cleaning products, bath and beauty products, and everyday  
16 household products. Defendant has capitalized on consumers' desire for purportedly "natural  
17 products." Indeed, consumers are willing to pay, and have paid, a premium for products branded  
18 "natural" over products that contain synthetic ingredients. Reasonable consumers, including  
19 Plaintiffs and Class Members, value natural products for important reasons, including the belief  
20 that they are safer and healthier than alternative products that are not represented as natural.  
21

22 25. The Federal Trade Commission ("FTC") has warned marketers that the use of the  
23 term "natural" may be deceptive:

24 Marketers that are using terms such as natural must ensure that they  
25 can substantiate whatever claims they are conveying to reasonable  
26 consumers. If reasonable consumers could interpret a natural claim  
27 as representing that a product contains no artificial ingredients, then  
28 the marketer must be able to substantiate that fact.<sup>1</sup>

<sup>1</sup> 75 Fed. Reg. 63552, 63586 (Oct. 15, 2010).

1           26.     Likewise, the Food and Drug Administration (“FDA”) warns that any “natural”  
2 labeling on cosmetic products must be “truthful and not misleading.”<sup>2</sup>

3           27.     The Products are manufactured and marketed by Defendant and sold in its William  
4 Sonoma stores nationwide as well as direct to consumer through channels such as catalogs and e-  
5 commerce.

6           28.     Defendant’s marketing materials are replete with statements that the Products are  
7 natural, naturally derived, or plant-based, and the labels of all of the Products state the products  
8 are naturally derived.

9           29.     Defendant cultivates the Williams Sonoma image as a natural, non-synthetic, health  
10 and eco-friendly brand through its statements. Williams Sonoma’s website contains the following  
11 statement: “Completely natural ingredients leave the whole room with a fresh feeling and give you  
12 peace of mind too. There are no dangerous chemicals like ammonia or chlorine to worry about,  
13 and no lauramide DEA or parabens either – only natural oils, essences and cleansing elements.  
14 Because these soaps are biodegradable, they’re good for the environment too. None of our  
15 products are tested on animals.”<sup>3</sup>

16           30.     Williams Sonoma’s website contains numerous claims that its hand soaps and hand  
17 lotions “reflects our culinary roots with a bright, clean fragrance that blends into the kitchen  
18 naturally.”

19           31.     Williams Sonoma’s website also contains numerous claims that its dish soaps and  
20 countertop sprays “reflects our culinary roots with a clean, simple scent that blends into the  
21 kitchen naturally.”  
22  
23  
24  
25  
26

---

27 <sup>2</sup> FDA, Small Business & Homemade Cosmetics: Fact Sheet, *available at*  
<https://www.fda.gov/Cosmetics/ResourcesForYou/Industry/ucm388736.htm#7>.

28 <sup>3</sup> [https://www.williams-sonoma.com/shop/homekeeping/hand-dish-soaps-lotions/?cm\\_type=lnav&isx=0.0.5616](https://www.williams-sonoma.com/shop/homekeeping/hand-dish-soaps-lotions/?cm_type=lnav&isx=0.0.5616)

1 32. With respect to its room spray products, Williams Sonoma claims its “uplifting  
2 seasonal spray is made with plant-based ingredients to create a light, clean scent that gently and  
3 evenly dissipates throughout the room.”

4 33. The packaging for the Products misrepresents that the Products are “natural” and  
5 contain “Active Ingredients Derived from Natural Sources.” Williams Sonoma makes this claim  
6 on the packaging of all the Products:  
7

8 **WILLIAMS-SONOMA**  
9 **green • écologique**  
10 **Biodegradable / Ammonia, Phosphate & Chlorine Free / Not**  
11 **Tested on Animals / No Parabens / Active Ingredients**  
12 **Derived from Natural Sources / 25% Postconsumer Plastic**

13 34. The labeling for the Products claims that they are “natural” and contain “Active  
14 Ingredients Derived from Natural Sources.” However, each of these representations is false and  
15 misleading. Consumers understand the terms “natural” and “derived from natural sources” to  
16 mean, “existing in nature and not made or caused by people; coming from nature” or “not having  
17 any extra substances or chemicals added; not containing anything artificial.” Under this  
18 definition, and the expectations of reasonable consumers, the Products cannot be considered  
19 “natural” or “derived from natural sources” because they contain unnatural and/or synthetic  
20 ingredients.

21 35. Representing that a product is “natural” and contains “Active Ingredients Derived  
22 from Natural Sources” is a statement of fact.

23 36. Consumers reasonably believe that a product labeled “natural” and “derived from  
24 natural sources” does not contain unnatural and/or synthetic ingredients.  
25

26 37. Defendant’s representations that its Williams Sonoma Products contain only natural  
27 ingredients are false, misleading, and deceptive because the Williams Sonoma Products contain  
28 multiple ingredients that are unnatural and/or synthetic.

1 38. Defendant's Williams Sonoma Products contain the following non-exhaustive list  
2 of unnatural, synthetic, and/or chemical ingredients:

- 3 a. **Acrylamide/Ammonium Acrylate Copolymer** is a chemical substance that is a  
4 copolymer of acrylamide and ammoniumacrylate monomers.  
5  
6 b. **Alcohol Denat.:** Denatured alcohol is a mixture of ethanol (ethyl alcohol) with a  
7 denaturing agent. Ethanol is considered broadly toxic and linked to birth defects following  
8 excessive oral ingestion. Alcohol is a synthetic substance according to federal regulations.  
9 *See* 7. C.F.R. 205.603(a)(1).  
10  
11 c. **Ammonium Lauryl Sulfate** is a synthetic ammonium salt of sulfated ethoxylated lauryl  
12 alcohol.  
13  
14 d. **Benzisothiazolinone** is a chemical substance that can cause irritation to the skin, eyes, or  
15 lungs. Exposure can lead to allergic contact dermatitis and skin sensitization. The  
16 Scientific Committee on Consumer Safety (EU) has advised that it not be used in personal  
17 care items due to lack of data as well as its potential for skin sensitization.<sup>4</sup>  
18  
19 e. **Buteth-3** is a chemical substance that is a polyethylene glycol ether of butyl alcohol.  
20  
21 f. **Caprylic/Capric Triglyceride** is an artificial compound manufactured by hydrolyzing  
22 coconut oil, removing the free glycerin, and separating the medium chain length fatty acids  
23 by fractional distillation. The acids are then blended in the proper ratio and re- esterified  
24 with glycerin. Glycerin is a synthetic substance according to federal regulations. *See* 7.  
25 C.F.R. 205.605(b).  
26  
27 g. **Ceteareth-20** is a chemical ingredient. It is the polyethylene glycol ether of cetearyl  
28 alcohol; may contain potentially toxic impurities such as 1,4-dioxane. Ceteareth-20 is

---

28 <sup>4</sup> [http://ec.europa.eu/health/scientific\\_committees/consumer\\_safety/docs/sccs\\_o\\_099.pdf](http://ec.europa.eu/health/scientific_committees/consumer_safety/docs/sccs_o_099.pdf)

1 considered a moderate to severe health hazard by cosmetics researchers and is restricted  
2 for use in cosmetics.

3 h. **Cetearyl Alcohol** is a mixture of cetyl and stearyl alcohols. Cetyl alcohol is classified as  
4 synthetic by federal regulations. It is chemically synthesized by, for example: catalytic  
5 hydrogenation of the triglycerides obtained from coconut oil or tallow, oxidation of a chain  
6 growth product of ethylene oligomerized on a triethylaluminum catalyst, reaction of  
7 palmitoyl chloride and sodium borohydride, reaction of methylthiopalmite plus Raney  
8 nickel. Stearyl alcohol is also produced synthetically.

9  
10 i. **Cetyl Alcohol** is classified as synthetic by federal regulations. It is chemically synthesized  
11 by, for example: catalytic hydrogenation of the triglycerides obtained from coconut oil or  
12 tallow, oxidation of a chain growth product of ethylene oligomerized on a  
13 triethylaluminum catalyst, reaction of palmitoyl chloride and sodium borohydride, reaction  
14 of methylthiopalmite plus Raney nickel.

15  
16 j. **Citric Acid** is a synthetic substance (2-hydroxy-propane-1, 2,3-tricarboxylic acid). While  
17 the chemical's name has the word "citric" in it, citric acid is no longer extracted from the  
18 citrus fruit but industrially manufactured by fermenting certain genetically mutain strans of  
19 black mold fungus, *Aspergillus niger*. This is synthetically produced by feeding simple  
20 carbohydrates to *Aspergillus niger* mold and then processing the resulting fermented  
21 compound. Calcium hydroxide and sulfuric acid are often used in processing citric acid.  
22 A technical evaluation report for the substance citric acid compiled by the United States  
23 Department of Agriculture, Agricultural Marketing Service ("USDA AMS") for the  
24 National Organic Program classified citric acid as "Synthetic Allowed". See page 4,  
25 available at <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5067876>.

26  
27 As one  
28

1 of the USDA AMS reviewers commented:

2 “[Citric acid] is a natural[ly] occurring substance that  
3 commercially goes through numerous chemical processes to get to  
4 [its] final usable form. This processing would suggest that it be  
classified as synthetic.” *Id.* at 3.

5 The report further explains, under the “How Made” question, that citric acid is made –

6 “Traditionally by extraction from citrus juice, no longer  
7 commercially available. It is now extracted by fermentation of a  
8 carbohydrate substrate (often molasses) by citric acid bacteria,  
9 *Aspergillus niger* (a mold) or *Candida guilliermondii* (a yeast).  
Citric acid is recovered from the fermentation broth by a lime and  
10 sulfuric acid process in which the citric acid is first precipitated as  
a calcium salt and then reacidulated with sulfuric acid.” *Id.* at 4.

- 11 k. **C12-C15 Alkyl Benzoate** is a synthetic ingredient used as an emollient and texture  
12 enhancing ingredient. It is composed of benzoic acid and long-chain (C12-15) alcohols.
- 13 l. **Cocamide MEA** is made by mixing fatty acids from coconut oil and monoethanolamine  
14 (MEA), this ingredient may contain traces of cocamide diethanolamine (DEA), which,  
15 according to the FDA, may lead to the formation of carcinogenic nitrosamines. The  
16 Cosmetic Ingredient Review (CIR) Expert Panel has acknowledged that MEA can react  
17 with an aldehyde to form DEA, which then can be nitrosated.
- 18 m. **Cocamidopropyl Betaine** is a synthetic surfactant produced by reacting coconut oil fatty  
19 acids with 3,3-dimethylaminopropylamine, yielding cocamidopropyl dimethylamine. It is  
20 then reacted with sodium monochloroacetate to produce cocamidopropyl betaine. Trade  
21 associations prohibit cocamidopropyl betaine from being included in products labeled as  
22 “natural.”
- 23 n. **Cocamidopropyl Hydroxysultaine** is a synthetic ingredient, prohibited by the trade  
24 associations from household products and personal care products labeled as “natural.”  
25  
26  
27  
28

- 1 o. **Decyl Glucoside** is a synthetic ingredient obtained by the condensation of decyl alcohol  
2 and glucose.<sup>5</sup> Alcohols and glucose are synthetic substances according to federal  
3 regulations. 7. C.F.R. 205.603(a)(1) and (a)(11). Or can be produced by reacting glucose  
4 and n-butanol in the presence of a strong acid catalyst such as p-toluenesulfonic acid or  
5 sulfuric acid, followed by the transglycosidation of the resulting butyl glucoside with fatty  
6 alcohol to yield decyl glucoside. Alternatively, it can be produced by reacting highly  
7 refined glucose with fatty acids in the presence of an acid catalyst.
- 9 p. **Dimethicone** is what chemists call a “silicon-based polymer” – “polymer” meaning it is a  
10 large molecule made up of several smaller units bonded together. Simply put, dimethicone  
11 is a silicon oil that is man-made in the laboratory.
- 12 q. **Disodium Ethanoldiglycinate** is a chelating agent, which is a chemical compound that  
13 reacts with metal ions to form a stable, water-soluble complex.
- 14 r. **Disodium Laureth Sulfosuccinate** is a chemical that is a disodium salt of an ethoxylated  
15 lauryl alcohol bound to sulfosuccinic acid.
- 16 s. **Ethanol**, also called alcohol, is a chemical compound. Alcohol is a synthetic substance  
17 according to federal regulations. *See* 7. C.F.R. 205.603(a)(1).
- 18 t. **Fragrance**. Many of the compounds in Fragrance are carcinogenic or otherwise toxic.  
19  
20 Fragrance on a label can indicate the presence of 4,000 separate ingredients. Most or all of  
21 them are synthetic. Clinical observation by medical doctors have shown that exposure to  
22 fragrances can affect the central nervous system.
- 23 u. **Glycerin** is an emollient that, according to federal regulations, is a synthetic substance.  
24  
25 *See* 7. C.F.R. 205.603(a)(12). The glycerin used in Defendant’s products is not “natural”  
26

27  
28 <sup>5</sup> <http://www.newdirections.com.au/articles/images/Decyl-Glucoside-and-Other-Alkyl-Glucosides-as-Used-in-Cosmetics.pdf>



1 but instead, upon information and belief, is manufactured through saponification, whereby  
 2 fact molecules in vegetable oil are chemically altered using sodium hydroxide, a highly  
 3 toxic chemical.

4 A factory-produced texturizer that is created by complex processing. It is recognized by  
 5 federal regulations as synthetic. *See* 7 C.F.R. § 205.605(b). It is commonly used as a filler  
 6 and thickening agent. It requires multiple processing steps in an industrial environment to  
 7 create Glycerin. Therefore, it cannot be described as “natural.” A technical evaluation  
 8 report compiled by the USDA AMS Agricultural Analytics Division for the USDA  
 9 National Organic Program explains that Glycerin is “produced by a hydrolysis of fats and  
 10 oils” and is listed in the USDA Organic Program’s National List as a “synthetic  
 11 nonagricultural (nonorganic) substance.” The same report lists several methods of  
 12 producing Glycerin, each of which involve numerous steps that include the use of high  
 13 temperatures and pressure and purification to get an end product.

14  
 15  
 16 [https://www.ams.usda.gov/sites/default/files/media/Glycerin%20Petition%20to%20remov](https://www.ams.usda.gov/sites/default/files/media/Glycerin%20Petition%20to%20remove%20TR%202013.pdf)  
 17 [e%20TR%202013.pdf](https://www.ams.usda.gov/sites/default/files/media/Glycerin%20Petition%20to%20remove%20TR%202013.pdf)

18  
 19 Table 2 Processes for producing glycerin by hydrolysis of fats and oils

20 Lemmens Fryer’s Process 21 22 23 24 25 26 27 28	Oil or fat is subjected in an autoclave to the conjoint action of heat and pressure (about 100 PSI) in the presence of an emulsifying and accelerating agent, e.g. zinc oxide or hydroxide (sodium hydroxide can be substituted) for about eight hours. The strong solution of glycerin formed is withdrawn and replaced by a quantity of hot, clean and preferably distilled water equal to about one third to one fourth of the weight of the original charge of oil or fat and treatment continued for an additional four hours. The dilute glycerin obtained from the latter part of the process is drawn off and used for the initial treatment of the further charge of oil or fat.
--	---

1 2 3 4 5 6 7	Budde and Robertson's Process	The oils or fats are heated and mechanically agitated with water and sulphuric acid gas, under pressure in a closed vessel or autoclave. The advantage claimed for the process are that the contents of the vessel are free from foreign matter introduced by reagents and need no purification; that the liberated glycerin is in the form of a pure and concentrated solution; that no permanent emulsion is formed and that the fatty acids are not discolored.
8 9 10 11	Ittner's Process	Coconut oil is kept in an autoclave in the presence of water at 70 atmospheres pressure and 225-245oC temperature and split into fatty acids and glycerin, both being soluble under these conditions in water. The glycerin solution separates in the bottom of the autoclave. The aqueous solution contains at the end of the splitting process more than 30 percent glycerin.
12 13 14 15 16 17 18 19 20	Continuous High Pressure Hydrolysis	In this process a constant flow of fat is maintained flowing upward through an autoclave column tower against a downward counterflow of water at a pressure of 600 PSI maintained at temperature of 480-495oF. Under these conditions, the fat is almost completely miscible in water and the hydrolysis take place in a very short time. The liberated fatty acids, washed free of glycerin by the downward percolating water, leave the top of the column and pass through a flash tank while the liberated glycerin dissolves in the downward flow of water and is discharged from the bottom of the tower into the sweet-water storage tank.

- 21
- 22 v. **Glyceryl Stearate** is chemically synthesized by glycerolysis or by esterification of
- 23 glycerol and stearic acid. There is no chemical difference between glycerol and glycerin.
- 24 Both are names for the same chemical. Glycerin is a synthetic substance according to
- 25 federal regulations. *See* 7 § C.F.R. 205.605(b).
- 26
- 27 w. **Green #5** is a synthetic dye produced from petroleum or coal tar sources.
- 28 x. **Hydrogenated Polyisobutene** is a synthetic polymer used as a skin conditioning agent.

- 1 y. **Lauramine Oxide** is a tertiary amine oxide. Amine oxides are chemical compounds.
- 2 z. **Laureth-7** is a polyethylene glycol-based surfactant and synthetic that may contain  
3 potential toxic impurities such as 1, 4-dioxane.<sup>6</sup> Laureth-7 is synonymous with  
4 Ethoxylated Alcohol. *See* 40 C.F.R. § 721.643.
- 5 aa. **Laureth-23** is a synthetic substance. It is a nonionic surfactant prepared from lauryl  
6 alcohol and 23 moles of ethylene oxide. Laureth-23 contains an average of 23 repeating  
7 ethylene oxide units. Small amounts of 1,4-dioxane, a by-product of ethoxylation, may be  
8 found in Laureth-23.
- 9  
10 bb. **Lauryl Glucoside** is a surfactant derived from genetically modified corn. It is produced by  
11 alcoholysis of glucose and lauryl alcohol under acidic conditions. Glucose and alcohol are  
12 synthetic substances according to federal regulations. *See* 7 § C.F.R. 205.603(a)(1) and  
13 (a)(11). Historically, lauryl alcohol was prepared solely from natural products, but is now  
14 synthesized from ethylene.<sup>7</sup>
- 15  
16 cc. **Methylisothiazolinone** is a synthetic cosmetic preservative. It is a powerful biocide that  
17 has been linked to brain and nerve cell damage. This synthetic biocide preservative is  
18 produced by the controlled chlorination of dimethyl-dithiodipropionamide in solvent and  
19 then neutralized.
- 20  
21 dd. **PEG-7 Glyceryl Cocoate**. This synthetic polymer is based on PEG (polyethylene glycol)  
22 and fatty acids derived from coconut oil. Due to the presence of PEG, this ingredient may  
23 contain potentially toxic manufacturing impurities such as 1,4-dioxane.
- 24  
25 ee. **PEG-40 Hydrogenated Castor Oil** is a polyethylene glycol derivative of castor oil; may  
26 be contaminated with potentially toxic impurities such as 1,4-dioxane.

27 <sup>6</sup> <http://www.ewg.org/skindeep/ingredient/703425/LAURETH-7/#.WgzNz0xFyUk>

28 <sup>7</sup> <http://www.newdirections.com.au/articles/images/Decyl-Glucoside-and-Other-Alkyl-Glucosides-as-Used-in-Cosmetics.pdf>

1 ff. **PEG-200 Hydrogenated Glyceryl Palmate** is a chemical substance that is a polyethylene  
2 glycol derivative of hydrogenated palm glyceride. It has an average of 200 moles of  
3 ethylene oxide.

4 gg. **Phenoxyethanol**. The Food and Drug Administration (“FDA”) has warned that  
5 phenoxyethanol is dangerous. Phenoxyethanol is a synthetic substance and adjuvant. *See*  
6 21 C.F.R. § 172.515.<sup>8</sup> It is produced by reacting phenol with ethylene oxide (a known  
7 carcinogen) in the presence of a basic catalyst under pressure and heat. It is classified as  
8 synthetic by trade associations governing the use of the term “natural” on household and  
9 personal care products.  
10

11 hh. **Polyacrylamide** is a synthetic polymer of acrylamide.

12 ii. **Polyisobutene** is a synthetic polymer of isobutylene; used as a film-forming agent.

13 jj. **Polysorbate 20** is classified as synthetic by federal regulations and prohibited by trade  
14 groups from being in products labeled as “natural.” It is a surfactant produced by reacting  
15 sorbitol and its anhydrides with ethylene oxide.  
16

17 kk. **Potassium Sorbate** is produced by reacting sorbic acid and potassium hydroxide. It is  
18 classified as a chemical preservative under federal regulations

19 ll. **Preservatives** are synthetic substances.

20 mm. **Red #33** is a synthetic dye produced from petroleum or coal tar sources.

21 nn. **Sodium Benzoate** is not found to occur naturally according to federal regulations. Instead,  
22 it is chemically synthesized by reacting benzoic acid with sodium hydroxide, sodium  
23 bicarbonate, or sodium carbonate.  
24

25  
26  
27 <sup>8</sup> The Federal Trade Commission, recognizing that many of these same ingredients are  
28 unquestionably synthetic, has filed complaints against companies that have used these ingredients  
promoted as natural. [https://www.ftc.gov/news-events/press-releases/2016/04/four-companies-  
agree-stop-falsely-promoting-their-personal-care](https://www.ftc.gov/news-events/press-releases/2016/04/four-companies-agree-stop-falsely-promoting-their-personal-care).

1 oo. **Sodium Benzotriazolyl Butylphenol Sulfonate** is a synthetic ingredient. This UV light  
2 stabilization ingredient is part of a larger formulation and protects colors and other light-  
3 sensitive ingredients from photolytic and/or photo-oxidative degradation and thus improve  
4 the stability of formulations which are exposed to UV-A and UV-B light. Sodium  
5 Benzotriazolyl Butylphenol Sulfonate is suspected of causing skin or sense organ toxicity.

6  
7 pp. **Sodium Carbonate** is a toxic household chemical substance.

8 qq. **Sodium Chloride**. A synthetic and hazardous chemical substance.<sup>9</sup>

9 rr. **Sodium Citrate** is the sodium salt of citric acid synthesized by reacting sodium carbonate  
10 with citric acid. It is a recognized synthetic chemical under federal regulations. *See* 7  
11 C.F.R. § 205.605(b). It is usually prepared by reacting sodium carbonate or sodium  
12 hydroxide with citric acid, or by reacting sodium sulfate with calcium citrate.

13 ss. **Sodium Coco-Sulfate** is synthetic, produced by isolating C12-18 saturated fatty acids  
14 from oils, and then sulfonating with chemicals such as sulfuric acid, sulfur trioxide, or  
15 chlorosulfonic acid.

16  
17 tt. **Sodium Laureth Sulfate** is a chemical derived from ethoxylated lauryl alcohol and used  
18 as a surfactant; may be contaminated with potentially toxic manufacturing impurities such  
19 as 1,4-dioxane.

20 uu. **Sodium Lauryl Sulfate** is a chemical and food additive as stated in C.F.R. § 172.822. It is  
21 an active ingredient prepared by sulfation of lauryl alcohol, followed by neutralization with  
22 sodium carbonate.<sup>10</sup>

23  
24 vv. **Sodium Lauroyl Sarcosinate** is a synthetic skin conditioning agent.

25  
26  
27 <sup>9</sup> [https://whatsinproducts.com/files/brands\\_pdf/1391295214.pdf](https://whatsinproducts.com/files/brands_pdf/1391295214.pdf)

28 <sup>10</sup> [https://www3.epa.gov/pesticides/chem\\_search/reg\\_actions/reregistration/red\\_G-52\\_1-Sep-93.pdf](https://www3.epa.gov/pesticides/chem_search/reg_actions/reregistration/red_G-52_1-Sep-93.pdf)

1 ww. **Sodium Xylene Sulfonate** is a chemical used as a hydrotrope, an organic compound that  
 2 increases the ability of water to dissolve other molecules.

3 xx. **Tetrasodium EDTA** is produced synthetically for industrial purposes in the laboratory. It  
 4 is a preservative made from the known carcinogen formaldehyde and sodium cyanide. It is  
 5 also a penetration enhancer, meaning it breaks down the skin’s protective barrier, going  
 6 directly into the bloodstream.

7 yy. **Tetrasodium Glutamate Diacetate** is a multi-purpose, clear, liquid chelating agent and  
 8 preservative booster. As previously explained, a chelating agent is a chemical compound  
 9 that reacts with metal ions to form a stable, water-soluble complex.

10 zz. **Tributyl Citrate** is a chemical substance that is a triester of butyl alcohol and citric acid.

11 aaa. **Trideceth-9** is a chemical substance that is a polyethylene glycol ether of Tridecyl  
 12 Alcohol.

13 bbb. **Trisodium Ethylenediamine Disuccinate** is a chelating agent which is a chemical  
 14 compound that reacts with metal ions to form a stable, water-soluble complex.

15 ccc. **Yellow #5**, also known as tartrazine or E102, is a synthetic dye produced from petroleum.  
 16 It is banned in Austria and Norway, and other European countries have issued warnings  
 17 about their possible side effects.

18 ddd. **Yellow #6** is a synthetic dye produced from petroleum.

19 39. No product labeled “natural” or “Active Ingredients Derived from Natural Sources”  
 20 should contain any of these ingredients. And yet, the Williams Sonoma Products contain the  
 21 following, non-exhaustive, list of unnatural and/or synthetic ingredients:

<u>Product</u>	<u>Synthetic Ingredient</u>
Williams Sonoma Fleur de Sel Hand Soap	Buteth-3

1		Citric Acid*
2		Decyl Glucoside
3		Glycerin
4		Cocoamidopropyl Betaine
5		Disodium Laureth Sulfosuccinate
6		Fragrance (Parfum)
7		Green #5
8		PEG-200 Hydrogenated Glyceryl Palmate
9		PEG-7 Glyceryl Cocoate
10		Potassium Sorbate*
11		Polysorbate 20
12		Red #33
13		Sodium Benzoate
14		Sodium Benzotriazolyl Butylphenol Sulfonate
15		Sodium Coco-Sulfate
16		Sodium Chloride*
17		Trisodium Ethylenediamine Disuccinate
18		Tributyl Citrate
19		Yellow #5
20	Williams Sonoma Fleur de Sel Dish Soap	Benzisothiazolinone
21		Buteth-3
22		Citric Acid*
23		Cocoamidopropyl Betaine
24		Fragrance (Parfum)
25		Glycerin
26		Green #5
27		Lauryl Glucoside
28		Lauramine Oxide
29		Methisothiazolinone
30		Red #33
31		Sodium Benzotriazolyl Butylphenol Sulfonate
32		Sodium Coco Sulfate
33		Tetrasodium EDTA
34		Tributyl Citrate
35		Yellow #5
36	Williams Sonoma Fleur de Sel All-Purpose Cleaner	Benzisothiazolinone
37		Buteth-3
38		Decyl Glucoside
39		Disodium Ethanol diglycinate
40		Fragrance
41		Glycerin
42		Green #5
43		Methylisothiazolinone
44		Polysorbate 20
45		Red #33
46		Sodium Benzotriazolyl Butylphenol Sulfonate
47		Sodium Citrate
48		Tributyl Citrate

\* Denotes Active Ingredient. Again, Plaintiffs allege that the Products' "natural" claims apply to all of the Products' ingredients and not just to the Products' "active" ingredients. A reasonable consumer would likely be deceived by these "natural" claims to believe that all of the ingredients in the Products are "derived from natural sources." The ingredient lists on the Products' labels and Defendant's website do not differentiate between "active" and "inactive" ingredients.

1		Yellow #5
2	Williams Sonoma Fleur de Sel Countertop Spray	Benzisothiazolinone Citric Acid* Fragrance (Parfum) Glycerin Green #5 Laureth-23 Methylisothiazolinone Red #33 Sodium Carbonate Yellow #5
3		
4		
5		
6		
7	Williams Sonoma Fleur de Sel Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Dimethicone* Fragrance (Parfum) Glycerin Glyceryl Stearate Hydrogenated Polyisobutene
8		
9		
10		
11		
12	Williams Sonoma Fleur de Sel Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
13		
14	Williams Sonoma French Lavender Hand Soap	Buteth-3 Citric Acid* Cocamidopropyl Betaine Disodium Laureth Sulfosuccinate Fragrance Glycerin Green #5 Peg-200 Hydrogenated Glyceryl Palmate Peg-7 Glyceryl Cocoate Potassium Sorbate* Red #33 Sodium Benzoate Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Chloride* Sodium Laureth Sulfate Tetrasodium Edta Tributyl Citrate
15		
16		
17		
18		
19		
20		
21		
22		
23	Williams Sonoma French Lavender Dish Soap	Ammonium Lauryl Sulfate Benzisothiazolinone Buteth-3 Cocamide MEA Cocamidopropyl Betaine Fragrance Glycerin Green 5 Methylisothiazolinone Red 33 Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Xylene Sulfonate Tetrasodium EDTA
24		
25		
26		
27		
28		



1		Tributyl Citrate
2	Williams Sonoma French Lavender All-Purpose Cleaner	Benzisothiazolinone Buteth-3 Decyl Glucoside Disodium Ethanoldiglycinate Fragrance Glycerin Green 5 Methylisothiazolinone Polysorbate 20 Red 33 Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Citrate Tributyl Citrate
3		
4		
5		
6		
7		
8	Williams Sonoma French Lavender Countertop Spray	Benzisothiazolinone Buteth-3 Citric Acid* Decyl Glucoside Disodium Ethanoldiglycinate Fragrance Glycerin Green 5 Methylisothiazolinone Polysorbate 20 Red 33 Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Citrate Tributyl Citrate
9		
10		
11		
12		
13		
14		
15	Williams Sonoma French Lavender Hand Lotion	Ammonium Acrylate/Acrylamide Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance Glycerin Glyceryl Stearate Green #5 Hydrogenated Polyisobutene Laureth-7 Phenoxyethanol Polyacrylamide Potassium Sorbate* Red #33 Sodium Benzoate
16		
17		
18		
19		
20		
21		
22		
23		
24	Williams Sonoma French Lavender Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
25		
26	Williams Sonoma Frosted Clove Hand Soap	Citric Acid* Cocamidopropyl Hydroxysultaine Fragrance (Parfum) Glycerin Potassium Sorbate*
27		
28		

1		Sodium Benzoate Sodium Chloride* Tetrasodium Glutamate Diacetate
2		
3	Williams Sonoma Frosted Clove Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance (Parfum) Glyceryl Stearate Hydrogenated Polyisobutene Phenoxyethanol Polysorbate 20 Potassium Sorbate* Sodium Benzoate Tetrasodium Glutamate Diacetate
4		
5		
6		
7		
8		
9		
10	Williams Sonoma Frosted Clove Dish Soap	Benzisothiazolinone Citric Acid* Fragrance (Parfum) Glycerin Lauramine Oxide Lauryl Glucoside Methylisothiazolinone Polysorbate 20 Sodium Chloride* Sodium Lauryl Sulfate* Tetrasodium Glutamate Diacetate
11		
12		
13		
14		
15	Williams Sonoma Frosted Clove Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
16		
17		
18	Williams Sonoma Lemongrass Ginger Hand Soap	Citric Acid* Fragrance Glycerin Green #5 Potassium Sorbate* Red #33 Sodium Benzoate Sodium Chloride* Sodium Coco Sulfate, Coco/Sunfloweramidopropyl Betaine Sodium Cocoamphodiacetate Cocoyl Proline Trisodium Ethylenediamine Disuccinate Yellow #5
19		
20		
21		
22		
23		
24	Williams Sonoma Lemongrass Ginger Dish Soap	Benzisothiazolinone Citric Acid* Cocamidopropyl Betaine Fragrance Green #5 Lauramine Oxide Lauryl Glucoside Methylisothiazolinone Red #33 Sodium Coco Sulfate
25		
26		
27		
28		

1		Sodium Lauroyl Sarcosinate Tetrasodium EDTA Yellow #5
2		
3	Williams Sonoma Lemongrass Ginger All-Purpose Cleaner	Benzisothiazolinone Decyl Glucoside Disodium Ethanoldiglycinate Fragrance Glycerin Green #5 Methylisothiazolinone Polysorbate 20 Red #33 Sodium Citrate Yellow #5
4		
5		
6		
7		
8	Williams Sonoma Lemongrass Ginger Countertop Spray	Benzothiazolinone Citric Acid* Decyl Glucoside Disodium Ethanoldiglycinate Glycerin Green #5 Methylisothiazolinone Red #33 Sodium Citrate, Fragrance Yellow #5
9		
10		
11		
12		
13	Williams Sonoma Lemongrass Ginger Hand Lotion	Ammonium Acrylate/Acrylamide Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance Glycerin Glyceryl Stearate Green #5 Hydrogenated Polyisobutene Laureth-7 Phenoxyethanol Polyacrylamide Potassium Sorbate* Sodium Benzoate Yellow #5
14		
15		
16		
17		
18		
19		
20		
21		
22	Williams Sonoma Lemongrass Ginger Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
23		
24	Williams Sonoma Meyer Lemon Hand Soap	Buteth-3 Citric Acid* Cocamidopropyl Betaine Disodium Laureth Sulfosuccinate Fragrance Glycerin PEG-200 Hydrogenated Glyceryl Palmate PEG-7 Glyceryl Cocoate Potassium Sorbate*
25		
26		
27		
28		

1		Sodium Benzoate
2		Sodium Benzotriazolyl Butylphenol Sulfonate
3		Sodium Chloride*
4		Sodium Laureth Sulfate
5		Tetrasodium EDTA
6		Tributyl Citrate
7		Yellow #5
8		Yellow #6
9	Williams Sonoma Meyer Lemon Dish Soap	Ammonium Lauryl Sulfate
10		Benzisothiazolinone
11		Cocamide MEA
12		Cocamidopropyl Betaine
13		Fragrance, Cocamidopropyl Betaine
14		Glycerin
15		Methylisothiazolinone
16		Sodium Xylene Sulfonate
17		Tetrasodium Edta
18		Yellow #5
19		Yellow #6
20	Williams Sonoma Meyer Lemon All-Purpose Cleaner	Benzisothiazolinone
21		Buteth-3
22		Decyl Glucoside
23		Disodium Ethanoldiglycinate
24		Fragrance
25		Glycerin
26		Methylisothiazolinone
27		Polysorbate 20
28		Sodium Benzotriazolyl Butylphenol Sulfonate
		Sodium Citrate
		Tributyl Citrate
		Yellow #5
		Yellow #6
	Williams Sonoma Meyer Lemon Countertop Spray	Benzisothiazolinone
		Buteth-3
		Citric Acid*
		Decyl Glucoside
		Disodium Ethanoldiglycinate
		Fragrance
		Glycerin
		Methylisothiazolinone
		Polysorbate 20
		Sodium Benzotriazolyl Butylphenol Sulfonate
		Sodium Citrate
		Tributyl Citrate
		Yellow #5
		Yellow #6
	Williams Sonoma Meyer Lemon Hand Lotion	Caprylic/Capric Triglyceride
		C12-C15 Alkyl Benzoate
		Hydrogenated Polyisobutene
		Glyceryl Stearate
		Cetearyl Alcohol
		Glycerin
		Ceteareth-20
		Dimethicone*
		Fragrance

1		Polyacrylamide
2		Ammonium Acrylate/Acrylamide Copolymer
3		Cetyl Alcohol
4		Laureth-7
5		Sodium Benzoate
		Potassium Sorbate*
		Phenoxyethanol
		Yellow #5
		Yellow #6
6	Williams Sonoma Meyer Lemon Room Spray	Alcohol Denat.
7		Fragrance (Parfum)
		Peg-40 Hydrogenated Castor Oil
		Trideceth-9
8	Williams Sonoma Pink Grapefruit Hand Soap	Buteth-3
9		Citric Acid*
10		Cocamidopropyl Betaine
11		Disodium Laureth Sulfosuccinate
12		Fragrance
13		Glycerin
14		Glyceryl Cocoate
15		PEG-200 Hydrogenated Glyceryl Palmate
16		PEG-7
		Potassium Sorbate*
		Red #33
		Sodium Benzoate
		Sodium Benzotriazolyl Butylphenol Sulfonate
		Sodium Chloride*
		Sodium Laureth Sulfate
		Tetrasodium EDTA
		Tributyl Citrate
		Yellow #5
17	Williams Sonoma Pink Grapefruit Dish Soap	Ammonium Lauryl Sulfate
18		Benzisothiazolinone
19		Buteth-3
20		Cocamidopropyl Betaine Cocamide MEA
21		Fragrance
22		Glycerin
		Methylisothiazolinone
		Red #33
		Sodium Benzotriazolyl Butylphenol Sulfonate
		Sodium Xylene Sulfonate
		Tetrasodium Edta
		Tributyl Citrate
23	Williams Sonoma Pink Grapefruit All-Purpose Cleaner	Benzisothiazolinone
24		Buteth-3
25		Decyl Glucoside
26		Disodium Ethanoldiglycinate
27		Fragrance
28		Glycerin
		Methylisothiazolinone
		Polysorbate 20
		Red #33
		Sodium Benzotriazolyl Butylphenol Sulfonate
		Sodium Citrate
		Tributyl Citrate

1		Yellow #5
2	Williams Sonoma Pink Grapefruit Countertop Spray	Benzisothiazolinone Buteth-3 Citric Acid* Decyl Glucoside Disodium Ethanoldiglycinate Fragrance Glycerin, Tributyl Citrate Methylisothiazolinone Red #33 Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Citrate Yellow #5
3		
4		
5		
6		
7		
8	Williams Sonoma Pink Grapefruit Hand Lotion	Ammonium Acrylate/Acrylamide Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance Glycerin Glyceryl Stearate Hydrogenated Polyisobutene Laureth-7 Phenoxyethanol Polyacrylamide Potassium Sorbate* Red #33 Sodium Benzoate Yellow #5
9		
10		
11		
12		
13		
14		
15		
16		
17	Williams Sonoma Pink Grapefruit Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
18		
19	Williams Sonoma Pumpkin Spice Hand Soap	Citric Acid* Cocamidopropyl Hydroxysultaine Fragrance Glycerin Potassium Sorbate* Sodium Benzoate Sodium Chloride* Tetrasodium Glutamate Diacetate
20		
21		
22		
23	Williams Sonoma Pumpkin Spice Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance Glycerin Glyceryl Stearate Hydrogenated Polyisobutene Phenoxyethanol
24		
25		
26		
27		
28		

1		Polysorbate 20 Potassium Sorbate* Sodium Benzoate Tetrasodium Glutamate Diacetate
2		
3	Williams Sonoma Pumpkin Spice Dish Soap	Benzisothiazolinone Citric Acid* Fragrance Glycerin Lauramine Oxide Lauryl Glucoside Methylisothiazolinone Polysorbate 20 Sodium Chloride* Sodium Lauryl Sulfate* Tetrasodium Glutamate Diacetate
4		
5		
6		
7		
8		
9	Williams Sonoma Spiced Chestnut Hand Soap	Buteth-3 Citric Acid* Cocamidopropyl Betaine Disodium Laureth Sulfosuccinate Fragrance Glycerin Peg-200 Hydrogenated Glyceryl Palmate Peg-7 Glyceryl Cocoate Potassium Sorbate* Sodium Benzoate Sodium Benzotriazolyl Butylphenol Sulfonate Sodium Chloride* Sodium Laureth Sulfate Tetrasodium Edta Tributyl Citrate
10		
11		
12		
13		
14		
15		
16	Williams Sonoma Spiced Chestnut Hand Lotion	Ammonium Acrylate/Acrylamide Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance Glycerin Glyceryl Stearate Hydrogenated Polyisobutene Laureth-7 Phenoxyethanol Polyacrylamide Potassium Sorbate* Sodium Benzoate
17		
18		
19		
20		
21		
22		
23		
24	Williams Sonoma Spiced Chestnut Dish Soap	Ethanol Fragrance Preservative (Non-Paraben 0.20%).
25		
26	Williams Sonoma Spiced Chestnut Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
27		
28	Williams Sonoma Sunny Orange Citrus Hand Soap	Citric Acid* Cocamidopropyl Hydroxysultaine

1		Glycerin
2		Fragrance (Parfum)
3		Potassium Sorbate*
		Sodium Benzoate
		Sodium Chloride*
		Tetrasodium Glutamate Diacetate
4	Williams Sonoma Sunny Orange Citrus Dish Soap	Benzisothiazolinone
5		Citric Acid*
6		Fragrance (Parfum)
7		Glycerin
8		Lauramine Oxide
9		Lauryl Glucoside
		Methylisothiazolinone
		Polysorbate 20
		Sodium Chloride*
		Sodium Lauryl Sulfate*
		Tetrasodium Glutamate Diacetate
10	Williams Sonoma Sunny Orange Citrus Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer
11		C12-C15 Alkyl Benzoate
12		Caprylic/Capric Triglyceride
13		Ceteareth-20
14		Cetearyl Alcohol
15		Cetyl Alcohol
16		Dimethicone*
17		Fragrance (Parfum)
		Glycerin
		Glyceryl Stearate
		Phenoxyethanol
		Polysorbate 20
		Potassium Sorbate*
		Sodium Benzoate
		Tetrasodium Glutamate Diacetate
18	Williams Sonoma Sunny Orange Citrus Room Spray	Alcohol Denat.
19		Benzisothiazolinone
20		Citric Acid*
21		Fragrance (Parfum)
		Methylisothiazolinone
		Peg-40 Hydrogenated Castor Oil
		Sodium Citrate
		Trideceth-9
22	Williams Sonoma White Gardenia Hand Soap	Citric Acid*
23		Cocamidopropyl Hydroxysultaine
24		Potassium Sorbate*
		Sodium Benzoate
		Sodium Chloride*
		Tetrasodium Glutamate Diacetate
25	Williams Sonoma White Gardenia Dish Soap	Benzisothiazolinone
26		Citric Acid*
27		Fragrance (Parfum)
28		Glycerin
		Lauramine Oxide
		Lauryl Glucoside
		Methylisothiazolinone
		Polysorbate 20
		Sodium Chloride*



1		Sodium Lauryl Sulfate* Tetrasodium Glutamate Diacetate
2	Williams Sonoma White Gardenia All-Purpose Cleaner	Benzisothiazolinone Decyl Glucoside Fragrance Methylisothiazolinone Polysorbate 20 Sodium Citrate Tetrasodium Glutamate Diacetate
3		
4		
5		
6	Williams Sonoma White Gardenia Countertop Spray	Benzisothiazolinone Citric Acid* Decyl Glucoside Fragrance Methylisothiazolinone Sodium Citrate Tetrasodium Glutamate Diacetate
7		
8		
9	Williams Sonoma White Gardenia Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone* Fragrance (Parfum) Glycerin Glyceryl Stearate Phenoxyethanol Polysorbate 20 Potassium Sorbate* Sodium Benzoate Tetrasodium Glutamate Diacetate
10		
11		
12		
13		
14		
15		
16		
17	Williams Sonoma White Gardenia Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9
18		
19	Williams Sonoma Winter Forest Hand Soap	Citric Acid* Cocamidopropyl Betaine Disodium Laureth Sulfosuccinate Fragrance Glycerin Peg-200 Hydrogenated Glyceryl Palmate Peg-7 Glyceryl Cocoate Potassium Sorbate* Sodium Benzoate Sodium Chloride* Sodium Laureth Sulfate Tetrasodium EDTA
20		
21		
22		
23		
24		
25	Williams Sonoma Winter Forest Hand Lotion	Ammonium Acrylate/Acrylamide Copolymer C12-C15 Alkyl Benzoate Caprylic/Capric Triglyceride Ceteareth-20 Cetearyl Alcohol Cetyl Alcohol Dimethicone*
26		
27		
28		

1		Fragrance Glycerin
2		Glyceryl Stearate
3		Hydrogenated Polyisobutene
4		Laureth-7
5		Phenoxyethanol
		Polyacrylamide
		Potassium Sorbate*
		Sodium Benzoate
6	Williams Sonoma Winter Forest Dish Soap	Benzisothiazolinone
7		Citric Acid*
8		Decyl Glucoside
9		Disodium Ethanol diglycinate
		Fragrance/Parfum
		Glycerin
		Methylisothiazolinone
		Sodium Citrate
10	Williams Sonoma Winter Forest Room Spray	Alcohol Denat.
11		Fragrance (Parfum)
		Peg-40 Hydrogenated Castor Oil
		Trideceth-9
12	Williams Sonoma Winter Berry Hand Soap	Citric Acid*
13		Cocamidopropyl Hydroxysultaine
14		Fragrance (Parfum)
15		Glycerin
		Potassium Sorbate*
		Sodium Benzoate
		Sodium Chloride*
		Tetrasodium Glutamate Diacetate
16	Williams Sonoma Winter Berry Hand Lotion	Acrylamide/Ammonium Acrylate Copolymer
17		C12-C15 Alkyl Benzoate
18		Caprylic/Capric Triglyceride
19		Ceteareth-20
20		Cetearyl Alcohol
21		Cetyl Alcohol
22		Dimethicone*
23		Fragrance (Parfum)
		Glycerin
		Glyceryl Stearate
		Phenoxyethanol
		Polysorbate 20
		Potassium Sorbate*
		Sodium Benzoate
		Tetrasodium Glutamate Diacetate
24	Williams Sonoma Winter Berry Dish Soap	Benzisothiazolinone
25		Citric Acid*
26		Fragrance (Parfum)
27		Glycerin
		Lauramine Oxide
		Lauryl Glucoside
		Methylisothiazolinone
		Polysorbate 20
		Sodium Chloride*
28		Sodium Lauryl Sulfate*

	Tetrasodium Glutamate Diacetate
Williams Sonoma Winter Berry Room Spray	Alcohol Denat. Fragrance (Parfum) Peg-40 Hydrogenated Castor Oil Trideceth-9

40. Given the significant presence of these unnatural and/or synthetic ingredients in the Products, Defendants' representations that they are "natural" and contain "Active Ingredients Derived from Natural Sources" are deceptive and misleading.

41. The term "synthetic" is also defined by federal statute as "a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes." 7 U.S.C. § 6502(21).

42. Surveys and other market research, including expert testimony Plaintiffs intend to introduce, will demonstrate that the terms "Active Ingredients Derived from Natural Sources" are misleading to a reasonable consumer because the reasonable consumer believes that the terms "Active Ingredients Derived from Natural Sources" when used to describe a good such as the Products, means that it is free of synthetic ingredients.

43. Consumers lack the meaningful ability to test or independently ascertain or verify whether a product is natural, especially at the point of sale. Consumers would not know the true nature of the ingredients merely by reading the ingredients label.

44. Discovering that the ingredients are not natural and are actually synthetic requires a scientific investigation and knowledge of chemistry beyond that of the average consumer. That is why, even though all of the ingredients listed above are identified on the back of the Products' packaging in the ingredients listed, the reasonable consumer would not understand – nor are they expected to understand - that these ingredients are synthetic.

1           45.       Moreover, the reasonable consumer is not expected or required to scour the  
2 ingredients list on the back of the Products in order to confirm or debunk Defendant’s prominent  
3 claims, representations, and warranties that the Products are “natural” and contain “Active  
4 Ingredients Derived from Natural Sources”

5           46.       Defendants did not disclose that any of the ingredients listed above are unnatural  
6 and/or synthetic ingredients. A reasonable consumer understands Defendant’s “Active Ingredients  
7 Derived from Natural Sources” claim to mean that the Products are “Derived from Natural  
8 Sources,” and do not contain unnatural and/or synthetic ingredients.

9           47.       Defendant’s representations that the Products are “natural” and contain “Active  
10 Ingredients Derived from Natural Sources” induced consumers, including Plaintiffs and Class  
11 Members, to pay a premium to purchase the Products. Plaintiffs and Class Members relied on  
12 Defendants’ false and misleading misrepresentations in purchasing the Products at some premium  
13 price above comparable alternatives that are not represented to be “natural” and contain “Active  
14 Ingredients Derived from Natural Sources.” If not for Defendant’s misrepresentations, Plaintiffs  
15 and Class Members would not have been willing to purchase the Products at a premium price.  
16 Accordingly, they have suffered an injury as a result of Defendant’s misrepresentations.

17           48.       Defendant knew that consumers will pay more for a product labeled “natural” and  
18 “derived from natural sources,” and intended to deceive Plaintiffs and putative class members by  
19 labeling the William Sonoma Products as purportedly natural products.

20           49.       Defendant has profited enormously from their false and misleading representations  
21 that Williams Sonoma Products are “natural” and contain “Active Ingredients Derived from  
22 Natural Sources.” The purpose of this action is to require Williams Sonoma to undertake a  
23 corrective advertising campaign and to provide consumers with monetary relief for Williams  
24 Sonoma deceptive and misleading product claims.  
25  
26  
27  
28

**CLASS REPRESENTATION ALLEGATIONS**

1  
2           50.     Plaintiffs seek to represent a class defined as all persons in the United States who  
3 purchased the Williams Sonoma Products (the “Class”). Excluded from the Class are Defendant,  
4 its affiliates, employees, officers and directors, persons or entities that purchases the Products for  
5 resale, and the Judge(s) assigned to this case.

6  
7           51.     Plaintiffs Kutza and Urmil also seek to represent a Subclass of all Class Member  
8 who purchased the Williams Sonoma Products in California during the class period (the  
9 “California Subclass”). Excluded from the California Subclass are Defendant, its affiliates,  
10 employees, officers and directors, persons or entities that purchases the Products for resale, and  
11 the Judge(s) assigned to this case.

12           52.     At this time, Plaintiffs do not know the exact number of members of the  
13 aforementioned Class and Sublclass (“Class Members” and “Subclass Members,” respectively);  
14 however, given the nature of the claims and the number of Williams Sonoma retail stores in the  
15 United States that sell the Products as well as sales through direct to consumer channels such as  
16 catalogs and e-commerce, Plaintiffs believe that Class and Subclass members are so numerous that  
17 joinder of all members is impracticable.

18  
19           53.     There is a well-defined community of interest in the questions of law and fact  
20 involved in this case. Questions of law and fact common to the members of the putative classes  
21 that predominate over questions that may affect individual Class members include, but are not  
22 limited to the following:

23  
24                   (a)     whether Defendant misrepresented and/or failed to disclose material facts  
25 concerning the Products;

26                   (b)     whether Defendant’s conduct was unfair and/or deceptive;  
27  
28

1 (c) whether Defendant has been unjustly enriched as a result of the unlawful,  
2 fraudulent, and unfair conduct alleged in this First Amended Complaint such that it would  
3 be inequitable for Defendant to retain the benefits conferred upon them by Plaintiffs and  
4 the classes;

5 (d) whether Plaintiffs and the classes have sustained damages with respect to  
6 the common law claims asserted, and if so, the proper measure of their damages.  
7

8 54. With respect to the California Subclass, additional questions of law and fact  
9 common to the members that predominate over questions that may affect individual members  
10 include whether Defendant violated the California Consumer Legal Remedies Act, as well as  
11 California's False Advertising Law and Unfair Competition Law.

12 55. Plaintiffs' claims are typical of those of the Class and respective Subclasses  
13 because Plaintiffs, like all members of the Class and Subclasses purchased, in a typical consumer  
14 setting, Defendant's Products bearing the natural representations and other representations, and  
15 Plaintiffs sustained damages from Defendant's wrongful conduct.  
16

17 56. Plaintiffs will fairly and adequately protect the interests of the Class and Subclass  
18 and have retained counsel that is experienced in litigating complex class actions. Plaintiffs have  
19 no interests which conflict with those of the classes.  
20

21 57. A class action is superior to other available methods for the fair and efficient  
22 adjudication of this controversy.

23 58. The prerequisites to maintaining a class action for equitable relief are met as  
24 Defendant has acted or refused to act on grounds generally applicable to the Class and Subclass,  
25 thereby making appropriate equitable relief with respect to the classes as a whole.

26 59. The prosecution of separate actions by members of the the Class and Subclass  
27 would create a risk of establishing inconsistent rulings and/or incompatible standards of conduct  
28

1 for Defendant. For example, one court might enjoin Defendant from performing the challenged  
2 acts, whereas another might not. Additionally, individual actions could be dispositive of the  
3 interest of the classes even where certain Class or Subclass members are not parties to such  
4 actions.

5  
6 **COUNT I**

7 **(Violation of California’s Consumer Legal Remedies Act)**

8 60. Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged  
9 above.

10 61. Plaintiffs Kutza and Urmil bring this cause of action on behalf of themselves and  
11 members of the California Subclass against Defendant.

12 62. This cause of action is brought pursuant to California’s Consumers Legal Remedies  
13 Act, Cal. Civ. Code §§ 1750-1785 (the “CLRA”).

14 63. Plaintiffs Kutza and Urmil and the other members of the California Subclass are  
15 “consumers,” as the term is defined by California Civil Code § 1761(d), because they bought the  
16 Williams Sonoma Products for personal, family, or household purposes.

17 64. Plaintiffs Kutza and Urmil, the other members of the California Subclass, and  
18 Defendant have engaged in “transactions,” as that term is defined by California Civil Code §  
19 1761(e).

20 65. The conduct alleged in this Complaint constitutes unfair methods of competition  
21 and unfair and deceptive acts and practices for the purpose of the CLRA, and the conduct was  
22 undertaken by Defendant in transactions intended to result in, and which did result in, the sale of  
23 goods to consumers.

24 66. As alleged more fully above, Defendant has violated the CLRA by falsely  
25 representing to Plaintiffs Kutza and Urmil and the other members of the California Subclass that  
26  
27  
28

1 the Products are “natural” and contain “Active Ingredients Derived from Natural Sources,” when  
2 in fact they are made with unnatural and/or synthetic ingredients.

3 67. As a result of engaging in such conduct, Defendant has violated California Civil  
4 Code § 1770(a)(5), (a)(7) and (a)(9).

5 68. CLRA § 1782 NOTICE. On February 15, 2018, a CLRA demand letter was sent to  
6 Defendant via certified mail that provided notice of Defendant’s violation of the CLRA and  
7 demanded that within thirty (30) days from that date, Defendant correct, repair, replace or other  
8 rectify the unlawful, unfair, false and/or deceptive practices complained of herein. The letter also  
9 stated that if Defendant refused to do so, a complaint seeking damages in accordance with the  
10 CLRA would be filed. Defendant received the letter on February 20, 2018. On September 4,  
11 2018, an additional CLRA demand letter was sent on behalf of Plaintiff Urmil to Defendant via  
12 certified mail that provided notice of Defendant’s violation of the CLRA and demanded that  
13 within thirty (30) days from that date, Defendant correct, repair, replace or other rectify the  
14 unlawful, unfair, false and/or deceptive practices complained of herein. The letter also stated that  
15 if Defendant refused to do so, a complaint seeking damages in accordance with the CLRA would  
16 be filed. Defendant received the letter September 10, 2018. Defendant has failed to comply with  
17 these letters. Accordingly, pursuant to California Civil Code § 1780(a)(3), Plaintiffs Kutza and  
18 Urmil, on behalf of themselves and all other members of the California Subclass, seek injunctive  
19 relief, compensatory damages, punitive damages, and restitution of any ill-gotten gains due to  
20 Defendant’s acts and practices.  
21  
22  
23

## 24 COUNT II

### 25 (Violation of California’s False Advertising Law)

26 69. Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged  
27 above.  
28



1           70.     Plaintiffs Kutza and Urmil bring this cause of action on behalf of themselves and  
2 members of the California Subclass.

3           71.     California’s False Advertising Law (“FAL”), Cal. Bus. & Prof. Code §§ 17500, *et*  
4 *seq.*, makes it “unlawful for any person to make or disseminate or cause to be made or  
5 disseminated before the public in this state, ... in an advertising device ... or in any other manner  
6 or means whatever, including over the Internet, any statement, concerning ... personal property or  
7 services, professional or otherwise, or performance or disposition thereof, which is untrue or  
8 misleading and which is known, or which by the exercise of reasonable care should be known, to  
9 be untrue or misleading.”

10           72.     Defendant committed acts of false advertising, as defined by §§ 17500, *et seq.*, by  
11 falsely claiming that the Products are “natural” and “derived from natural sources” when they are  
12 not.  
13

14           73.     Defendant knew or should have known through the exercise of reasonable care that  
15 their representations about the Products were untrue and misleading.  
16

17           74.     Defendant’s actions in violation of §§ 17500, *et seq.* were false and misleading  
18 such that the general public is and was likely to be deceived. Plaintiffs Kutza and Urmil and the  
19 California Subclass have suffered injury in fact and have lost money or property as a result of  
20 Defendant’s FAL violations because: (a) they would not have purchased the Products on the same  
21 terms if they knew that the products were made with unnatural and synthetic ingredients; (b) they  
22 paid a substantial price premium compared to other skin care, hygiene and household products due  
23 to Defendant’s misrepresentations; and (c) the products do not have the characteristics, uses, or  
24 benefits as promised.  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COUNT III**

**(Violation of California’s Unfair Competition Law)**

75. Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged above.

76. Plaintiffs Kutza and Urmil bring this cause of action on behalf of themselves and members of the proposed California Subclass.

77. By committing the acts and practices alleged herein, Defendant has violated California’s Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code §§ 17200-17210, as to the California Subclass, by engaging in unlawful, fraudulent, and unfair conduct.

78. Defendant has violated the UCL’s proscription against engaging in unlawful conduct as a result of:

(a) its violations of the CLRA, Cal. Civ. Code § 1770(a)(5), (a)(7), and (a)(9), as alleged above; and

(b) its violations of the FAL, Cal. Bus. & Prof. Code § 17500 *et seq.* as alleged above.

79. Defendants’ acts and practices described above also violate the UCL’s proscription against engaging in fraudulent conduct.

80. As more fully described above, Defendant’s misleading marketing, advertising, packaging, and labeling of the Products is likely to deceive reasonable consumers. Indeed, Plaintiffs Kutza and Urmil and the other members of the California Subclass were unquestionably deceived regarding the nature of the Products, as Defendant’s marketing, advertising, packaging, and labeling of the Products misrepresents and/or omits the true facts concerning the characteristics of the Products. Said acts are fraudulent business practices.

81. Defendant’s acts and practices described above also violate the UCL’s proscription against engaging in unfair conduct.

1           82.     Plaintiffs Kutza and Urmil and the other California Subclass members suffered a  
2 substantial injury by virtue of buying the Products that they would not have purchased absent  
3 Defendant’s unlawful, fraudulent, and unfair marketing, advertising, packaging, and labeling or by  
4 virtue of paying a premium price for the unlawfully, fraudulently, and unfairly marketed,  
5 advertised, packaged, and labeled Williams Sonoma Products.  
6

7           83.     There is no benefit to consumers or competition from deceptively marketing and  
8 labeling the Products, which purport to be “natural” and contain “Active Ingredients Derived from  
9 Natural Sources,” when these unqualified claims are false.

10           84.     Plaintiffs Kutza and Urmil and the other California Subclass members had no way  
11 of reasonably knowing that the Products they purchased were not as marketed, advertised,  
12 packaged, or labeled. Thus, they could not have reasonably avoided the injury each of them  
13 suffered.  
14

15           85.     The gravity of the consequences of Defendant’s conduct as described above  
16 outweighs any justification, motive, or reason therefore, particularly considering the available  
17 legal alternatives which exist in the marketplace, and such conduct is immoral, unethical,  
18 unscrupulous, offends established public policy, or is substantially injurious to Plaintiffs Kutza  
19 and Urmil and the other members of the California Subclass.  
20

21           86.     Defendant’s violations of the UCL continue to this day.

22           87.     Pursuant to California Business and Professional Code § 17203, Plaintiffs Kutza  
23 and Urmil and the California Subclass seek an order of this Court that includes, but is not limited  
24 to, an order requiring Defendants to:

- 25                   (a)     provide restitution to Plaintiffs Kutza and Urmil and the other California  
26                                 Subclass members;  
27                   (b)     disgorge all revenues obtained as a result of violations of the UCL; and  
28                   (c)     pay Plaintiffs’ and the California Subclass attorneys’ fees and costs.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COUNT IV**

**(Unjust Enrichment)**

88. Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged above.

89. Plaintiffs bring this claim individually and on behalf of the members of the proposed Class and California Subclass against Defendant.

90. Plaintiffs and Class members conferred benefits on Defendant by purchasing the Williams Sonoma Products.

91. Defendant has been unjustly enriched in retaining the revenues derived from Plaintiffs and Class members' purchases of the Williams Sonoma Products. Retention of those moneys under these circumstances is unjust and inequitable because Defendant misrepresented that the Williams Sonoma Products were "natural" and contain "Active Ingredients Derived from Natural Sources." These misrepresentations caused injuries to Plaintiffs and Class members because they would not have purchased the Williams Sonoma Products if the true facts were known.

92. Because Defendant's retention of the non-gratuitous benefits conferred on them by Plaintiffs and Class members is unjust and inequitable, Defendant must pay restitution to Plaintiffs and Class members for its unjust enrichment, as ordered by the Court.

**COUNT V**

**(Negligent Misrepresentation)**

93. Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged above.

94. Plaintiffs brings this claim individually and on behalf of the members of the proposed Class and California Subclass against Defendant.

1           95.     As discussed above, Defendant misrepresented that the Williams Sonoma Products  
2 were “natural” and contain “Active Ingredients Derived from Natural Sources.”

3           96.     At the time Defendant made these representations, Defendant knew or should have  
4 known that these representations were false or made them without knowledge of their truth or  
5 veracity.

6           97.     At an absolute minimum, Defendant negligently misrepresented and/or negligently  
7 omitted material facts about the Williams Sonoma Products.

8           98.     The negligent misrepresentations and omissions made by Defendant, upon which  
9 Plaintiffs and Class members reasonably and justifiably relied, were intended to induce and  
10 actually induced Plaintiffs and Class members to purchase the Williams Sonoma Products.  
11

12           99.     Plaintiffs and Class members would not have purchased the Williams Sonoma  
13 Products if the true facts had been known.  
14

15           100.    The negligent actions of Defendant caused damage to Plaintiffs and Class  
16 members, who are entitled to damages and other legal and equitable relief as a result.

17                               **COUNT VI**

18                               **(Fraud)**

19           101.    Plaintiffs incorporate by reference and re-allege herein all paragraphs alleged  
20 above.

21           102.    Plaintiffs bring this claim individually and on behalf of the members of the  
22 proposed Class and California Subclass against Defendant.  
23

24           103.    As discussed above, Defendant provided Plaintiffs and Class members with false or  
25 misleading material information about the Products and failed to disclose material facts about the  
26 Products, including but not limited to the fact that the Products contain unnatural and/or synthetic  
27 ingredients.  
28

1           104.   The misrepresentations and omissions made by Defendant, upon which Plaintiffs  
2 and Class members reasonably and justifiably relied, were intended to induce and actually induced  
3 Plaintiffs and Class members to purchase the Products.

4           105.   The fraudulent actions of Defendant caused damage to Plaintiffs and Class  
5 members, who are entitled to damages and other legal and equitable relief as a result.  
6

7   **PRAYER FOR RELIEF**

8           WHEREFORE, Plaintiffs, individually and on behalf of all others similarly situated, seek  
9 judgment against Defendant, as follows:

- 10           a.     For an order certifying the nationwide Class and the California Subclass under Rule  
11                                 23 of the Federal Rules of Civil Procedure; naming Plaintiffs as Class and  
12                                 California Subclass representatives; and naming Plaintiffs' attorneys as Class  
13                                 Counsel to represent the Class and California Subclass members;
- 14           b.     For an order declaring the Defendant's conduct violates the statutes referenced  
15                                 herein;
- 16           c.     For an order finding in favor of Plaintiff, the nationwide Class, and the California  
17                                 Subclass on all counts asserted herein;
- 18           d.     For an order awarding compensatory, statutory, treble, and punitive damages in  
19                                 amounts to be determined by the Court and/or jury;
- 20           e.     For prejudgment interest on all amounts awarded;
- 21           f.     For an order of restitution and all other forms of equitable monetary relief;
- 22           g.     For an order requiring Defendant to undertake a corrective advertising campaign;
- 23           h.     For injunctive relief as pleaded or as the Court may deem proper; and
- 24           i.     For an order awarding Plaintiffs and the Class and California Subclass their  
25                                 reasonable attorneys' fees and expenses and costs of suit.  
26                                 27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**JURY DEMAND**

Plaintiffs demand a trial by jury of all issues so triable.

Dated: November 29, 2018

Respectfully submitted,

**ORLOWSKY LAW, LLC**

By  /s/ Daniel J. Orłowski  
Daniel J. Orłowski

Daniel J. Orłowski (*Pro Hac Vice*)  
7777 Bonhomme Ave., Suite 1910  
St. Louis, MO 63105  
Phone: 314-725-5151  
Fax: 314-455-7375  
*dan@orłowskylaw.com*

Adam M. Goffstein (*Pro Hac Vice*)  
**GOFFSTEIN LAW, LLC**  
7777 Bonhomme, Suite 1910  
St. Louis, Missouri 63105  
Phone: (314) 725-5151  
Fax: (314) 455-7278  
*adam@goffsteinlaw.com*

*Co-Interim Class Counsel*

James A. Morris, Esq. (CSBN 296852)  
Shane A. Greenberg, Esq. (CSMN 210932)  
**MORRIS LAW FIRM**  
4111 W. Alameda Avenue, Suite 611  
Burbank, CA 91505  
Tel: (747) 283-1144  
Fax: (747) 283-1143  
*jmorris@jamlawyers.com*  
*jreenberg@jamlawyers.com*

*Attorneys for Plaintiff*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CLRA Venue Declaration Pursuant to California Civil Code Section 1780(d)**

I, Daniel J. Orlowsky, declare as follows:

1. I am counsel for Plaintiffs, and I am the owner of Orlowsky Law, LLC. I make this declaration to the best of my knowledge, information, and belief of the facts stated herein.

2. The complaint filed in this action is filed in the proper place for trial because the Defendant is headquartered in this District and the misrepresentation at issue emanated from this District. Furthermore, Plaintiffs Kutza and Urmil allege that they made several purchases of Defendant’s Williams Sonoma Products from various stores within this State.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct, executed on November 29, 2018 at St. Louis, Missouri.

      /s/ Daniel J. Orlowsky        
Daniel J. Orlowsky