

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JASMINE ROJAS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

KIMBERLY-CLARK CORPORATION,

Defendant.

Civil Action No.: 1:26-cv-1331

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Jasmine Rojas (“Plaintiff”) brings this action on behalf of herself and all others similarly situated against Defendant Kimberly-Clark Corporation (“Defendant” or “Huggies”). Plaintiff makes the following allegations pursuant to the investigation of her counsel and based upon information and belief, except as to the allegations specifically pertaining to herself, which are based on personal knowledge.

NATURE OF THE ACTION

1. This action seeks to remedy the deceptive and misleading business practices by Defendant with respect to its hypoallergenic-branded Huggies Little Movers Diapers (the “Product.”).
2. The market for skin-sensitive hygiene products has exploded as consumers seek products that can help relieve, or otherwise not agitate, certain skin irritations brought on by conditions like eczema and external conditions like pollution, stress, and exposure to harsh weather.
3. This action involves one such line of Products: Defendant’s hypoallergenic-branded Huggies Little Movers Diapers, sold by Defendant at various retailers including Amazon, Target, and Safeway online and in brick-and-mortar stores across the United States and New York.

4. The Product claims on the label to be “hypoallergenic.” Images on its sales page reaffirms this quality, prominently noting that the Product is “made for sensitive skin,” and free of “harsh irritants.”

PARTIES

5. Plaintiff Jasmine Rojas is a New York citizen and resident of Corona, New York. Plaintiff purchased the Product on multiple occasions from Amazon.com, from her home including as recently as January 1, 2026. In so doing, Plaintiff purchased the Product in part because she sought a hypoallergenic diaper for her daughter who has eczema. Plaintiff regularly seeks out hygiene products that are intended for sensitive skin. Plaintiff reviewed Defendant’s representations that the Product was “hypoallergenic” and made for sensitive skin, and so reasonably believed that the Product did not contain any irritating ingredients.

6. Defendant Kimberly-Clark Corporation (“Defendant” or “Huggies”) is a corporation with its principal place of business in Irving, Texas. Defendant markets, sells, and distributes the Product throughout the contiguous United States, including in New York. Defendant manufactured, marketed, and sold the Product at issue at all times during the relevant class period.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction under the Class Action Fairness Act, 28 U.S.C. § 1332(d) (“CAFA”), in that: (1) this is a class action involving more than 100 class members and at least one class member is a citizen of a state different from at least one Defendant; and (2) the amount in controversy is in excess of \$5,000,000, exclusive of interests and costs.

8. This Court has personal jurisdiction over Defendant because Defendant conducts and transacts business in the state of New York, and contracts to supply goods within the State of New York, such that they have continuous and systematic contacts with the State of New York.

9. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this District.

FACTUAL ALLEGATIONS

10. The market for hypoallergenic hygiene products is one of the fastest growing. Some estimates project this segment to reach more than \$80 billion in market share by 2030. This is credited largely to consumers' awareness of skin sensitivities.¹

11. This market is driven by "growing consumer focus on skin integrity and dermatological care[.] Increasing awareness of conditions such as eczema, xerosis, and barrier dysfunction has prompted individuals to seek out soap with clinically validated benefits."² For example, "approximately 16.5 million adults in the United States suffer from eczema, with 90% reporting that their choice of cleanser directly impacts flare frequency."³ Consumers thus have turned to the hypoallergenic products to avoid these issues.

12. This trend is especially true for diapers. "The increased height of baby hygiene concerns among caregivers and parents has also led diaper manufacturers to think outside the box and offer modern diaper products with features such as increased absorbency, more breathable materials, and hypoallergenic properties."⁴ It should come as no surprise then that "[c]hemical-free and hypoallergenic baby products are trending features driving diaper purchases."⁵

¹ GRAND VIEW RESEARCH, *Sensitive Skin Care Products Market (2024-2030)*, <https://www.grandviewresearch.com/industry-analysis/sensitive-skin-care-products-market-report#:~:text=The%20global%20sensitive%20skin%20care,using%20gentle%20and%20hypoal,lergenic%20products.>

² MARKET DATA FORECAST, *North America Bath Sopa Market Size, Share, Growth Trends, and Forecast Research Reprot, Segmented by Product, Form, and County (The United States, Canda, Mexico, Rest of North America), Industry Analysis From (2025 to 2033)*, [https://www.marketdataforecast.com/market-reports/north-america-bath-soap-market.](https://www.marketdataforecast.com/market-reports/north-america-bath-soap-market)

³ *Id.*

⁴ GLOBAL MARKET INSIGHTS, *Baby Diapers Market Size & Share 2025-2034*, [https://www.gminsights.com/industry-analysis/baby-diapers-market.](https://www.gminsights.com/industry-analysis/baby-diapers-market)

⁵ *Id.*

13. Defendant seeks to capitalize on this available market. It sells its Huggies Little Movers diapers which prominently claims to be “hypoallergenic.”



14. While there is no legal requirement for what can and cannot be labeled as hypoallergenic, consumers’ understandings fill that gap. Tellingly, “[b]ack in the 70s, FDA suggested that the hypoallergenic label should only be applied to products proven to reduce allergic reactions. But big name manufacturers fought back saying that those tests would cost too much.”⁶

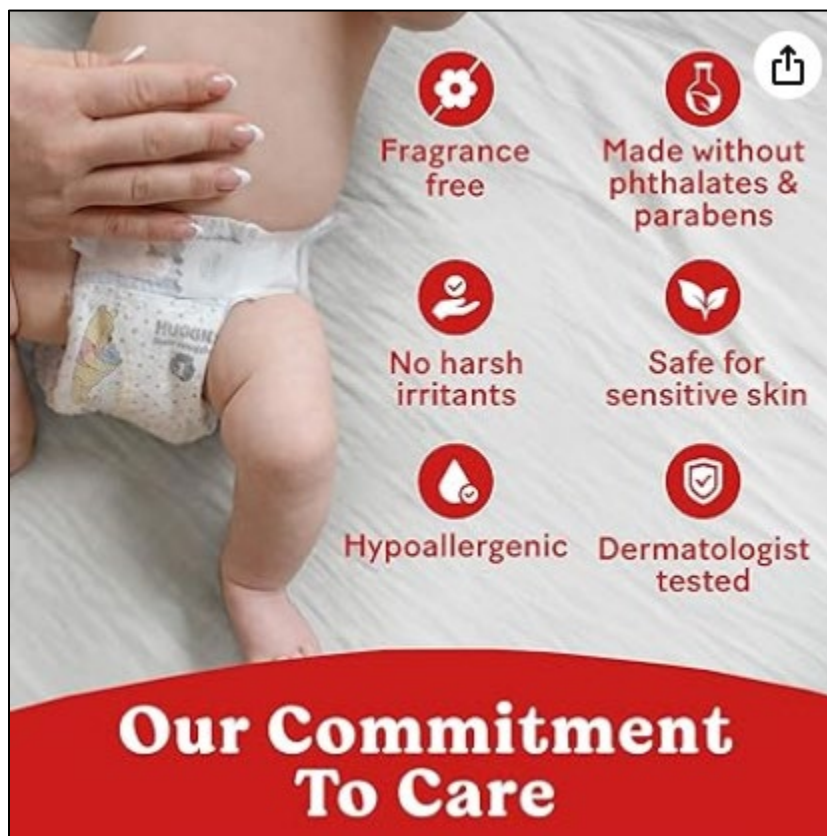
15. Merriam-Webster defines “hypoallergenic” to mean “having little likelihood of causing an allergic response.”⁷ But companies, like Defendant, put the “hypoallergenic” label where they can to sell products, even if the Product contains ingredients that cause skin irritation.

⁶ Britannica, *What Does Hypoallergenic Really Mean for Consumer Products?*, <https://www.britannica.com/video/claims-products/-207626>.

⁷ MERRIAM-WEBSTER, *Hypoallergenic*, <https://www.merriam-webster.com/dictionary/hypoallergenic>.

16. This is a common practice. One set of “[r]esearchers analyzed 187 children’s personal care products with labels such as hypoallergenic, dermatologist recommended and tested, and paraben free[and found] 89% contained at least one chemical known to cause a skin rash. 11% contained 5 or more allergens that can cause a reaction on contact.”⁸

17. Defendant’s Amazon page harps on the benefits of the Product being hypoallergenic.



18. These representations contribute to an overall impression that the Product is designed to be chemical free and pose no risk of harming babies with and without sensitive skin. Indeed, Defendant sells scores of other diaper products that do not have the “hypoallergenic” label on the front.

⁸ Britannica, *Supra* note 4.

19. Unfortunately for consumers, however, the Product contains ingredients—within Defendant’s knowledge—that cause, or risk causing, severe allergic reactions.

20. Indeed, reviews are chockablock with parents complaining that the Product gave their child rashes or other allergic reactions:

★☆☆☆☆ Would not recommend
1 March, 2026 Verified purchase

Don't Buy, Quality Significantly Decreased

These leak and seem thin and cheap. I was wondering if they were on sale because there was something wrong with the batch?! We used these 3 years ago for my daughter, but the quality has gone WAY down hill since then and it's not worth the laundry you have to do for the price you pay for these diapers. My son's skin seems more irritated with these dlapers and he usually has no issues. Will never buy Huggles again.

It's okay

[This review was collected as part of a promotion.] They fit my baby really well and no leak. But unfortunately they gave him a rash after a few uses. The waistband and shape are great for activities bables, but the material didn't work for my baby skin.

21. The Product is purportedly designed with a new formulation exhibited by an interior blue lining. The chemical composition of this new lining is within Defendant’s exclusive knowledge. Nonetheless, this change has caught the attention of consumers—namely because of the chemical smell associated with it:



Blount County News

June 29, 2025 · 🌐



Parents sound alarm over potential rash-causing change in Huggies diapers

Parents across social media are raising concerns after several reports of severe diaper rashes—some described as chemical burn-like—linked to a recent manufacturing change in Huggies diapers.

One local mother shared her experience online, saying her child developed painful spots and irritation after using a diaper with a newly added blue liner. She had previously been loyal to the brand but is now switching to Pampers, citing safety concerns.


Others have echoed similar stories online, specifically mentioning issues with Huggies "Little Movers" diapers. Though no official recall has been issued, the surge in complaints has prompted many families to reconsider their diaper choices.


👉 If your child experiences redness, irritation, or rash from any diaper, pediatricians recommend stopping use immediately and consulting your healthcare provider.


👉 As of now, there has been no public statement from Huggies regarding the reported issue.



22. These concerns track what other consumers have experienced:


 **Tamara Lee**
My daughter has huge chemical burns with this new batch of Huggies. I don't know what is happening. It's legit burned, severely red and she screams when she goes to the bathroom. I change her immediately every time. Something is OFF ...
24w

 **LaShelle McMillan**
My daughter has chemical burns all over her vagina from these. Including a 2inch second degree burn that has blistered. She's never had a rash or sensitivity in her life. This was our first and last time using Huggies diapers. Them and Target will be hearing from my attorney! ...
30w

 **Amanda Aliff Bliss**
We tried a small pack of little movers and he broke out in a red rash all over. Switched back to the target brand and no problems. ...
35w

23. In the comments on Target's sales page, consumers have complained of a chemical smell:

Unfortunately it's no for me
Huggles use to be my go to brand Over the years It has definitely changed The quality Isn't the same the durability, protection from leaks, extreme chemical smell

 1 reply from Huggles team - 1 year ago

We're disappointed to hear this! Your satisfaction means a lot and we'd like to learn more about your feedback to help further. When you get a chance, please give us a call at 1-877-648-2484 (weekdays, 8 a.m. to 5 p.m. CST). Thank you!

Marie

24. Unfortunately for consumers, like Plaintiff, in the market for hypoallergenic baby products for their children, Defendant promotes its Product as meeting that desire when it does not. Scores of parents have alarmingly encountered rashes, burns, and other skin irritations on their children after using Defendant's Product.

25. No reasonable consumer would purchase diapers for their children advertised as being hypoallergenic—when they could simply purchase non-hypoallergenic alternatives—had they known that the “hypoallergenic” Product exposed (or risked exposing) their children to chemicals that irritate skin. This is especially true for parents seeking a hypoallergenic diaper for children with skin sensitivity.

26. Worse, Defendant’s “hypoallergenic” variety contains many of the same ingredients as its Little Movers product *without* the hypoallergenic claim on the front. On the hypoallergenic Product’s top panel, Defendant lists these ingredients:

INGREDIENTS / INGRÉDIENTS : SODIUM POLYACRYLATE, POLYPROPYLENE, CELLULOSE, POLYETHYLENE, CALCIUM CARBONATE, HYDROCARBON RESIN/RÉSINE HYDROCARBONÉE, POLYESTER, SPANDEX, STYRENE/BUTADIENE COPOLYMER, TITANIUM DIOXIDE, PEG-10, SORBITAN OLEATE, PEG-10 HYDROGENATED CASTOR OIL, OLEYL PALMITAMIDE, PEG-10 CASTOR OIL, PIGMENT BLUE 15, PIGMENT BLUE 29, PEG-12 DILAURATE, PEG-15 COCOATE, PIGMENT VIOLET 23, PARAFFIN WAX, PIGMENT YELLOW 14, PIGMENT YELLOW 13, PIGMENT GREEN 7, PIGMENT RED 57:1, DIETHYLHEXYL SODIUM SULFOSUCCINATE, PIGMENT RED 52:1, PIGMENT RED 122, PIGMENT ORANGE 16, PIGMENT BLACK 7, PIGMENT YELLOW 74, BROMOCRESOL GREEN, PIGMENT VIOLET 19, PIGMENT YELLOW 155, PIGMENT YELLOW 12, PIGMENT RED 52, PIGMENT RED 200, PIGMENT YELLOW 83, PIGMENT ORANGE 34, PIGMENT RED 254, PIGMENT WHITE 21, PIGMENT RED 170, PIGMENT RED 146, PIGMENT RED 48:3, PIGMENT RED 63:1, PIGMENT RED 48, ACID VIOLET 17, PIGMENT RED 176, PIGMENT RED 22, PIGMENT RED 101, ACID BLUE 9, YELLOW 5.

27. On Target’s website, Defendant’s Little Movers HuggFit360⁹ *without* the hypoallergenic label contains:

Ingredients:
Sodium Polyacrylate, Polypropylene, Cellulose, Polyethylene, Hydrocarbon Resin, Spandex, Calcium Carbonate, Polyester, Styrene Copolymer, Styrene Copolymer, Titanium Dioxide, Pentaerythrityl Rosinate, Peg-10 Castor Oil, Sorbitan Oleate, Peg-15 Cocoate, Peg-10 Hydrogenated Castor Oil, Oleyl Palmitamide, Pigment Green 7, Pigment Black 7, Pigment Blue 15, Pigment Yellow 14, Pigment Red 122, Pigment Red 57:1, Pigment Violet 23, Pigment Orange 34, Pigment Red 254, Tocopherol, Diethylhexyl Sodium Sulfosuccinate, Bromocresol Green, Pigment Yellow 74, Pigment Red 170, Pigment Orange 16, Pigment Red 63.1, Pigment Red 101.

28. Both contain sodium polyacrylate, polypropylene, cellulose, hydrocarbon resin, spandex, titanium dioxide, polyethylene, and overlapping coloring agents, among others. Indeed, it is not clear what differentiates the hypoallergenic Product from its non-hypoallergenic alternative. But the claim attracts consumers.

⁹ Target.com, *Huggies Little Movers HuggFit 360*, available <https://www.target.com/p/huggies-little-movers-huggfit-360-disposable-diapers-size-6-80ct/-/A-92933936>.

CLASS ALLEGATIONS

29. Plaintiff brings her claims for relief pursuant to the Federal Rules of Civil Procedure 23(a) and 23(b)(3) on behalf of the following Class (collectively “the Class”):

All consumers who purchased the Product in the State of New York at any time during the relevant statute of limitations.

30. Excluded from the Class is any governmental entities, Defendant, any entity in which Defendant has a controlling interest, and Defendant’s officers, directors, affiliates, legal representatives, employees, co-conspirators, successors, subsidiaries, and assigns, as well as any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff.

31. The Class is properly brought and should be maintained as a class action under Rule 23(a), satisfying the class action prerequisites of numerosity, commonality, typicality, and adequacy because:

32. **Numerosity**: Class Members are so numerous that joinder of all members is impracticable. Plaintiff believes that there are thousands of consumers in the Class who are Class Members as described above who have been damaged by Defendant’s deceptive and misleading practices.

33. **Commonality**: The questions of law and fact common to the Class Members which predominate over any questions which may affect individual Class Members include, but are not limited to:

- a. Whether Defendant is responsible for the conduct alleged herein which was uniformly directed at all consumers who purchased their Product;
- b. Whether the Product contains chemicals, what type, and in what quantities that render the hypoallergenic representation false and misleading;
- c. Whether reasonable consumers understand hypoallergenic to mean the Product is free from allergen-causing ingredients;

- d. Whether Defendant's misconduct set forth in this Complaint demonstrates that Defendant engaged in unfair, fraudulent, or unlawful business practices with respect to the advertising, marketing, and sale of their Product;
- e. Whether Defendant's false and misleading statement concerning their Product was likely to deceive the public; and
- f. Whether Plaintiff and the Class are entitled to money damages under the same causes of action as the other Class Members.

34. **Typicality:** Plaintiff is a member of the Class. Plaintiff's claims are typical of the claims of each Class Member in that every member of the Class was susceptible to the same deceptive, misleading conduct, purchased Defendant's Product, and suffered the same injury. Plaintiff is entitled to relief under the same causes of action as the other Class Members.

35. **Adequacy:** Plaintiff is an adequate Class representative because her interests do not conflict with the interests of the Class Members she seeks to represent, she has a strong interest in vindicating her rights and the rights of the Class, she has retained counsel competent and experienced in complex class action litigation, and counsel intends to vigorously prosecute this action.

36. **Predominance:** Pursuant to Rule 23(b)(3), the common issues of law and fact identified above predominate over any questions affecting only individual members of the Class. The Class issues fully predominate over any individual issue because no inquiry into individual conduct is necessary; all that is required is a narrow focus on Defendant's deceptive and misleading marketing and labeling practices.

37. **Superiority:** A class action is superior to the other available methods for the fair and efficient adjudication of this controversy because:

- a. The joinder of thousands of individual Class Members is impracticable, cumbersome, unduly burdensome, and a waste of judicial and/or litigation resources;
- b. The individual claims of the Class Members may be relatively modest compared with the expense of litigating the claims, thereby

making it impracticable, unduly burdensome, and expensive—if not totally impossible—to justify individual actions;

- c. When Defendant’s liability has been adjudicated, all Class Members’ claims can be determined by the Court and administered efficiently in a manner far less burdensome and expensive than if it were attempted through filing, discovery, and trial of all individual cases;
- d. This class action will promote orderly, efficient, expeditious, and appropriate adjudication and administration of Class claims;
- e. Plaintiff knows of no difficulty to be encountered in the management of this action that would preclude its maintenance as a class action;
- f. This class action will ensure uniformity of decisions among Class Members;
- g. The Class is readily definable and prosecution of this action as a class action will eliminate the possibility of repetitious litigation;
- h. Class Members’ interests in individually controlling the prosecution of separate actions is outweighed by their interest in efficient resolution by single class action; and
- i. It would be desirable to concentrate in this single venue the litigation of all Class Members who were induced by Defendant’s uniform false advertising to purchase their Product because they contain ingredients rendering the “hypoallergenic” representation false and misleading.

38. Accordingly, this Class is properly brought and should be maintained as a class action under Rule 23(b)(3) because questions of law or fact common to Class Members predominate over any questions affecting only individual members, and because a class action is superior to other available methods for fairly and efficiently adjudicating this controversy.¹⁰

COUNT I
Violation of New York’s General Business Law § 349 (“GBL”)
(On Behalf of Plaintiff and Class)

39. Plaintiff repeats and realleges each and every allegation contained in all the foregoing paragraphs as if fully set forth herein.

40. Plaintiff brings this claim individually and on behalf of the Class against

¹⁰ Plaintiff reserves the right to amend or modify the Class definition as this case progresses.

Defendants.

41. This claim is brought pursuant to the laws of the State of New York.

42. New York General Business Law Section 349 (“GBL § 349”) declares unlawful “[d]eceptive acts or practices in the conduct of any business, trade, or commerce or in the furnishing of any service in this state.”

43. Defendant committed deceptive acts and practices by employing false, misleading, and deceptive representations and/or omissions about the presence of skin allergen ingredients in its sensitive skin, hypoallergenic Product.

44. Information as to ingredients are within Defendant’s exclusive control. Moreover, Plaintiff is not required to look to the back label of the Product to find information contradictory the express representations prominent on the front.

45. Defendant’s deceptive acts and practices were directed at consumers.

46. Defendant’s deceptive acts and practices are misleading in a material way because they violate consumers’ reasonable expectations. Defendant knew consumers would purchase its Product and/or pay more for it under the false – but reasonable – belief that the Product was free of any skin irritating ingredients that cause—or risks causing—allergic reactions. But Defendant included these ingredients in the Product despite claiming it to be made for sensitive skin and hypoallergenic.

47. Defendant was able to sell the Product at a higher price than it otherwise could as a result of the claim that the Product is hypoallergenic.

48. Defendant knows that health information about its Products is material to consumers. If such information were not material, Defendant would not market the Product as being for sensitive skin and hypoallergenic on some products but not others. As a result of its

deceptive acts and practices, Defendant sold tens if not hundreds of thousands of its Product to unsuspecting consumers across New York.

49. If Defendant had advertised the Product truthfully and in a non-misleading fashion, Plaintiff and other Class Members would not have purchased them or would not have paid as much as they did for them.

50. As a direct and proximate result of Defendant's false, misleading, and deceptive representations and/or omissions, Plaintiff and other Class Members were injured in that would not have purchased the Product, or would have paid substantially less for it, but for Defendant's misrepresentations and omissions concerning the hypoallergenic nature of the Product.

51. On behalf of herself and Members of the Class, Plaintiff seeks to recover her actual damages or fifty (50) dollars, whichever is greater, three times actual damages, and reasonable attorneys' fees.

COUNT II
Violation of New York's GBL § 350
(On Behalf of Plaintiff and Class Members)

52. Plaintiff repeats and realleges each and every allegation contained in all the foregoing paragraphs as if fully set forth herein.

53. Plaintiff brings this claim individually and on behalf of Class Members against Defendant.

54. This claim is brought pursuant to the laws of the State of New York.

55. N.Y. Gen. Bus. Law § 350 provides, in part, as follows: False advertising in the conduct of any business, trade, or commerce or in the furnishing of any service in this state is hereby declared unlawful.

56. N.Y. Gen. Bus. Law § 350-A(1) provides, in part, as follows: "The term 'false advertising,' means advertising, including labeling, of a commodity, or of the kind, character,

terms or conditions of any employment opportunity if such advertising is misleading in a material respect. In determining whether any advertising is misleading, there shall be taken into account (among other things) not only representation made by statement, word, design, device, sound or any combination thereof, but also the extent to which the advertising fails to reveal facts material in the light of such representations with respect to the commodity or employment to which the advertising relates under the conditions proscribed in said advertisement, or under such conditions as are customary or usual.”

57. Defendant’s labeling and advertisements contain untrue and materially misleading statements concerning Defendant’s Product inasmuch as it misrepresents the hypoallergenic nature of the Product. By misrepresenting the true contents of the Products, Defendant’s marketing and labeling misleads a reasonable consumer.

58. Defendants had exclusive knowledge of the ingredient and ingredient composition in the Product.

59. Defendant’s misrepresentations and omissions were material because consumers, like Plaintiff, buy similar products with preferences toward hygiene products without skin allergens—especially when the product is labeled as hypoallergenic.

60. As a result of Defendant’s misrepresentations and omissions, Plaintiff and members of the Class suffered economic injury because they would not have purchased the Products, or would have paid substantially less for it, if they had known that the Product contained allergy-causing ingredients and was otherwise not hypoallergenic.

61. Defendant was able to sell the Product at a higher price than they otherwise could as a result of the claim that the Product is hypoallergenic.

62. Defendant’s material misrepresentations were substantially uniform in content, presentation, and impact upon consumers at large. Moreover, all consumers purchasing the

Product were, and continue to be, exposed to Defendant's material misrepresentations.

63. As a result of Defendant's recurring, unlawful deceptive acts and practices, Plaintiff and Class Members are entitled to monetary, statutory damages of \$500 per unit sold, compensatory, treble and punitive damages, restitution, and disgorgement of all moneys obtained by means of Defendants' unlawful conduct, interest, and attorneys' fees and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, seeks judgment against Defendant, as follows:

- (a) For an order certifying the Class under Rule 23 of the Federal Rules of Civil Procedure, naming Plaintiff as the representative of the Class, and naming Plaintiff's attorneys as Class Counsel to represent the Class;
- (b) For an order declaring the Defendant's conduct violates the statutes referenced herein;
- (c) For an order finding in favor of Plaintiff, and the Class on all counts asserted herein;
- (d) For compensatory, statutory, and punitive damages in amounts to be determined by the Court and/or jury;
- (e) For prejudgment interest in all amounts awarded;
- (f) For an order of restitution and all other forms of equitable monetary relief;
- (g) For an order awarding Plaintiff, the Class their reasonable attorney's fees and expenses and costs of suit.

JURY TRIAL DEMANDED

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

Dated: March 6, 2026

Respectfully submitted,

BURSOR & FISHER, P.A.

By: /s/ Max S. Roberts

Max S. Roberts

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Attorneys for Plaintiff

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
JASMINE ROJAS, individually and on behalf of all others similarly situated
(b) County of Residence of First Listed Plaintiff Queens (EXCEPT IN U.S. PLAINTIFF CASES)
(c) Attorneys (Firm Name, Address, and Telephone Number)
Bursor & Fisher, P.A., 1330 Avenue of the Americas, 32nd Fl., New York, NY 10019, (646) 837-7150

DEFENDANTS
KIMBERLY-CLARK CORPORATION
County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State [X] 1 [] 1
Citizen of Another State [] 2 [] 2
Citizen or Subject of a Foreign Country [] 3 [] 3
Incorporated or Principal Place of Business In This State [] 4 [] 4
Incorporated and Principal Place of Business In Another State [] 5 [X] 5
Foreign Nation [] 6 [] 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Real Property, Labor, Intellectual Property Rights, etc.

V. ORIGIN (Place an "X" in One Box Only)
[X] 1 Original Proceeding
[] 2 Removed from State Court
[] 3 Remanded from Appellate Court
[] 4 Reinstated or Reopened
[] 5 Transferred from Another District (specify)
[] 6 Multidistrict Litigation - Transfer
[] 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 1332(d)
Brief description of cause:
Deceptive and misleading advertisement

VII. REQUESTED IN COMPLAINT:
[X] CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$ 5,000,000
CHECK YES only if demanded in complaint:
JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY (See instructions):
JUDGE
DOCKET NUMBER

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

* Please respond to Part F on Page 2

PART A - CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration

I, Max S. Roberts, counsel for Jasmine Rojas, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- monetary damages sought are in excess of \$150,000.00 exclusive of interest and costs,
- the complaint seeks injunctive relief, or
- the matter is otherwise ineligible for the following reason:

PART B - DISCLOSURE STATEMENT - FEDERAL RULES of CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks. Add an additional page if needed.

N/A

PART C - RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 3 in Section VIII on the front of this form. Rule 3(a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 3(a) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case involves identical legal issues, or the same parties." Rule 3 further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (b), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

N/A

PART D - NEW YORK EASTERN DISTRICT DIVISION OF BUSINESS RULE 1(d)(3)

If you answer "Yes" to any of the questions below, this case will be designated as a Central Islip case and you **must select Office Code 2.**

1. Is the action being removed from a state court that is located in Nassau or Suffolk County?
2. In actions not involving real property, is the action being brought against United States, its officers or its employees AND the majority of the plaintiffs reside in Nassau or Suffolk County?
3. If you answered "No" to all parts of Questions 1 and 2:
 - a. Did a substantial part of the events or omissions giving rise to claim or claims occur in Nassau or Suffolk County?
 - b. Do the majority of defendants reside in Nassau or Suffolk County?
 - c. Is a substantial amount of any property at issue located in Nassau or Suffolk County?
4. If this is a Fair Debt Collection Practice Act case, was the offending communication received in either Nassau or Suffolk County?
(Note, a natural person is considered to reside in the county in which that person is domiciled; an entity is considered a resident of the county that is either its principal place of business or headquarters, of if there is no such county in the Eastern District, the county within the District with which it has the most significant contacts).

PART E - BAR ADMISSION

1. I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

If you answered No to E(1), please see instructions and Local Civ. R. 1.3.

2. Are you currently the subject of any disciplinary action (s) in this or any other state or federal court? If yes, please explain:

PART F - IMMIGRATION HABEAS

1. Is this petition based on an immigration detention? 2. Does this case require immediate attention of a judge?

Check Form to Validate Before Signing

I certify the accuracy of all information provided above.

Signature: /s/ Max S. Roberts Date: 3/6/2026

If you answered Yes in Part F, and are filing this action after business hours, please see instructions here: <https://www.nyed.uscourts.gov/emergency-applications-filed-after-business-hours>.

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

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

JASMINE ROJAS, individually and on behalf of all others similarly situated

Plaintiff(s)

v.

KIMBERLY-CLARK CORPORATION

Defendant(s)

Civil Action No. 1:26-cv-1331

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Kimberly-Clark Corporation
c/o Corporation Trust Center
1209 Orange St.
Wilmington, DE 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Max S. Roberts
1330 Avenue of the Americas, 32nd Floor
New York, NY 10019

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNA B. MAHONEY
CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

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

Civil Action No. 1:26-cv-1331

PROOF OF SERVICE

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

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: