ORIGIN Superior Court Of California County Of Los Angeles Gretchen Carpenter, Bar No. 180525 1 E-mail: gcarpenter@strangeandcarpenter.com Pablo Orozco, Bar No. 274267 MAR 12 2015 2 E-mail: porozco@strangeandcarpenter.com Sherri K. Larier, executive Other/Clerk

By Structura Was, Deputy STRANGE & CARPENTER 3 12100 Wilshire Blvd., Suite 1900 Los Angeles, California 90025 4 Telephone: (310) 207-5055 Fax: (310) 826-3210 5 Attorneys for Plaintiff Marko Djoric 6 7 8 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 **COUNTY OF LOS ANGELES** 11 MARKO DJORIC, an individual, on behalf of BC 574927 Case No. himself and all others similarly situated, 12 **CLASS ACTION** Plaintiff, 13 COMPLAINT FOR: (1) UNLAWFUL, v. UNFAIR AND/OR DECEPTIVE 14 **BUSINESS PRACTICES, CAL. BUS. &** JUSTIN BRANDS, INC.; and DOES 1 PROF. CODE §§ 17200, et seq.; (2) 15 through 10, inclusive. VIOLATION OF THE CONSUMERS LEGAL REMEDIES ACT, CAL. CIV. 16 Defendants. CODE §§ 1750, et seq.; AND (3) VIOLATION OF THE FALSE 17 ADVERTISING LAW, CAL. BUS. & PROF. CODE §§ 17500, et seq. 18 **DEMAND FOR JURY TRIAL** 19 20  $\mathbb{C}^{j}$ 643 21 22 RECEIVED: LEA/DEF#: 23 24 1.1 25 ĻŊ. 26 27 28 Class Action Complaint

Plaintiff Marko Djoric ("Plaintiff"), by and through his undersigned attorneys, for his Class Action Complaint against Justin Brands, Inc. ("Defendant") and Does 1-10, inclusive ("Doe Defendants") respectfully alleges the following:

#### I. NATURE OF THE CASE

- 1. Defendant implements a uniform policy of advertising that several models of the Chippewa boots it manufactures, sells and distributes are "handcrafted in the U.S.A." even though the boots and/or their principal components are substantially manufactured elsewhere. Plaintiff alleges this company-wide policy (a) constitutes an unfair, unlawful and fraudulent business practice in violation of Business & Professions Code §§ 17200, et seq.; (b) violates the Consumers Legal Remedies Act, Civ. Code §§ 1750, et seq.; and (c) violates the False Advertising Law, Bus. & Prof. Code §§ 17500, et seq.
- 2. Plaintiff relied on Defendant's knowing misrepresentations concerning the origin and quality of its Chippewa products when he purchased a pair of Chippewa steel toe boots in July 2012 and again in October 2012. Although there were less expensive alternatives, Plaintiff deliberately chose the Chippewa brand and willingly paid a premium for Defendant's boots because they were purportedly "handcrafted in the U.S.A." Plaintiff thus suffered economic injury as a result of Defendant's unfair, unlawful and fraudulent representations.

#### II. <u>JURISDICTION AND VENUE</u>

- 3. This Court has personal jurisdiction over Defendant. Defendant regularly conducts business within the State of California, purposely avails itself of the benefits and protections of the State of California and has sufficient contact with this State such that maintenance of this action in this locale would be consistent with traditional notions of fair play and substantial justice.
- 4. Venue properly lies with this Court pursuant to California Code of Civil Procedure Sections 395(a), 395(b); 395.5 and 17203, and pursuant to California Civil Code Section1780(d)

28 | ///

5. Plaintiff does not assert any causes of action arising under federal law.

#### III. PARTIES

- 6. Plaintiff Marko Djoric is, and at all relevant times has been, a resident of the State of California. Plaintiff purchased Chippewa products relying on Defendant's false claim that they were "handcrafted in the U.S.A" on two occasions, once in July 2012 and once in October 2012.
- 7. Plaintiff is informed and believes, and thereon alleges, that Defendant Justin Brands, Inc., a wholly owned subsidiary of Berkshire Hathaway, Inc., was incorporated under the laws of the State of Delaware and presently has its principal place of business located at 610 West Daggett Avenue, Fort Worth, TX 76104. Defendant regularly conducts business within the State of California, purposely avails itself of the benefits and protections of the State of California, and/or has sufficient contact with this State such that maintenance of this action in this locale would be consistent with traditional notions of fair play and substantial justice.
- 8. The true names and capacities of Doe Defendants 1 through 10, inclusive, are unknown to Plaintiff and, therefore, are sued by such fictitious names. Plaintiff will seek leave of court to amend this complaint to allege the true names and capacities of the Doe Defendants when they have been ascertained. Plaintiff is informed and believes and based thereon alleges that each Doe Defendant is in some manner responsible and liable for the actions herein alleged.

#### IV. AGENCY ALLEGATIONS

9. At all relevant times, each and every Defendant was the agent of each and every other Defendant. In committing the acts alleged herein, each and every Defendant acted in the course and scope of its agency and was acting with the consent, permission, authorization and knowledge of each of the remaining Defendants, and perpetuated and/or aided and abetted the violations of law described herein. Plaintiff is informed and believes, and thereon alleges, that all actions of each Defendant as alleged herein were ratified and approved by every other Defendant or their officers, directors, controlling persons, agents, partners, or joint venturers.

S

IJĵ

#### V. <u>FACTUAL ALLEGATIONS</u>

#### A. Chippewa Boots: Purportedly "Handcrafted in America"

- 10. Originally known as Chippewa Shoe Manufacturing Company, Defendant's Chippewa Division ("Chippewa") manufactures work and specialized footwear, including boots. Plaintiff is informed and believes and thereon alleges that Chippewa was founded in 1901 in Chippewa Falls, Wisconsin and was acquired by Justin Brands, Inc. in 1984. In August of 2000, Plaintiff is informed and believes, and thereon alleges, that Justin Brands, Inc., along with the Chippewa name and its products, was purchased by Berkshire Hathaway for approximately \$600 million. Other divisions of Justin Brands, Inc. include Justin Boots, Justin Workboots, Tony Lama Boots and Nocona Boots.
- Defendant's marketing and advertising strategy purposely associates the Chippewa brand with the United States of America, its traditions, values and unique history. Notably, at the heart of this strategy is Defendant's representation to its customers and the public at large that Chippewa boots are "handcrafted in the U.S.A." Defendant recognizes its use of such a strategy when it notes that

"In 1980, Chippewa embarked on a new marketing campaign, Chippewa Country USA: 'Handcrafted by people who care.' The campaign focused on the skill [sic] craftsmen who work for Chippewa that are truly responsible for the fine quality footwear produced by Chippewa...To this day, our boots still carry the 'Handcrafted in the USA' labels as homage to the men and women who built the Chippewa brand.

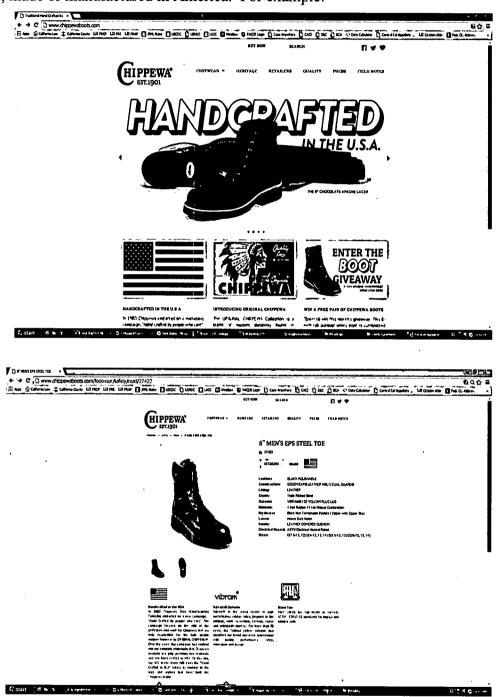
To this day, the Chippewa Shoe Manufacturing Co. has remained a true American Brand, representing American-centric principles and preserving a domestic manufacturing base with our US factories. The brand reflects the authenticity and heritage of American manufacturing and is proudly handcrafted in the United States of America."<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> See http://en.wikipedia.org/wiki/Chippewa\_Boots; http://www.vault.com/company-profiles/general-consumer-products/justin-brands,-inc/company-overview.aspx; http://www.chippewaboots.com/heritage/

<sup>&</sup>lt;sup>2</sup> http://www.justinbrands.com/

<sup>3</sup> http://www.chippewaboots.com/heritage/

12. Defendant's marketing and advertising strategy goes well beyond its website, however. Customers will find that most, if not all, Chippewa products, whether advertised directly by Defendant or on third-party retailer websites, are consistently described as handcrafted, made or manufactured in America. For example:<sup>4</sup>



### B. Plaintiff's Chippewa Boots: Substantially Made in China

13. On or about July 28, 2012, Plaintiff purchased a pair of Chippewa Men's 8-Inch Black Motorcycle Steel Toe Boots online from the Working Person's Store. The total purchase

<sup>&</sup>lt;sup>4</sup> See also Exhibit A.

price for the boots, including tax and shipping, was approximately \$292.56. Plaintiff chose to purchase Chippewa boots, as opposed to comparable, but less expensive boots of a different brand, because he believed the Chippewa boots and/or their principal components had been "handcrafted in the U.S.A."

- 14. Plaintiff reasonably came to believe the boots he purchased on or about July 28, 2012 had been at least substantially manufactured in the U.S.A. because the Working Person's Store website represented as much at the time of purchase. Moreover, Plaintiff had been previously exposed to Defendant's representations that the Chippewa brand embodied America's history, culture and values, and that Chippewa products were "handcrafted in the U.S.A."
- 15. On or around August 7, 2012, Plaintiff was involved in a motorcycle accident that caused him extensive bodily injury and necessitated the amputation of his right leg.

  Plaintiff was wearing the Chippewa boots he had purchased the month before when the accident occurred.
- 16. In October of 2012, Plaintiff purchased a second pair of Chippewa boots to replace the pair damaged as a result of the accident. In or about October 2012, Plaintiff purchased his second pair of Chippewa Men's 8-Inch Black Motorcycle Steel Toe Boots at a Work Boot Warehouse, a brick and mortar store located in Los Angeles County. Just as before, Plaintiff chose the Chippewa brand partly because he believed the boots were at least substantially "handcrafted in the U.S.A."
- 17. In June 2014, while Plaintiff attempted to frame the Chippewa boots he wore when he suffered the motorcycle accident, he discovered the boots and/or their principal components were not substantially "handcrafted in the U.S.A.," as Defendant had claimed. Specifically, Plaintiff found that the boots' inner, leather linings were "MADE IN CHINA."

///

///



18. Plaintiff subsequently contacted Defendant via telephone to inquire further and ask for a reimbursement, since both pairs of Chippewa boots materially differed from the boots Defendant had advertised and Plaintiff believed he was purchasing. Defendant, however, failed to address Plaintiff's complaints.

#### VI. <u>CLASS ALLEGATIONS</u>

19. Plaintiff brings this action on behalf of himself and those similarly situated as a class action pursuant to California Code of Civil Procedure § 382, California Civil Code § 1781, and/or other applicable law. The Class consists of:

All persons in California who purchased Defendant's Chippewa products which Defendant represented were "handcrafted in the U.S.A.," even though the products, or parts thereof, were entirely or substantially manufactured outside of the United States.

Excluded from the Class are Defendant, any entity that has a controlling interest in Defendant and Defendant's current or former directors, officers and counsel, as well as any judicial officers assigned to this case.

- 20. Plaintiff meets the prerequisites to bring this action on behalf of the Class for the following reasons:
- (a) Numerosity: The Class is so numerous that joinder of all members as individual plaintiffs is impracticable. While the exact number of Class members is unknown and can only be ascertained via discovery, Plaintiff believes that there are at least thousands of Class members.

- (b) Commonality and predominance: There are questions of law and fact common to the Class, which predominate over any individual issues affecting Class members. These common questions of law and fact include:
  - i. Whether and to what extent the principal components of any Chippewa products are substantially "handcrafted in the U.S.A.";
  - ii. Which Chippewa products and/or which of their principal components are substantially manufactured outside of the U.S.A.;
  - iii. Whether and to what extent any Chippewa products are created by means other than "handcrafting";
  - iv. Whether and to what extent Defendant knowingly implemented a company-wide policy of having Chippewa products and/or their principal components manufactured outside the U.S.A.;
  - v. Whether and to what extent Defendant knowingly adopted a company-wide marketing and advertising strategy that held Chippewa products out as "handcrafted in the U.S.A.";
  - vi. Whether Defendant's policy and practice of advertising its Chippewa products as "handcrafted in the U.S.A." constituted an unfair business practice in violation of California's Unfair Competition Law, California Business and Professions Code Section 17200, et seq.;
  - vii. Whether Defendant's policy and practice of advertising its Chippewa products as "handcrafted in the U.S.A." constituted an unlawful business practice in violation of California's Unfair Competition Law, California Business and Professions Code Section 17200, et seq.;
  - viii. Whether Defendant's policy and practice of advertising its Chippewa products as "handcrafted in the U.S.A." constituted a fraudulent or deceptive business practice in violation of California's Unfair Competition Law, California Business and Professions Code Section 17200, et seq.;

(3)

ix. Whether Defendant's policy and practice of advertising its Chippewa products as "handcrafted in the U.S.A." constituted a deceptive practice or unlawful method of competition in violation of California's Consumers Legal Remedies Act, California Civil Code 1750, et seq.;

- x. Whether Defendant's policy and practice of advertising its Chippewa products as "handcrafted in the U.S.A." constituted false advertising in violation of California's Unfair Competition Law, California Business and Professions Code Section 17500, et seq.; and
- xi. The nature and extent of damages, restitution, equitable relief and/or other relief to which the Defendant's conduct entitles Class members.
- (c) Typicality: Plaintiff's claims are typical of the claims of the Class because Plaintiff is a member of the Class, and Plaintiff and members of the Class each sustained damages and suffered injuries arising out of Defendant's wrongful conduct as complained of herein.
- (d) Adequacy: Plaintiff will fairly and adequately represent and protect the interests of the Class. He shares the same interests as all Class members because his claims and losses are typical of those of other Class members. Plaintiff has retained competent class counsel who are experienced in class action litigation and who will fairly and adequately protect the interests of the Class.
- (e) Superiority: A class action is superior to other available methods for the fair and efficient adjudication of this litigation, since joinder of all members is impracticable. Most losses are modest in relation to the expense and burden of individual prosecution of the litigation necessitated by the Defendant's wrongful conduct. It would be virtually impossible for the Class members to efficiently redress their wrongs individually. Even if all Class members could afford such individual litigation themselves, the court system would benefit from a class action. Individualized litigation would present the potential for inconsistent or contradictory judgments. Individualized litigation would also magnify the delay and expense to all parties and the court system presented by the issues of the case. By contrast, the class action

	2
	3
	4
	5
	.6
	7
	8
	. 9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
(E)	20
	21
**., 	22
! 	23
1	24
E) F	25
Ų1	26
	27

28

device presents far fewer management difficulties and provides the benefit of comprehensive supervision by a single court, as well as economy of scale and expense.

#### **FIRST CAUSE OF ACTION**

### FOR UNFAIR, UNLAWFUL AND DECEPTIVE BUSINESS PRACTICES IN VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE §§ 17200, ET SEQ.

#### (Plaintiff, on Behalf of Himself, and All Class Members, Against Defendant)

- 21. Plaintiff herein repeats, reiterates, and realleges each and every allegation contained in the preceding and subsequent paragraphs, with the same force and effect as though the same were set forth at length herein.
- 22. Defendant's actions, as set forth herein, constitute unlawful business practices under Business and Professions Code §§ 17200, et seq. in that they violate Civil Code §§ 1750, et seq., Business and Professions Code §§ 17500, et seq. and/or other laws set forth herein. Defendant's actions also constitute unfair and deceptive business practices. In particular, the following acts constitute deceptive and/or unfair business practices:
  - (a) Defendant represented to its customers and the general public that its Chippewa products and/or their principal components are made in the U.S.A., when they are not;
  - (b) Defendant represented to its customers and the general public that its Chippewa products are handcrafted, when they are not; and
  - (c) Defendant benefitted from attracting more customers, retaining a loyal customer base and charging premium prices for its Chippewa products under the pretense they were "handcrafted in the U.S.A."
- 23. Defendant deceived Plaintiff with regard to the origin and manufacturing process used for its Chippewa products by stating they were "handcrafted in the U.S.A." Plaintiff relied on Defendant's misrepresentations when deciding to purchase Chippewa boots at a premium price rather than obtaining boots from another manufacturer at a lower cost.

- As a direct result of Defendant's marketing and advertising policy and practice, Plaintiff was induced to spend more for Defendant's boots than he would otherwise have spent. Plaintiff suffered injury in fact in the form of lost money and/or property as a result of paying premium prices for products for which he would have otherwise paid less or not purchased at all.
- As a proximate result of Defendant's actions, Plaintiff and members of the Class are entitled to restitution, disgorgement, and injunctive relief in the form of an order barring Defendant from continuing its current marketing and advertising policy and practice.

#### **SECOND CAUSE OF ACTION**

# FOR VIOLATION OF THE CONSUMERS LEGAL REMEDIES ACT, CALIFORNIA CIVIL CODE §§ 1750, ET SEQ.

#### (Plaintiff, on Behalf of Himself, and All Class Members, Against Defendant)

- 26. Plaintiff herein repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs, with the same force and effect as though the same were set forth at length herein.
- 27. Defendant's policy and practice of advertising Chippewa products as "handcrafted in the U.S.A." violates numerous provisions of the Consumers Legal Remedies Act, including but not limited to:
  - (a) Misrepresenting the source of goods in violation of Civil Code § 1770(a)(2);
  - (b) Using deceptive representations or designations as to the geographic origin of its Chippewa products in violation of Civil Code § 1770(a)(4);
  - (c) Representing that its products have characteristics and benefits which they do not have in violation of Civil Code 1770(a)(5);
  - (d) Representing that its Chippewa products are of a particular standard, quality or grade, when they are of another, in violation of Civil Code § 1770(a)(7); and
  - (e) Advertising goods or services with intent not to sell them as advertised, in violation of Civil Code § 1770(a)(9).

(3)

IJĨ

- 28. Plaintiff and the members of the Class reasonably expected that Defendant's Chippewa products were "handcrafted in the U.S.A." as Defendant has consistently represented to them. Instead, Defendant's Chippewa products and/or their principal components are manufactured elsewhere.
- 29. Plaintiff seeks an order, pursuant to Civil Code § 1780(a)(2), enjoining Defendant from employing the practices described in this complaint.
- 30. Plaintiff does not at present seek damages under this cause of action, but intends to file an amended complaint in due course under Civil Code § 1782(d) also seeking damages, restitution, and punitive damages under Civil Code §§ 1780(a)(1), (3) and (4).

#### THIRD CAUSE OF ACTION

## FOR FALSE ADVERTISING IN VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE §§ 17500, ET SEQ.

#### (Plaintiff, on Behalf of Himself, and All Class Members, Against Defendant)

- 31. Plaintiff herein repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs, with the same force and effect as though the same were set forth at length herein.
- 32. Defendant's policy and practice of advertising Chippewa products as "handcrafted in the U.S.A." knowingly misrepresents the geographic origin and quality of the products, in violation of Business & Professions Code §§ 17500, et seq.
- 33. Plaintiff reasonably relied on Defendant's misrepresentations when deciding to purchase Chippewa boots at a premium price rather than obtaining boots from another manufacturer at a lower cost.
- 34. As a direct result of Defendant's marketing and advertising policy and practice, Plaintiff was induced to spend more for products than he would otherwise have spent. Plaintiff suffered injury in fact in the form of lost money and/or property as a result of paying premium prices for products for which he would have otherwise paid less or not purchased at all.

-13-Class Action Complaint

#### **DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all claims so triable.

Dated: March 12, 2015

Respectfully submitted,

STRANGE & CARPENTER

By: Cretchen Carpenter

Attorneys for Plaintiff

-14-

EXHIBIT A

9

1011

1213

14

16

15

17

18 19

20

. 21

22

√ 23

ີ່ 24 ສີ 25

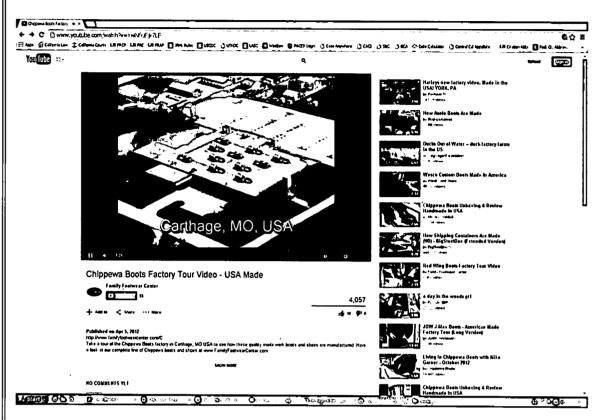
₩ 26

27

28

#### EXHIBIT A

1. YouTube website purportedly showing how Chippewa boots are "handcrafted in the U.S.A."



2. Amazon.com website selling Chippewa boots and describing the product as being of the highest quality and "Proudly handcrafted in the U.S.A."



#### **Product Description**

Chippewa Boot Company has been an American tradition in outdoor lifestyle footwear since 1901. Chippewa boots are the highest quality choice for the person who wants only the best in rugged outdoor footwear. Superior components and craftsmanship go into the construction of every pair. So whether you wear Chippewa for function or fashion. Chippewa boots are built to stand the test of time and, with classic styling, they'll satisfy the most demanding and discriminating shopper.

Chippewa brings All American tradition with the Chippewa 1901M30 Men's 6 in Copper Caprice Homestead Boot. . Ankle boot has smooth leather finish . Lace up for secure fit. Classic cap toe stitching. Cushioned insole with logger heel. Proudly handcrafted in the U.S.A..

ASIN: BOOL9T4PGG

Product Dimensions: 12 x 8 x 4 inches: 1.6 pounds

Shipping Weight: 2 pounds (View shipping rates and policies)
Shipping: This item is also available for shipping to select countries outside the U.S.

onipping: This item is also available for shipping to select countries outside the U.S.

Origin: USA

Item model number: 6" Homestead-M

**₩600 000 0** 0

Amazon Best Sellers Rank: #8,848 in Shoes (See Top 100 in Shoes) Average Customer Review: ★★★★ → 7 customer reviews

Average Customer Review: ★★★★ - 7 customer reviews Would you like to give feedback on images?

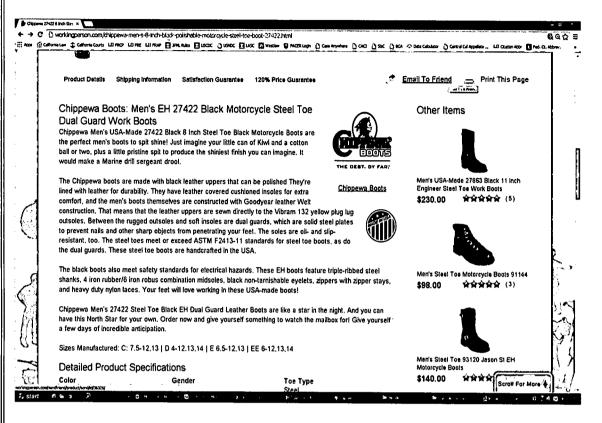
•



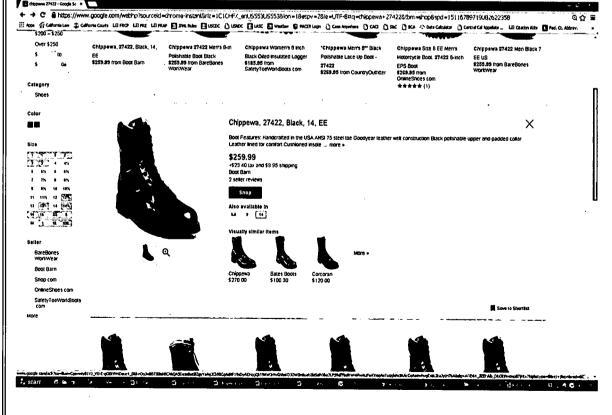
1
 2
 3

24 25

3. Working Person's website selling Chippewa boots that displays a "Made in USA" logo and noting that "[t]hese steel toe boots are handcrafted in the USA."



4. Google.com website that links to Chippewa Boots for sale by Boot Barn and states "Brand Features: Handcrafted in the USA."







SHORT TITLE:				
	Djoric v.	Justin I	Brands.	Inc

CASE NUMBER BC 5 7 4 9 2 7

#### CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

	e types of hearing and fill in the estimated length of hearing expected for this case:
JURY TRIAL? 🗹	YES CLASS ACTION? $\square$ YES LIMITED CASE? $\square$ YES TIME ESTIMATED FOR TRIAL $^{5}$ $\square$ HOURS/ $\square$ DAYS
Item II. Indicate t	he correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):
	first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your margin below, and, to the right in Column <b>A</b> , the Civil Case Cover Sheet case type you selected.
Step 2: Check	cone Superior Court type of action in Column B below which best describes the nature of this case.
	lumn <b>C</b> , circle the reason for the court location choice that applies to the type of action you have ny exception to the court location, see Local Rule 2.0.
	Applicable Reasons for Choosing Courthouse Location (see Column C below)

- Class actions must be filed in the Stanley Mosk Courthouse, central district.
   May be filed in central (other county, or no bodily injury/property damage).
   Location where cause of action arose.
   Location where bodily injury, death or damage occurred.
   Location where performance required or defendant resides.

- 6. Location of property or permanently garaged vehicle.
  7. Location where petitioner resides.
  8. Location wherein defendant/respondent functions wholly.
  9. Location where one or more of the parties reside.
  10. Location of Labor Commissioner Office

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	□ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
To	Uninsured Motorist (46)	□ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
ڳ <del>د</del>	Asbestos (04)	□ A6070 Asbestos Property Damage □ A7221 Asbestos - Personal Injury/Wrongful Death	2
Prope ath To	Product Liability (24)	□ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
al Injury/ ongful De	Medical Malpractice (45)	□ A7210 Medical Malpractice - Physicians & Surgeons □ A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Other Personal Injury Property Damage Wrongful Death (23)	<ul> <li>□ A7250 Premises Liability (e.g., slip and fall)</li> <li>□ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)</li> <li>□ A7270 Intentional Infliction of Emotional Distress</li> <li>□ A7220 Other Personal Injury/Property Damage/Wrongful Death</li> </ul>	1., 4. 1., 4. 1., 3. 1., 4.

Other Personal Injury/ Property

CHORT TITLE: Djoric v. Justin Brands, Inc.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
> +i	Business Tort (07)	☑ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1.3.
opert th Tor	Civil Rights (08)	□ A6005 Civil Rights/Discrimination	1., 2., 3.
ury/ Pi ul Dea	Defamation (13)	□ A6010 Defamation (slander/libel)	1., 2., 3.
nal Inj /rongf	Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Professional Negligence (25)	□ A6017 Legal Malpractice □ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
20	Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2.,3.
nent	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
Employment	Other Employment (15)	□ A6024 Other Employment Complaint Case □ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<ul> <li>□ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)</li> <li>□ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)</li> <li>□ A6019 Negligent Breach of Contract/Warranty (no fraud)</li> <li>□ A6028 Other Breach of Contract/Warranty (not fraud or negligence)</li> </ul>	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	□ A6002 Collections Case-Seller Plaintiff □ A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<ul> <li>□ A6009 Contractual Fraud</li> <li>□ A6031 Tortious Interference</li> <li>□ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)</li> </ul>	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	□ A7300 Eminent Domain/Condemnation Number of parcels	2.
perty	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
은 후 수 은 즉 Real Property	Other Real Property (26)	<ul> <li>□ A6018 Mortgage Foreclosure</li> <li>□ A6032 Quiet Title</li> <li>□ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)</li> </ul>	2., 6. 2., 6. 2., 6.
"And	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
ি Detain	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
즉 후 한 전 Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	☐ A6020FUnlawful Detainer-Post-Foreclosure	2., 6.
בֿ	Unlawful Detainer-Drugs (38)	□ A6022 Unlawful Detainer-Drugs	2., 6.

4		
	-	
1		

SHORT TITLE: Djoric v. Justin Brands, Inc.

CASE NUMBER

**Judicial Review** 

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Petitions

ŲŢ

A6108 Asset Forfeiture Case  A6115 Petition to Compel/Confirm/Vacate Arbitration  A6151 Writ - Administrative Mandamus A6152 Writ - Mandamus on Limited Court Case Matter A6153 Writ - Other Limited Court Case Review  A6150 Other Writ /Judicial Review  A6003 Antitrust/Trade Regulation  A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental  A6014 Insurance Coverage/Subrogation (complex case only)	2., 6. 2., 5. 2., 8. 2. 2., 8. 1., 2., 8. 1., 2., 8. 1., 2., 8. 1., 2., 8. 1., 2., 8.
A6151 Writ - Administrative Mandamus A6152 Writ - Mandamus on Limited Court Case Matter A6153 Writ - Other Limited Court Case Review  A6150 Other Writ /Judicial Review  A6003 Antitrust/Trade Regulation  A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	2., 8. 2. 2., 8. 1., 2., 8. 1., 2., 8. 1., 2., 8. 1., 2., 8.
A6152 Writ - Mandamus on Limited Court Case Matter A6153 Writ - Other Limited Court Case Review  A6150 Other Writ /Judicial Review  A6003 Antitrust/Trade Regulation  A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	2. 2., 8. 1., 2., 8. 1., 2., 3. 1., 2., 8. 1., 2., 8.
A6153 Writ - Other Limited Court Case Review  A6150 Other Writ /Judicial Review  A6003 Antitrust/Trade Regulation  A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	2.
A6003 Antitrust/Trade Regulation  A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	1., 2., 8. 1., 2., 3. 1., 2., 8. 1., 2., 8. 1., 2., 8.
A6007 Construction Defect  A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	1., 2., 3. 1., 2., 8. 1., 2., 8. 1., 2., 3., 8.
A6006 Claims Involving Mass Tort  A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	1., 2., 8. 1., 2., 8. 1., 2., 3., 8.
A6035 Securities Litigation Case  A6036 Toxic Tort/Environmental	1., 2., 8. 1., 2., 3., 8.
A6036 Toxic Tort/Environmental	1., 2., 3., 8.
A6014 Insurance Coverage/Subrogation (complex case only)	
	1., 2., 5., 8.
A6141 Sister State Judgment  A6160 Abstract of Judgment  A6107 Confession of Judgment (non-domestic relations)  A6140 Administrative Agency Award (not unpaid taxes)  A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax  A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
A6033 Racketeering (RICO) Case	1., 2., 8.
A6030 Declaratory Relief Only  A6040 Injunctive Relief Only (not domestic/harassment)  A6011 Other Commercial Complaint Case (non-tort/non-complex)  A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
A6113 Partnership and Corporate Governance Case	2., 8.
A6121 Civil Harassment A6123 Workplace Harassment A6124 Elder/Dependent Adult Abuse Case A6190 Election Contest	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7.
	A6030 Declaratory Relief Only A6040 Injunctive Relief Only (not domestic/harassment) A6011 Other Commercial Complaint Case (non-tort/non-complex) A6000 Other Civil Complaint (non-tort/non-complex) A6113 Partnership and Corporate Governance Case A6121 Civil Harassment A6123 Workplace Harassment

SHORT TITLE: Djoric v. Justin Brands, Inc.			CASE NUMBER	
Item III. Statement of Locatio circumstance indicated in Ite	n: Enter the addr m II., Step 3 or	ress of the acc	cident, party's resid the proper reason t	ence or place of business, performance, or other for filing in the court location you selected.
REASON: Check the appropriate under Column C for the type of a this case.	action that you have	e selected for	ADDRESS: Los Angeles County; Mosk Courthouse	class actions must be filed in Central District, Stanley
CITY:	STATE:	ZIP CODE:		
Los Angeles	CA	90012		
and correct and that the above	e-entitled matter is t of the Superior C	s properly file	d for assignment to	of the State of California that the foregoing is true the Stanley Mosk courthouse in the ageles [Code Civ. Proc., § 392 et seq., and Local
Dated: March 12, 2015	<del>-</del>		(slo	NATURE OF ATTORNEY/FILING PARTY)
PLEASE HAVE THE FOLLO	WING ITEMS C	OMPLETED	AND READY TO I	BE FILED IN ORDER TO PROPERLY

- 1. Original Complaint or Petition.
- 2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
- 3. Civil Case Cover Sheet, Judicial Council form CM-010.
- 4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev.
- 5. Payment in full of the filing fee, unless fees have been waived.
- A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons. (i)
- Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum W7. must be served along with the summons and complaint, or other initiating pleading in the case.

(E) 

U

		CM-010		
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bail Gretchen Carpenter, 180525 STRANGE & CARPENTER 12100 Wilshire Blvd., Suite 1900	number, and address):	FOR COURT USE ONLY		
Los Angeles, California 90025  TELEPHONE NO.: (310) 207-5055  ATTORNEY FOR (Name): Plaintiff Marko Djor	FILED Superior Court Of California County Of Los Angeles			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOSTREET ADDRESS: 111 North Hill Street	MAR 1 2 2015			
MAILING ADDRESS:  CITY AND ZIP CODE: Los Angeles 90012  BRANCH NAME: Central District - Sta:	nley Mosk Courthouse	Sherri 16. Januar, executive Officer/Clerk  By Nriotow Wass, Deputy		
CASE NAME: Djoric v. Justin Brands, Inc.		Kristina Vargas		
CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUME <b>BC</b> 5 7 4 9 2 7		
<b>Unlimited Limited</b>	Counter Joinder	<b>DO</b> 0 1 1 0 % 1		
(Amount (Amount demanded is	Filed with first appearance by defend	JUDGE:		
exceeds \$25,000) \$25,000 or less)	(Cal. Rules of Court, rule 3.402)	DEPT:		
	low must be completed (see instructions o	on page 2).		
1. Check <b>one</b> box below for the case type that	·			
Auto Tort Auto (22)	Contract  Breach of contract/warranty (06)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)		
Uninsured motorist (46)	Rule 3.740 collections (09)	Antitrust/Trade regulation (03)		
Other PI/PD/WD (Personal Injury/Property	Other collections (09)	Construction defect (10)		
Damage/Wrongful Death) Tort	Insurance coverage (18)	Mass tort (40)		
Asbestos (04)	Other contract (37)	Securities litigation (28)		
Product liability (24)  Medical malpractice (45)	Real Property	Environmental/Toxic tort (30)		
Other PI/PD/WD (23)	Eminent domain/Inverse condemnation (14)	Insurance coverage claims arising from the above listed provisionally complex case		
Non-Pi/PD/WD (Other) Tort	Wrongful eviction (33)	types (41)		
Business tort/unfair business practice (07	C) Other real property (26)	Enforcement of Judgment		
Civil rights (08)	Unlawful Detainer	Enforcement of judgment (20)		
Defamation (13)		Miscellaneous Civil Complaint		
Fraud (16)	Residential (32)	RICO (27)		
Intellectual property (19) Professional negligence (25)	Drugs (38) Judicial Review	Other complaint (not specified above) (42)		
Other non-PI/PD/WD tort (35)	Asset forfeiture (05)	Miscellaneous Civil Petition		
Employment	Petition re: arbitration award (11)	Partnership and corporate governance (21) Other petition (not specified above) (43)		
Wrongful termination (36)	Writ of mandate (02)	Other petition (not specified above) (43)		
Other employment (15)	Other judicial review (39)	·		
factors requiring exceptional judicial mana	gement:	lles of Court. If the case is complex, mark the		
a. Large number of separately repre				
b. <b>\sqrt{\sq}}}}}}}}}} \scrt{\sq}}}}}}}}}}} \scrt{\sq}}}}}}}}}}} \sqrt{\sqrt{\sqrt{\sqrt{\sq}}}}}}}}}}}} \simptintilender\signtintitex{\sqrt{\sqrt{\sqrt{\sq}}}}}}}}}}} \endittinitender\sintine{\sint{\sint{\s</b>		with related actions pending in one or more courts		
c. Substantial amount of documenta		ies, states, or countries, or in a federal court estjudgment judicial supervision		
3 Remedies sought (check all that apply): a. 🗸 monetary: b. 🗸 nonmonetary; declaratory or injunctive relief c punitive				
4. Number of causes of action (specify): One (1)				
5. This case ✓ is is not a class. If there are any known related cases, file a	ss action suit.	navuso form CM 015 \		
Date: March 12, 2015	and serve a notice of related case.	riay use form civi-ors.)		
Gretchen Carpenter		When Carpeal		
(TYPE OR PRINT NAME)		GNATURE OF PARTY OR ATTORNEY FOR PARTY)		
Plaintiff must file this cover sheet with the under the Probate Code, Family Code, or in sanctions.	NOTICE first paper filed in the action or proceeding Welfare and Institutions Code). (Cal. Rule	g (except small claims cases or cases filed es of Court, rule 3.220.) Failure to file may result		
<ul> <li>File this cover sheet in addition to any cover sheet required by local court rule.</li> <li>If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.</li> </ul>				
Unless this is a collections case under rule	3.740 or a complex case, this cover she	et will be used for statistical purposes only.		
Form Adopted for Mandatory Use Judicial Council of California CM-010 [Rev. July 1, 2007]	CIVIL CASE COVER SHEET	Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740; Cal. Standards of Judicial Administration, std. 3.10 www.courtinfo.ca.gov		

#### INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party. its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiffs designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

#### **Auto Tort**

Auto (22)-Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

#### Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death)

Asbestos (04) Asbestos Property Damage Asbestos Personal Injury/ Wrongful Death Product Liability (not asbestos or toxic/environmental) (24) Medical Malpractice (45) Medical Malpractice-Physicians & Surgeons

Other Professional Health Care Malpractice

Other PI/PD/WD (23) Premises Liability (e.g., slip

and fall) Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)

Intentional Infliction of **Emotional Distress** Negligent Infliction of

**Emotional Distress** Other PI/PD/WD

#### Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07) ----Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08) Defamation (e.g., slander, libel) (13)

Fraud (16)

Intellectual Property (19) © Professional Negligence (25)

Legal Malpractice Other Professional Malpractice (not medical or legal) Other Non-PI/PD/WD Tort (35)

**Employment** 

Wrongful Termination (36) Other Employment (15)

#### **CASE TYPES AND EXAMPLES**

#### Contract

Breach of Contract/Warranty (06) Breach of Rental/Lease Contract (not unlawful detainer or wronaful eviction) Contract/Warranty Breach-Seller Plaintiff (not fraud or negligence) Negligent Breach of Contract/ Warranty Other Breach of Contract/Warranty

Collections (e.g., money owed, open book accounts) (09) Collection Case-Seller Plaintiff Other Promissory Note/Collections

Case Insurance Coverage (not provisionally complex) (18)

**Auto Subrogation** Other Coverage

Other Contract (37) Contractual Fraud Other Contract Dispute

**Real Property** 

Eminent Domain/Inverse Condemnation (14)

Wrongful Eviction (33)

Other Real Property (e.g., quiet title) (26) Writ of Possession of Real Property Mortgage Foreclosure **Quiet Title** Other Real Property (not eminent

domain, landlord/tenant, or foreclosure)

#### **Unlawful Detainer**

Commercial (31)

Residential (32)

Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

**Judicial Review** 

Asset Forfeiture (05)

Petition Re: Arbitration Award (11)

Writ of Mandate (02)

Writ-Administrative Mandamus Writ-Mandamus on Limited Court

Case Matter

Writ-Other Limited Court Case

Review

Other Judicial Review (39) Review of Health Officer Order Notice of Appeal-Labor Commissioner Appeals

#### Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

#### **Enforcement of Judgment**

Enforcement of Judgment (20) Abstract of Judgment (Out of County) Confession of Judgment (nondomestic relations) Sister State Judgment Administrative Agency Award (not unpaid taxes) Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment

#### Miscellaneous Civil Complaint

RICO (27) Other Complaint (not specified above) (42) Declaratory Relief Only Injunctive Relief Only (non-

harassment) Mechanics Lien

Other Commercial Complaint Case (non-tort/non-complex) Other Civil Complaint

(non-tort/non-complex)

#### Miscellaneous Civil Petition

Partnership and Corporate Governance (21) Other Petition (not specified

above) (43) Civil Harassment Workplace Violence Elder/Dependent Adult Abuse **Election Contest** Petition for Name Change

Petition for Relief From Late Claim

Other Civil Petition