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David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Nunez, Deputy Clerk

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

10 Lyvette Grimes, individually and on behalf of  
11 all others similarly situated,

Case No. **23STCV19687**

12 Plaintiff,

13 - against -

Class Action Complaint

14 Ralphp Grocery Company,

Jury Trial Demanded

15 Defendant

16 Plaintiff alleges upon information and belief, except for allegations about Plaintiff, which  
17 are based on personal knowledge:

18 1. Ralphp Grocery Company (“Defendant”) sells slices of “Smoked Gouda” identified  
19 as having a “distinctive, smoky flavor” under the Private Selection brand (“Product”).

20 //

21 //



## I. SMOKING PROCESS

2. Smoking is a processing method to preserve or improve the flavor of food by exposing it to smoke, usually from burning wood.

3. The drying action of the smoke and the different phenol compounds helps to preserve protein-rich foods such as meat, cheese, almonds, and fish.

4. The origins of smoking date to prehistory, as nomadic peoples experimented with fire and primitive cheese products.

5. The earliest record of smoked cheese comes from ancient Rome, when an owner of a cheese shop was forced to share space in the *macellum* with a baker.<sup>1</sup>

6. The baker's wood burning fire imparted a distinct flavor to the cheese, which varied based on the type of wood that was used.

7. For example, wood chips from deciduous hardwood trees of the genus *Carya*, or hickory, provide a hearty and sweet flavor to cheese and meat.

8. During the second half of the twentieth century, the popularity of smoking

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<sup>1</sup> *Macellum* is the Italian name for the farmer's markets of ancient Roman that sold freshly made foods.

1 decreased due to the prevalence of “smoke flavor,” which is smoke condensed into a liquid form.<sup>2</sup>

2 9. The past two decades have seen consumers increasingly embrace foods without  
3 additives.

4 10. According to research group Mintel, this is partly due to media attention focused  
5 on lack of transparency in the food industry, and revelations about what goes into what people eat.<sup>3</sup>

6 11. This concern is especially acute given European Food Safety Authority (“EFSA”) reports that many liquid smoke flavorings contain compounds at potentially toxic levels.<sup>4</sup>

7  
8  
9 **II. FLAVOR SOURCE REQUIRED TO BE DISCLOSED**

10 12. Research shows that “consumers initially [] rely on extrinsic cues such as visual  
11 information on labels and packaging to evaluate [any] product,” thereby “develop[ing] sensory  
12 expectations” about attributes such as its taste and the source of that taste.<sup>5</sup>

13 13. Consistent with these principles, the Federal Food Drug and Cosmetic Act  
14 (“FFDCA”) authorized the Food and Drug Administration (“FDA”) to establish regulations to  
15 prominently inform consumers of the source of a food’s main flavor.

16 14. This State adopted and incorporated these laws and regulations through the  
17 Sherman Food, Drug, and Cosmetic Law. Cal. Health & Saf. Code § 109875, *et seq.* (“Sherman  
18 Law”).

19 15. These regulations require that whenever “[a] label, labeling, or advertising of a food  
20 makes any direct or indirect representations with respect to [a] primary recognizable flavor(s), by

21 \_\_\_\_\_  
22 <sup>2</sup> Matthew Sedacca, [Liquid Smoke: The History Behind a Divisive Culinary Shortcut – Barbecue's love/hate relationship with the manufactured flavor](#), Eater.com, June 15, 2016.

23 <sup>3</sup> Lynn Dornblaser, Director, Innovation & Insight, Mintel, Clean Label: Why this trend is important now, 2017.

24 <sup>4</sup> Faizah Ahmed, [Smoke-Flavored Foods May Be Toxic](#), Food Safety News, Feb. 16, 2010.

25 <sup>5</sup> Lancelot Miltgen et al., “Communicating Sensory Attributes and Innovation through Food Product Labeling,” *Journal of Food Products Marketing*, 22.2 (2016): 219-239; Helena Blackmore et al., “A Taste of Things to Come: The Effect of Extrinsic and Intrinsic Cues on Perceived Properties of Beer Mediated by Expectations,” *Food Quality and Preference*, 94 (2021): 104326; Masako Okamoto and Dan Ippeita, “Extrinsic Information Influences Taste and Flavor Perception: A Review from Psychological and Neuroimaging Perspectives,” *Seminars in Cell & Developmental Biology*, 24.3, Academic Press, 2013.

1 word, vignette, e.g., depiction of a fruit, or other means,” that is considered the “characterizing  
2 flavor,” and its source must be disclosed to consumers. 21 C.F.R. § 101.22(i).

3  
4 16. For example, where a food gets its entire taste from a characterizing ingredient or  
5 processing method, it should be labeled without the word “flavored.” 21 C.F.R. § 101.22(i)(1).

6 17. However, where some of the food’s taste is from a characterizing ingredient or  
7 processing method, but then contains added flavoring to simulate the taste of that ingredient or  
8 processing method, “the name of the characterizing flavor may be immediately preceded by the  
9 word ‘natural’ and shall be immediately followed by the word ‘flavored’..., e.g., ‘natural  
10 strawberry flavored shortcake,’ or ‘strawberry flavored shortcake.’” 21 C.F.R. § 101.22(i)(1)(i).

11 18. According to one commentator, this rule “is premised on the simple notion that  
12 consumers value ‘the real thing’ versus a close substitute and should be able to rely on the label to  
13 readily distinguish between the two.”<sup>6</sup>

14 19. For example, the FDA considered it misleading to describe a food as “smoked”  
15 when “true smoke is absorbed in a liquid or other medium, and that medium is added to a food to  
16 provide a smoke flavor.”

17 20. Even when a food has undergone some smoking, the addition of liquid smoke  
18 flavoring is required to be prominently disclosed on the front label, such as “with added smoke  
19 flavor,” “[with] natural smoke flavor” or “flavor added.”

20 21. The addition of liquid smoke flavor to cheese was significant enough to warrant a  
21 specific regulation for “Spiced, flavored standardized cheeses.” 21 C.F.R. § 133.193.

22 22. The FDA has warned companies that fail to inform consumers of foods advertised  
23 as smoked but have added smoke flavor:

24 If these smoke ingredients [natural smoke flavor] are added flavors,  
25 they should be declared in accordance with 21 C.F.R. § 101.22 [on  
26 the front of the label]; however, if these ingredients describe the  
smoking process, then they must not be listed as ingredients in the

27 <sup>6</sup> Steven Steinborn, Hogan & Hartson LLP, Regulations: Making Taste Claims,  
28 PreparedFoods.com, Aug. 11, 2006.

1 ingredient statement.<sup>7</sup>

2  
3 **III. LABEL IS MISLEADING**

4 23. The Product’s labeling is misleading because as a cheese with a federal and state  
5 standard of identity, the front label statement of “Gouda” is required to “include [] a declaration  
6 of any flavor [] that characterizes the food, in the manner prescribed in § 101.22 of this chapter.”  
7 21 C.F.R. § 133.193(b); 21 C.F.R. § 133.142 (“Gouda cheese.”).

8 24. However, the front label statements of “Smoked Gouda” and “distinctive, smoky  
9 flavor” fail to disclose the addition of liquid smoke flavoring.



18 25. Gouda cheese that gets its smoked taste exclusively from being smoked is not a rare  
19 or pricy delicacy and exists in the marketplace.

20 26. This type of cheese is not technologically or otherwise unfeasible to produce,  
21 shown through the labeling of other brands, identified as “Smoked Gouda” and “Hickory-Smoked  
22 Gouda Cheese Slices.”

23  
24  
25  
26  
27 <sup>7</sup> FDA [Warning Letter](#), Smoked Seafood, Inc. d/b/a Little Mermaid Smokehouse, MARCS-CMS  
28 515739 – June 27, 2017.



27. These products are labeled identically to the Private Selection Smoked Gouda, even though they get their smoked taste entirely from being smoked over hardwoods.

28. The result is that consumers are misled by products that appear identical, even though Private Selection Smoked Gouda is not equal in quality to those without added smoke flavor.

29. Where Gouda cheese has undergone some smoking but boosts its smoke taste by adding liquid smoke flavor, other companies represent this by the required front label statements, shown as “Smokehouse Gouda – Gouda Natural Cheese with Natural Smoke Flavor.”



30. Instead of disclosing the addition of smoke flavor on the front label, Private Selection Smoked Gouda relegates this information to the ingredient list on the back, where consumers in a hurry will not notice it.

**INGREDIENTS:** CULTURED PASTEURIZED MILK, SALT, ENZYMES, SMOKE FLAVOR, COLOR ADDED.

31. Consumers are misled because the absence of required, qualifying terms, i.e., “natural smoke flavored Gouda,” “smoke flavored Gouda,” or “Gouda with natural [added] smoke flavor,” gives them the false impression that the Product’s smoked attributes – including taste and color – are imparted only by smoking, when this is false. 21 C.F.R. § 101.22(i)(1)(i).

32. The “Smoke Flavor” and “Color Added” further misleads consumers by darkening the Product, giving the impression it was smoked for a longer period than it was.

33. The 400 flavor compounds which contribute to a “smoked taste” include pyrazines, aromatic hydrocarbons, alcohols, organic acids, esters, furans, phenols, carbonyl and noncarbonyl

1 compounds, and various oxygen- and nitrogen-containing heterocyclic compounds.

2 34. Added smoke flavor cannot compensate for the Product not getting its smoked taste  
3 only from being smoked over hardwoods for several reasons.

4 35. First, liquid smoke flavoring lacks the delicate balance of phenolic compounds,  
5 including 2,3-Butanedione, 2,3-Pentanedione, 3-Butanoic acid, 3-Methylbutanoic acid, 4-  
6 Ethylguaiacol, 4-Propylguaiacol and/or 4-Vinylguaiacol.

7 36. Second, the smoke generation process influences the wood-smoke chemical  
8 composition, generating compounds that are not capable of being included in a “smoke flavor,”  
9 like trans-isoeugenol and 4-methylsyringol.

10 37. When foods like Gouda cheese are exposed to volatiles and particulate matter found  
11 in smoke, they undergo chemical reactions which form new flavor compounds.

12 38. Third, certain compounds only serve as intermediates in the formation of more  
13 stable forms of compounds which are essential to the aroma of smoke.

14 39. Fourth, in most systems involving only smoke generation instead of smoking food,  
15 there is only a focus on volatile compounds which are believed to have distinctive odor properties  
16 at low concentrations.

17 40. This overlooks that nonvolatile compounds significantly contribute to smoke  
18 flavor.

19 **PARTIES**

20 41. Plaintiff Lyvette Grimes is a citizen of Los Angeles, Los Angeles County,  
21 California.

22 42. Defendant Ralphs Grocery Co. is an Ohio corporation with a principal place of  
23 business in Los Angeles, Los Angeles County, California.

24 43. Ralphs is the oldest grocery store chain west of the Mississippi River.

25 44. All 185 Ralphs stores are in Southern California.

26 45. Private Selection refers to the private label brand of products sold in Defendant’s  
27 stores.  
28



1  
2 46. This term denotes products manufactured or packaged for sale under the name of  
3 the retailer or its sub-brands rather than that of the manufacturer.

4  
5 47. Plaintiff purchased the Product on one or more occasions within the statutes of  
6 limitations for each cause of action alleged, at Ralph's grocery stores near where she lives between  
7 August 2020 and the present.

8 48. Plaintiff is like most consumers who prefer products, especially natural foods like  
9 cheese, which do not contain added flavorings, for the reasons indicated above.

10 49. Plaintiff read and relied on the front label statements of "Smoked Gouda" and  
11 "Distinctive, Smoky Flavor" and the darker colored cheese slices.

12 50. Plaintiff expected the Product's smoked taste was entirely from being smoked over  
13 hardwoods, instead of only some of its smoked taste being the result of such smoking.

14 51. Based on consumer experience with how foods containing added flavoring would  
15 disclose such facts to consumers on the front label, Plaintiff expected that if the Product used liquid  
16 smoke flavoring, this would be prominently presented to her.

17 52. As a result of the false and misleading representations, the Product is sold at a  
18 premium price, approximately \$3.39 per 10 slices (8 oz), excluding tax and sales, higher than  
19 similar products, represented in a non-misleading way, and higher than it would be sold for absent  
20 the misleading representations and omissions.

21 53. Plaintiff bought the Product at or exceeding the above-referenced price.

22 54. Plaintiff paid more for the Product than she would have had she known the  
23 representations and omissions were false and misleading or would not have purchased it.

24 55. The value of the Product that Plaintiff purchased was materially less than its value  
25 as represented by Defendant.

26 56. Plaintiff chose between Defendant's Product and products represented similarly,  
27 but which did not misrepresent their attributes, features, and/or components.

1  
2 57. Plaintiff intends to, seeks to, and will purchase the Product again when she can do  
3 so with the assurance the Product’s representations are consistent with its attributes, features,  
4 and/or composition.

5 58. Plaintiff is unable to rely on the representations not only of this Product, but other  
6 similar foods that are represented as being smoked because she is unsure whether those  
7 representations are truthful.

8 59. If Defendant’s labeling were to be truthful, Plaintiff could rely on the labeling of  
9 other such products.

10 **JURISDICTION AND VENUE**

11 60. Jurisdiction over this proceeding is based on activity in the State of California, and  
12 in this County, and misconduct alleged herein which was intentionally directed at residents of the  
13 State of California.

14 61. This Court has jurisdiction under Article VI, § 10 of the California Constitution and  
15 § 410.10 of the Code of Civil Procedure (“CCP”).

16 62. This Court has subject matter jurisdiction over this class action pursuant to Bus. &  
17 Prof Code (“BPC”) § 17200 *et seq.* (the “UCL”) and CCP § 382.

18 63. Plaintiff does not assert claims arising under the laws of the United States of  
19 America.

20 64. Venue is proper in this judicial district pursuant to CCP § 395, because Defendant  
21 sells the Product to consumers within this State from Ralphs grocery stores and Plaintiff relied on  
22 the representations made to her in this County, which is where she learned they were false and  
23 misleading.

24 **CLASS DEFINITION AND ALLEGATIONS**

25 65. This action is brought as a class action pursuant to CCP § 382 on behalf of the  
26 following class:

27 **California Class:** All persons in California who purchased  
28 the Product in California during the statutes of limitations for  
each cause of action alleged.

1  
2 66. Excluded from the Class are (a) Defendant, Defendant’s board members, executive-  
3 level officers, and attorneys, and immediate family members of any of the foregoing persons; (b)  
4 governmental entities; (c) the Court, the Court’s immediate family, and Court staff and (d) any  
5 person that timely and properly excludes himself or herself from the Class.

6 67. Common questions of issues, law, and fact predominate and include whether  
7 Defendant’s representations were and are misleading and if Plaintiff and class members are entitled  
8 to damages.

9 68. Plaintiff’s claims and basis for relief are typical to other members because all were  
10 subjected to the same unfair, misleading, and deceptive representations, omissions, and actions.

11 69. Plaintiff is an adequate representative because her interests do not conflict with  
12 other members.

13 70. No individual inquiry is necessary since the focus is only on Defendant’s practices  
14 and the class is definable and ascertainable.

15 71. The class of persons is sufficiently numerous because Defendant has sold the  
16 Product with the identified representations for several years throughout this State, and it was  
17 bought by thousands of consumers.

18 72. Individual actions would risk inconsistent results, be repetitive and are impractical  
19 to justify, as the claims are modest relative to the scope of the harm.

20 73. Plaintiff’s counsel is competent and experienced in complex class action litigation  
21 and intends to protect class members’ interests adequately and fairly.

22 74. Plaintiff seeks class-wide injunctive relief because the practices continue.

23 **CLAIMS FOR RELIEF**

24 **FIRST CLAIM**

25 **Violation of California’s Unfair Competition Law,  
26 Cal. Bus. & Prof. Code § 17200, *et seq.***

27 75. Plaintiff incorporates all preceding paragraphs.

28 76. California’s Unfair Competition Law, BPC § 17200, *et seq.* (“UCL”), prohibits any  
unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading

1 advertising.

2  
3 77. Defendant’s representations and omissions are “unlawful” because they violate the  
4 FFDCFA and its implementing regulations, including:

5 (a) 21 U.S.C. § 343(a), which deems food misbranded when the label is “false  
6 or misleading in any particular”;

7 (b) 21 C.F.R. § 101.22(i)(1)(i), which requires that the addition of flavoring  
8 simulating a characterizing ingredient or processing method be disclosed to  
9 consumers; and

10 (c) 21 C.F.R. § 133.193(b), which requires a cheese with a federal and state  
11 standard of identity to “include [] a declaration of any flavor [] that  
12 characterizes the food, in the manner prescribed in § 101.22 of this chapter.”  
13 21 C.F.R. § 133.193(b);

14 78. Defendant’s conduct is “unlawful” because it violates California’s False  
15 Advertising Law, BPC § 17500, *et seq.* (“FAL”), and Consumer Legal Remedies Act, Cal. Civ.  
16 Code § 1750, *et seq.* (“CLRA”).

17 79. Defendant’s conduct violates the Sherman Law, including:

18 (a) Section 110111 (adopting all FDA nonprescription drug regulations as state  
19 regulations);

20 (b) Section 110290 (“In determining whether the labeling or advertisement of  
21 a food ... is misleading, all representations made or suggested by statement,  
22 word, design, device, sound, or any combination of these, shall be taken into  
23 account. The extent that the labeling or advertising fails to reveal facts  
24 concerning the food ... or consequences of customary use of the food ...  
25 shall also be considered.”);

26 (c) Section 110390 (“It is unlawful for any person to disseminate any false  
27 advertisement of any food.... An advertisement is false if it is false or  
28 misleading in any particular.”);

1 (d) Section 110395 (“It is unlawful for any person to manufacture, sell, deliver,  
2 hold, or offer for sale any food ... that is falsely advertised.”);

3 (e) Section 110398 (“It is unlawful for any person to advertise any food, drug,  
4 device, or cosmetic that is adulterated or misbranded.”); and

5 (f) Section 110400 (“It is unlawful for any person to receive in commerce any  
6 food ... that is falsely advertised or to deliver or proffer for delivery any  
7 such food....”); and

8 (g) Section 110660 (“Any food is misbranded if its labeling is false or  
9 misleading in any particular.”).

10 80. Each of the challenged statements and omissions made and actions taken by  
11 Defendant as described herein violates the FFDCA, FAL, and Sherman Law, and therefore violates  
12 the “unlawful” prong of the UCL.

13 81. Defendant’s conduct was and continues to be unfair and fraudulent because it made  
14 materially false representations and omissions that caused consumers to believe the Product’s  
15 smoked taste and darker color was only from being smoked over hardwoods even though this was  
16 due in part to added liquid smoke flavoring.

17 82. Defendant is aware of the representations and omissions it has made about the  
18 Product and that the Product’s smoked taste and darker color was not only from being smoked  
19 over hardwoods but due in part to added liquid smoke flavoring.

20 83. Had Plaintiff been aware of Defendant’s practices, she would not have purchased  
21 the Product or paid as much, suffering damages.

22 84. In accordance with Cal. Bus. & Prof. Code § 17203, Plaintiff seeks an order  
23 enjoining Defendant from continuing to conduct business through unlawful, unfair, and/or  
24 fraudulent acts and practices and to commence corrective advertising.

25 **SECOND CLAIM**

26 **Violation of California’s False Advertising Law,  
27 Cal. Bus. & Prof. Code § 17500, *et seq.***

28 85. The FAL prohibits “mak[ing] any false or misleading advertising claim.”

1  
2 86. Defendant makes “false [and] misleading advertising claim[s]” by deceiving  
3 consumers about how the Product’s smoked taste and darker color was only from being smoked  
4 over hardwoods even though this was due in part to added liquid smoke flavoring.

5 87. In reliance on this false and misleading advertising, Plaintiff purchased and  
6 consumed the Product without knowledge its smoked taste and darker color was not only from  
7 being smoked over hardwoods but due in part to added liquid smoke flavoring.

8 88. Defendant knew or should have known that its representations and omissions were  
9 likely to deceive consumers.

10 89. Plaintiff and Class Members seek injunctive and equitable relief, restitution, and an  
11 order for the disgorgement of the funds by which Defendant was unjustly enriched.

12 **THIRD CLAIM**  
13 **Violation of California’s Consumers Legal Remedies Act,**  
14 **Cal. Civ. Code § 1750, *et seq.***

15 90. The CLRA adopts a statutory scheme prohibiting deceptive practices in connection  
16 with the conduct of a business providing goods, property, or services primarily for personal,  
17 family, or household purposes.

18 91. Defendant’s policies, acts, and practices were designed to, and did, result in the  
19 purchase, consumption and/or use of the Product primarily for personal, family, or household  
20 purposes, and violated and continue to violate sections of the CLRA, including:

- 21 (a) Civil Code § 1770(a)(5), because Defendant represented that the Product  
22 had characteristics, attributes, features, capabilities, uses, benefits, and  
23 qualities it did not have;
- 24 (b) Civil Code § 1770(a)(9), because Defendant advertised the Product with an  
25 intent not to sell it as advertised; and
- 26 (c) Civil Code § 1770(a)(16), because Defendant represented that the Product  
27 had been supplied in accordance with its previous representations, when it  
28 was not.

92. Pursuant to the provisions of Cal. Civ. Code § 1782(a), Plaintiff will send a CLRA

1 Notice to Defendant concurrently with the filing of this action or shortly thereafter, which details  
2 and includes these violations of the CLRA, demand correction of these violations, and provide the  
3 opportunity to correct these business practices.  
4

5 93. If Defendant does not correct these business practices, Plaintiff will amend or seek  
6 leave to amend the Complaint to add claims for monetary relief, including restitution and actual  
7 damages under the CLRA, and injunctive relief to enjoin the unlawful methods, acts and practices  
8 alleged, pursuant to Cal. Civ. Code § 1780.

9 **FOURTH CLAIM**  
10 **Breach of Express Warranty**

11 94. The Product was manufactured, identified, marketed and sold by Defendant and  
12 expressly warranted to Plaintiff that its smoked taste and darker color was only from being smoked  
13 over hardwoods even though this was due in part to added liquid smoke flavoring.

14 95. Defendant directly marketed the Product to Plaintiff and consumers through its  
15 advertisements and marketing, through various forms of media, on the packaging, in print  
16 circulars, direct mail, product descriptions distributed to resellers, and targeted digital advertising.

17 96. Defendant knew the product attributes that potential customers like Plaintiff were  
18 seeking, foods that did not have added flavor additives and got their taste through natural processes  
19 and developed its marketing and labeling to directly meet those needs and desires.

20 97. Defendant's representations about the Product were conveyed in writing and  
21 promised it would be defect-free, and Plaintiff understood this meant that its smoked taste and  
22 darker color was only from being smoked over hardwoods even though this was due in part to  
23 added liquid smoke flavoring.

24 98. Defendant affirmed and promised that the Product's smoked taste and darker color  
25 was only from being smoked over hardwoods even though this was due in part to added liquid  
26 smoke flavoring.

27 99. Defendant described the Product so Plaintiff and consumers believed its smoked  
28 taste and darker color was only from being smoked over hardwoods even though this was due in

1 part to added liquid smoke flavoring, which became part of the basis of the bargain that it would  
2 conform to its affirmations and promises.

3 100. Defendant had a duty to disclose and/or provide non-deceptive descriptions and  
4 marketing of the Product.

5 101. This duty is based on its outsized role in the market for this type of Product, based  
6 on the recognition and goodwill built up over decades under the Private Selection brand.

7 102. Plaintiff recently became aware of Defendant's breach of the Product's warranties.

8 103. Plaintiff provided or provides notice to Defendant, its agents, representatives,  
9 retailers, and their employees that it breached the Product's warranties.

10 104. Defendant received notice and should have been aware of these issues due to  
11 complaints by third parties, including regulators, competitors, and consumers, to its main offices,  
12 and by consumers through online forums.

13 105. The Product did not conform to its affirmations of fact and promises due to  
14 Defendant's actions.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff, on behalf of herself and members of the proposed Class, pray for  
17 judgment and relief as follows:

- 18 A. Certification of the Class, designating Plaintiff as representative of the Class and  
19 Plaintiff's Counsel as counsel for the Class;  
20 B. A declaration that Defendant has committed the violations alleged;  
21 C. For injunctive relief the Court deems appropriate;  
22 D. For restitution and disgorgement pursuant to, without limitation, the California  
23 Business & Professions Code §§ 17200, *et seq.* and Cal Civ. Code § 1780, except  
24 for monetary damages under the CLRA;  
25 E. Compensatory damages, the amount of which is to be determined at trial, except  
26 for monetary damages under the CLRA;  
27 F. For punitive damages;  
28



- 1  
2 G. For attorneys' fees;  
3 H. For costs of suit incurred;  
4 I. For pre- and post-judgment interest; and  
5 J. For such further relief as this Court may deem just and proper.

6 **DEMAND FOR JURY TRIAL**

7 Plaintiff demands a jury trial on all causes of action so triable.

8 Dated: August 17, 2023

9 Respectfully submitted,

10 /s/ Kyle Gurwell

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