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22 UNITED STATES DISTRICT COURT
 23 SOUTHERN DISTRICT OF CALIFORNIA

24 Emmanoel Hallak, an individual, on behalf 25 of himself and all others similarly situated, 26 27 Plaintiff, 28 vs. 29 30 KARABETIAN IMPORT & 31 DISTRIBUTION, INC., 32 33 Defendant.	CASE NO. <u>'26CV3269 AJB DDL</u> CLASS ACTION COMPLAINT JURY TRIAL DEMANDED
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1 Plaintiff EMMANOEL HALLAK ("Plaintiff"), by and through his attorneys,
2 brings this class action on behalf of himself and the Classes, as defined below, against
3 Defendant KARABETIAN IMPORT & DISTRIBUTION, INC. ("Defendant"). The
4 following allegations are based upon information and belief, including the investigation
5 of Plaintiff's counsel and laboratory testing conducted as of January 2026 and are as
6 follows:

7 **INTRODUCTION**

8 1. This class action addresses a profound breach of consumer trust by Defendant,
9 which has misled thousands, if not millions, through its product branded BELLA
10 GOURMET FOODS and labeled "**CANOLA & EXTRA VIRGIN OLIVE OIL**
11 **MEDITERRANEAN BLEND**" (the "Mislabeled Product"). Laboratory testing
12 reveals a troubling reality – the Mislabeled Product contains no detectable olive oil and
13 consists entirely of canola oil, despite the labeled "**CANOLA & EXTRA VIRGIN**
14 **OLIVE OIL MEDITERRANEAN BLEND**" labeling, prominent depiction of a
15 cluster of olives, and small-font label on the bottle listing "healthy blend of canola oil
16 and olive oil". This uniform mislabeling scheme was developed, approved, and
17 disseminated from Defendant's headquarters in California and has deceived consumers
18 nationwide through both online and retail sales channels. This misconduct violates
19 California law in three critical ways: (1) the failure to label the product as "mixed
20 vegetable oil" as required; (2) the omission of accurate blend proportions; and (3) the
21 complete absence of olive oil. These violations demand accountability for a company
22 that has prioritized profit over people.

23 2. In addition to violating California Health & Safety Code § 112895(b),
24 Defendant's conduct constitutes false advertising, unfair competition, and deceptive
25 business practices in violation of California Business & Professions Code § 17200 and
26 § 17500, common-law fraud and deceit, breach of the implied warranty of
27 merchantability, and unjust enrichment. These interrelated violations form a single,
28 uniform course of deceptive conduct affecting consumers nationwide.

1 3. Consumers, drawn to olive oil for its recognized health and culinary value – a
2 preference supported by the guidance of doctors and nutrition experts – were deceived
3 into purchasing a product they believed was a genuine olive oil blend. Laboratory
4 testing confirms it consists entirely of canola oil, a stark departure from their
5 expectations. This serious misrepresentation has caused significant financial harm to
6 Plaintiffs and other nationwide purchasers who paid a premium for a product that was
7 neither what it claimed to be nor fit for its advertised use. Many consumers would not
8 have purchased or consumed it at all had they known the truth. Comparable cases like
9 *Koller v. Deoleo USA, Inc.* (N.D. Cal 2018), which reportedly resulted in a \$7 million
10 settlement, and *Kumar v. SALOV North America Corp.* (N.D. Cal 2017), which
11 reportedly obtained approximately \$5 million in relief, involved products that allegedly
12 misstated the olives’ country of origin; Defendant’s complete substitution of canola oil
13 for olive oil is a far more egregious deception, warranting substantial redress.

14 4. Defendant’s actions reflect a troubling disregard for consumer protection and
15 public health, exploiting trust in olive oil’s reputation to boost profits. The triple
16 violation of California Health and Safety Code Section 112895(b) – failing to use the
17 required “mixed vegetable oil” label, withholding accurate blend proportions, and
18 delivering a product with no olive oil – underscores a dangerous pattern of product
19 deceit that must be stopped.

20 5. Plaintiff brings this action individually and on behalf of all others similarly
21 situated to hold Defendant accountable for its unlawful, unfair, and fraudulent labeling,
22 advertising, and sale of BELLA GOURMET FOODS “**CANOLA & EXTRA**
23 **VIRGIN OLIVE OIL MEDITERRANEAN BLEND**”, and to obtain restitution,
24 damages, and injunctive relief necessary to prevent ongoing deception.

25 6. Defendant continues to label, market, and sell this product, using the same
26 misrepresentations, thereby threatening continued harm to consumers absent judicial
27 intervention. Plaintiff therefore brings this action on behalf of himself and a class of
28 similarly situated consumers nationwide and in California for: (1) Violation of

1 California Health & Safety Code § 112895(b); (2) Violation of California Business &
2 Professions Code §§ 17500 et seq.; (3) Violation of California Business &
3 Professions Code §§ 17200 et seq.; (4) Fraud and Deceit under California common
4 law; (5) Breach of the Implied Warranty of Merchantability, California Commercial
5 Code § 2314; and, (6) Unjust Enrichment / Restitution under the common law of
6 California and the United States.

7 **PARTIES**

8 7. Plaintiff Emmanoel Hallak is over the age of 18 years old, and at all times
9 relevant herein was a resident of San Diego, in the State of California.

10 8. Defendant Karabetian Import & Distribution, Inc. (“Defendant”) is a
11 corporation organized under the laws of the State of California, with its principal
12 place of business in Los Angeles, California. Defendant manufactures, distributes,
13 and sells food products, including the Mislabeled Product, both directly through its
14 website <https://karabetian.com/> and through third-party distributors, wholesalers, and
15 retailers throughout the United States.

16 **JURISDICTION AND VENUE**

17 9. This Court has original subject matter jurisdiction under the Class Action
18 Fairness Act (“CAFA”), 28 U.S.C. § 1332(d), because this is a class action in which
19 the aggregate amount in controversy exceeds \$5,000,000, exclusive of interest and
20 costs, the proposed Classes consist of more than 100 members, and minimal diversity
21 exists. Although Plaintiff Emmanoel Hallak is a citizen of the State of California and
22 Karabetian Import & Distribution, Inc., is registered to do business in the State of
23 California, it boasts on its website that it is “One of the Largest Middle Eastern &
24 Mediterranean Food Distributors in Los Angeles” and supplies its products “to retailers
25 and foodservice partners across North America”. Accordingly, at least one member of
26 the proposed Classes is a citizen of a state different from Defendant, satisfying the
27 minimal diversity requirement of CAFA.

28 10. To the extent any claims do not independently fall within CAFA, this Court has

1 supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) because those claims arise
2 from the same common nucleus of operative facts and form part of the same case or
3 controversy under Article III of the United State Constitution.

4 11. This Court has personal jurisdiction over Defendant because it is registered to
5 do business in California, conducts and continues to conduct substantial business
6 within the state, employs numerous individuals in California, and has intentionally
7 availed itself of the privileges and benefits of California law by operating its business
8 and selling its products in this state.

9 12. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because (i)
10 Plaintiff Emmanoel Hallak resides within this judicial district; (ii) a substantial part of
11 the events or omissions giving rise to the claims occurred within this judicial district
12 through Defendant’s sale of the “Mislabeled Product” at Northpark Produce in El
13 Cajon; and (iii) Defendant conducts business in this district and derives substantial
14 revenue from its activities here.

15 **FACTUAL ALLEGATIONS**

16 13. Defendant manufactures, distributes, and sells the Mislabeled Product labeled of
17 **BELLA GOURMET FOODS “CANOLA & EXTRA VIRGIN OLIVE OIL**
18 **MEDITERRANEAN BLEND,”** which is marketed as a cooking oil suitable for
19 various culinary uses, including frying, baking, and salad dressings.

20 14. Defendant is a food distributor and seller that markets, distributes, and sells a
21 variety of “Middle Eastern” and “Mediterranean” food products throughout North
22 America. Defendant represents on its website, <https://karabetian.com>, that it supplies
23 “trusted global brands to retailers and foodservice partners across North America.”

24 15. The Mislabeled Product’s label prominently “**CANOLA & EXTRA VIRGIN**
25 **OLIVE OIL MEDITERRANEAN BLEND**” and features an image of olives,
26 suggesting a genuine olive oil product. However, this masks the truth, as laboratory
27 testing conducted as of January, 2026 confirms the product contains no detectable olive
28 oil, consisting entirely of canola oil.

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25 16. California Health and Safety Code Section 112895(b) requires that blends of
26 olive oil with other oils be labeled as “mixed vegetable oil” and include prominent
27 disclosure of contents and proportions. The Mislabeled Product violates this law in
28 three serious ways: (1) it fails to label the product as “mixed vegetable oil”; (2) it omits

1 disclosure of accurate blend proportions; and (3) it contains no “extra virgin olive oil,”
2 and consists entirely of canola oil, a clear departure from the label’s implication.

3 17. This misrepresentation preys on consumers who value olive oil for its recognized
4 worth – a preference supported by the counsel of doctors and health providers – leading
5 them to choose it over alternatives like pure canola oil for reasons they hold important.
6 Defendant’s failure to disclose the true composition undermines this trust.

7 18. Consumers, including Plaintiff, relied on the labeling, believing he was
8 purchasing a true olive oil blend, only to receive a product consisting entirely of canola
9 oil, as confirmed by laboratory testing conducted as of January 2026.

10 19. The Mislabeled Product is marketed as “A MEDETTERRANEN BLEND”
11 fostering a false impression of its composition.

12 20. Plaintiff purchased the Mislabeled Product, trusting the labeling, and would not
13 have purchased it or used it if he had known its true composition.

14 21. Plaintiff has suffered financial harm, having paid for a product he believed was
15 a true olive oil blend, only to discover it consists entirely of canola oil.

16 22. Defendant’s misleading labeling reflects a pattern of conduct that prioritizes
17 profit over consumer trust, with decisions made in California, its principal place of
18 business.

19 23. Defendant’s actions deceive the public, as reasonable consumers expect a
20 product labeled “**CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN**
21 **BLEND,**” with a graphic of olives to contain olive oil, not solely canola oil.

22 24. These practices, undertaken for Defendant’s financial benefit, create an unfair
23 advantage over competitors and cause significant harm to the public.

24 **A. Scientific Testing Demonstrates that Defendant’s Product Does Not**
25 **Contain Olive Oil**

26 25. To verify the accuracy of Defendant’s labeling and representations, Plaintiff
27 submitted the Mislabeled Product for independent laboratory testing. The analysis
28 was conducted by Process NMR Associates, LLC (“PNA”), located in Poughkeepsie,

1 New York, an analytical chemistry laboratory specializing in nuclear magnetic
2 resonance (NMR) spectroscopy for compositional and structural analysis of industrial
3 and food products.

4 26.Process NMR Associates was founded in 1997 by John Edwards, Ph.D., a
5 physical chemist with more than 25 years of experience in industrial NMR
6 spectroscopy and one of the leading experts in the field. Dr. Edwards personally
7 conducted the analysis of the Mislabeled Product. His laboratory provides analytical
8 NMR testing services to hundreds of corporate clients across the oil, nutraceutical,
9 pharmaceutical, and food industries and is recognized for its expertise in detecting
10 adulteration of edible oils.

11 27.The Mislabeled Product was analyzed using ^1H NMR (proton nuclear magnetic
12 resonance) spectroscopy, a scientifically validated method for determining the
13 chemical composition of organic materials. The test was performed using a Varian
14 Mercury 300 MHz NMR spectrometer in deuterated chloroform (CDCl_3), a neutral
15 solvent that enables clear hydrogen signal detection. This analysis produces a unique
16 molecular “fingerprint” that allows scientists to identify the type and proportion of
17 oils present in a product.

18 28. The resulting ^1H NMR spectrum revealed a complete spectral overlap with
19 100% canola oil and lacked any resonance peaks characteristic of olive oil.

20 29. These findings demonstrate that the product marketed as a “**CANOLA &**
21 **EXTRA VIRGIN OLIVE OIL MEDITERRANEAN BLEND,**” was devoid of
22 olive oil, consisting instead of pure canola oil. The laboratory’s analysis provides
23 objective, chemical proof that Defendant’s labeling and ingredient representations
24 including the claim that the product contains “extra virgin olive oil,” are false and
25 misleading to reasonable consumers.

26 30.The testing conducted by Process NMR Associates followed established,
27 industry-standard scientific protocols and conforms to quantitative NMR (qNMR)
28 methods recognized by international standards organizations for authenticity testing.

1 ¹H NMR spectroscopy is a validated and widely accepted analytical method for
2 verifying the composition of edible oils and detecting adulteration. The results here
3 provide reliable, reproducible, and scientifically sound evidence that Defendant’s
4 product was deceptively mislabeled.

5 **B. Plaintiffs’ Experience**

6 31.Plaintiff Emmanoel Hallak is a resident of San Diego, California.

7 32.On or about sometime in September, 2025, Plaintiff Hallak purchased a bottle
8 of the Mislabeled Product from “Northpark Produce” grocery store located at 432 E
9 Chase Ave, El Cajon, CA 92020 for a price to be discovered through discovery, drawn
10 by the label’s suggestion of a “**CANOLA & EXTRA VIRGIN OLIVE OIL**
11 **MEDITERRANEAN BLEND,**” and its marketing for culinary use.

12 33.Plaintiff values olive oil for its recognized worth, a choice informed by the
13 guidance of doctors and health providers and prefers it over pure canola oil for reasons
14 they hold significant, willing to pay a premium for authenticity.

15 34.Plaintiff regularly used the Mislabeled product in cooking, reasonably believing
16 it to be an olive oil product based on its labeling and presentation. Plaintiff later learned
17 that the product was not olive oil as represented, but instead consisted entirely of canola
18 oil.

19 35.Plaintiff, through his counsel, submitted the Mislabeled Product for
20 independent laboratory testing at Process NMR Associates, LLC (“PNA”), located in
21 Poughkeepsie, New York.

22 36.The test revealed that the “**CANOLA & EXTRA VIRGIN OLIVE OIL**
23 **MEDITERRANEAN BLEND,**” he had purchased was a complete spectral overlap
24 with canola oil and lacked any resonance peaks characteristic of olive oil.

25 37.Plaintiff felt deeply misled by the Mislabeled Product’s labeling, which used
26 “**CANOLA & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN BLEND,**”
27 and imagery featuring a cluster of olives displayed prominently on the product’s face
28 to suggest a genuine product comprised of olive oil.

1 38. Had Plaintiff known the true composition of the Mislabeled Product, he would
2 not have purchased it or consumed it.

3 39. Plaintiff’s experience is typical of the class members, who were similarly
4 deceived by Defendant’s labeling practices and relied on the misleading label to their
5 detriment.

6 **CLASS DEFINITIONS AND ALLEGATIONS**

7 40. Plaintiff brings this action individually and on behalf of all others similarly
8 situated pursuant to Rules 23(b)(2) and 23(b)(3) of the Federal Rules of Civil
9 Procedure. Plaintiff seeks certification of the following Classes:

10 **Nationwide Class:** All persons in the United States who, within the four
11 (4) years preceding the filing of this Complaint (or within the applicable
12 shorter limitations period for any claim asserted herein), purchased the
13 product labeled BELLA GOURMET FOODS “**CANOLA & EXTRA**
14 **VIRGIN OLIVE OIL MEDITERRANEAN BLEND,**” for personal,
household, or consumer use, and not for resale.

15 **California Subclass:** All persons who, within the four (4) years preceding
16 the filing of this Complaint (or within the applicable shorter limitations
17 period for any claim asserted herein), purchased the product labeled
18 BELLA GOURMET FOODS “**CANOLA & EXTRA VIRGIN OLIVE**
OIL MEDITERRANEAN BLEND,” for personal, household, or
consumer use, and not for resale.

19 41. Excluded from the Class are Defendant, its officers and directors, families and
20 legal representatives, heirs, successors, or assigns and any entity in which Defendant
21 has a controlling interest, and any Judge assigned to this case and their immediate
22 families.

23 42. Plaintiff reserves the right to amend or otherwise alter the class definition
24 presented to the Court at the appropriate time, or to propose or eliminate sub-classes,
25 in response to facts learned through discovery, legal arguments advanced by
26 Defendant, or otherwise.
27
28

1 43. This action is properly maintainable as a class action pursuant to Federal Rule
2 of Civil Procedure 23 for the reasons set forth below.

3 44. **Numerosity**: Members of the Classes are so numerous that joinder of all
4 Members is impracticable. Although the exact number of Class Members is unknown
5 to Plaintiff at this time, Plaintiff is informed and believes that the number is in the
6 thousands, if not millions, based on the widespread availability of the Mislabeled
7 Product in retail outlets throughout California and the United States, including through
8 online platforms.

9 45. **Common Questions Predominate**: There are questions of law and fact
10 common to the classes that predominate over any individual issues including but not
11 limited to:

- 12 a. Whether Defendant 's labeling of the Mislabeled Product as BELLA
13 GOURMET FOODS **“CANOLA & EXTRA VIRGIN OLIVE OIL
14 MEDITERRANEAN BLEND,”** violates California Health and Safety
15 Code Section 112895(b) by failing to label it as “blended vegetable oil”
16 and omitting accurate blend proportions;
- 17 b. Whether Defendant 's labeling of the Mislabeled Product as **“CANOLA
18 & EXTRA VIRGIN OLIVE OIL MEDITERRANEAN BLEND,”**
19 violates California Health and Safety Code Section 112895(b) by
20 misrepresenting a product that laboratory testing conducted as of January
21 2026 confirms contains no olive oil and consists entirely of canola oil.
- 22 c. Whether Defendant's failure to label the product as “mixed vegetable oil,”
23 or to disclose accurate blend proportions, violated California Health and
24 Safety Code § 112895(b) and other labeling regulations;
- 25 d. Whether Defendant's representations regarding the composition, source,
26 and quality of the “Mediterranean Blend,” including claims that it was
27 “Kosher Pareve” and contained “0% Trans Fat” “0% Cholesterol” were
28 false, misleading, or likely to deceive reasonable consumers;

- 1 e. Whether Defendant knew or should have known that the “Mediterranean
- 2 Blend” contained no olive oil prior to or during the period it was labeled,
- 3 marketed, and sold to consumers;
- 4 f. Whether Defendants’ advertising, marketing, and sales practices were
- 5 false, misleading, or deceptive;
- 6 g. Whether Defendants’ practices violate California Business and
- 7 Professions Code Sections 17200, et seq., and 17500, et seq.;
- 8 h. Whether Defendants’ practices constitute fraud and deceit;
- 9 i. Whether Defendants breached the implied warranty of merchantability;
- 10 j. Whether Defendants were unjustly enriched by their practices;
- 11 k. Whether Plaintiff and class members suffered injury in fact and lost
- 12 money or property as a result of Defendants’ practices;
- 13 l. Whether Defendant has been unjustly enriched by the sale of the
- 14 Mislabeled Product and the appropriate measure of restitution,
- 15 disgorgement, and damages;
- 16 m. Whether Defendant’s misrepresentations and omissions caused
- 17 consumers to pay more for the product than it was worth and whether
- 18 Plaintiff and Class Members suffered ascertainable loss or injury in fact
- 19 as a result;
- 20 n. Whether Defendant’s deceptive labeling, advertising, and marketing
- 21 practices are ongoing and generally applicable to all Class Members;
- 22 o. Whether injunctive and declaratory relief are necessary to prevent
- 23 Defendant from continuing to mislabel, advertise, or sell the product as
- 24 “Mediterranean Blend”;
- 25 p. The appropriate corrective labeling, disclosure, or reformulation required
- 26 to bring the product into compliance with California Health and Safety
- 27 Code § 112895(b) and to prevent future consumer deception; and,
- 28 q. The appropriate measure of restitution, damages, and injunctive relief.

1 46. **Typicality:** Plaintiff’s claims are typical of the claims of the class members they
2 seek to represent, because Plaintiff, like Class members purchased Defendant’s product
3 believing it to be a true olive oil blend when it was not. Defendant’s unlawful, unfair,
4 and/ or fraudulent actions concern the same business practices described herein
5 irrespective of where they occurred or were experienced. Plaintiff and the Class
6 sustained similar injuries, including financial harm, arising out of Defendant’s conduct.
7 Plaintiff’s and Class members’ claims arise from the same practices and course of
8 conduct and are based on the same legal theories.

9 47. **Adequacy:** Plaintiff is an adequate representative of the Classes he seeks to
10 represent because he is committed to seeking justice for those affected and their
11 interests do not conflict with the interests of the members of the Classes. Plaintiff will
12 fairly and adequately protect the interests of the Classes and has retained counsel
13 experienced and competent in prosecution of complex class actions, including complex
14 questions that arise in consumer protection litigation.

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

- 17 a. Class-wide damages are essential to induce Defendant to comply with
18 California and Federal Law.
- 19 b. Individual lawsuits would be impractical given the number of class
20 members and the relatively small individual damages, while a class action
21 ensures centralized accountability for Defendant ’s actions and provides
22 relief to those it has wronged.
- 23 c. Because of the relatively small size of Class Members’ claims, it is likely
24 that only a few Class Members could afford to seek legal redress for
25 Defendant’s misconduct
- 26 d. Class action treatment is manageable because it will permit a large
27 number of similarly situated persons to prosecute their common claims
28 in a single forum simultaneously, efficiently, and without the

1 unnecessary duplication of effort and expense that numerous individual
2 actions would endanger.

3 **PLAINTIFFS FIRST CAUSE OF ACTION**

4 **(Violation of California Health and Safety Code § 112895(b))**

5 (On Behalf of Himself and the California Subclass)

6 49.Plaintiff realleges and incorporate by reference the allegations contained in the
7 preceding paragraphs of this complaint as if fully set forth herein.

8 50.Beginning at an exact date unknown to Plaintiff, but within four (4) years
9 preceding the filing of this Class Action Complaint, Defendant made untrue, false,
10 deceptive, and/or misleading statements in connection with the labeling and marketing
11 of the Mislabeled Product.

12 51.Defendant made representations and statements (by omission and commission)
13 that led reasonable customers to believe that they were purchasing a true olive oil blend.
14 Defendant deceptively failed to inform Plaintiff, and those similarly situated, that the
15 Mislabeled Product contained no olive oil, consisting entirely of canola oil, and
16 committed a triple violation of California Health and Safety Code Section 112895(b)
17 by (1) failing to label it as “mixed vegetable oil,” (2) omitting accurate blend
18 proportions, and (3) misrepresenting a product with no detectable olive oil.

19 52.Plaintiff and those similarly situated relied to their detriment on Defendant’s
20 false, misleading, and deceptive labeling and marketing practices. Had they been
21 informed of the truth and not deceived, they would not have purchased or consumed
22 the Mislabeled Product.

23 53.Defendant’s actions are likely to mislead the public, reflecting a serious lapse in
24 responsibility.

25 54.Defendant engaged in these deceptive labeling, marketing, and sales practices to
26 increase its profits, making decisions in California, its principal place of business. This
27 conduct violates California Health and Safety Code Section 112895(b).
28

1 55. These practices, undertaken for Defendant’s financial benefit, create an unfair
2 advantage over competitors and cause harm to the public, a matter that requires
3 resolution.

4 56. Plaintiff seeks, on behalf of those similarly situated, full restitution of monies to
5 recover losses incurred due to Defendant’s actions, plus interest.

6 57. Plaintiff seeks an injunction to prevent Defendant from continuing these
7 deceptive labeling, marketing, and sales practices, with the misconduct occurring
8 within four (4) years preceding this filing.

9 58. Plaintiff and those similarly situated seek a declaration that these practices
10 violate the law and injunctive relief to stop Defendant’s ongoing deception. Without
11 this, Defendant will continue to cause injury and loss, necessitating repeated legal
12 action by affected consumers who deserve better protection under California Health
13 and Safety Code Section 112895(b).

14 59. As a direct result, Plaintiff and the Class have suffered injury and lost money
15 due to Defendant’s misleading labeling, in an amount to be proven at trial, exceeding
16 the jurisdictional minimum.

17 **PLAINTIFF’S SECOND CAUSE OF ACTION**

18 **(False Advertising in Violation of California Business & Professions Code §**
19 **17500 et seq.)**

20 (On Behalf of Himself and the California Subclass)

21 60. Plaintiff realleges and incorporates by reference all preceding paragraphs as
22 though fully set forth herein.

23 61. Beginning at an exact date unknown to Plaintiff, but within four (4) years
24 preceding the filing of this Class Action Complaint, Defendant made untrue, false,
25 deceptive, and/or misleading statements in connection with the advertising and
26 marketing of the Mislabeled Product.

27 62. Defendant made representations that led reasonable customers to believe they
28 were purchasing a true olive oil blend. It failed to disclose that the Mislabeled Product

1 contained no olive oil, consisting entirely of canola oil, violating California Health and
2 Safety Code Section 112895(b) by (1) not labeling it as “mixed vegetable oil,” (2)
3 omitting accurate blend proportions, and (3) misrepresenting the absence of olive oil.

4 63.Plaintiff and those similarly situated relied on Defendant’s deceptive advertising,
5 and had they known the truth, they would not have purchased or consumed the
6 Mislabeled Product.

7 64.Defendant’s actions are likely to mislead the public, indicating a serious breach
8 of duty.

9 65.Defendant engaged in these deceptive advertising practices to boost its profits,
10 with decisions made in California, violating California Business and Professions Code
11 Section 17500, et seq.

12 66.These practices, driven by Defendant’s financial interests, create an unfair
13 advantage and harm the public, necessitating action.

14 67.Plaintiff seeks full restitution on behalf of those similarly situated to recover
15 losses from Defendant’s deception, plus interest.

16 68.Plaintiff seeks an injunction to stop Defendant’s ongoing deceptive advertising
17 practices, with the misconduct occurring within four (4) years preceding this filing.

18 69.Plaintiff and the Class seek a declaration that these practices violate the law and
19 injunctive relief to prevent future deception by Defendant. Without this, ongoing harm
20 will continue, requiring repeated legal recourse by affected consumers under California
21 Business and Professions Code Section 17500, et seq.

22 70.As a result, Plaintiff and the Class have suffered injury and lost money due to
23 Defendant ’s misleading advertising, in an amount to be proven at trial, exceeding the
24 jurisdictional minimum.

25 **PLAINTIFF’S THIRD CAUSE OF ACTION**

26 **(Unfair Competition in Violation of California Business & Professions Code**
27 **Section 17200 et seq.)**

28 **(On Behalf of Himself and the California Subclass)**

1 71.Plaintiff realleges and incorporates by reference all preceding paragraphs as
2 though fully set forth herein.

3 72.Defendant’s misleading labeling, advertising, marketing, and sales practices
4 constitute unfair, unlawful, and fraudulent business practices under California Business
5 and Professions Code Section 17200, et seq.

6 73.Defendant ’s actions in designing deceptive labeling and marketing, have injured
7 Plaintiff and class members by overcharging for a product believed to be a true olive
8 oil blend, confirmed by laboratory testing as of January 2026 to contain no olive oil.

9 74.Plaintiff seeks full restitution on behalf of those similarly situated to recover
10 losses from Defendant’s unfair practices, plus interest.

11 75.Plaintiff seeks an injunction to prevent Defendant from continuing these unfair,
12 unlawful, and fraudulent business practices, with the misconduct occurring within four
13 (4) years preceding this filing.

14 76.Plaintiff and the Class seek a declaration that these practices violate the law and
15 injunctive relief to stop Defendant’s ongoing deception. Without this, continued harm
16 will persist, requiring repeated legal action by affected consumers under California
17 Business and Professions Code Section 17200, et seq.

18 77.As a result, Plaintiff and the Class have suffered injury and lost money due to
19 Defendant’s unfair practices, in an amount to be proven at trial, exceeding the
20 jurisdictional minimum.

21 **PLAINTIFF’S FOURTH CAUSE OF ACTION**

22 **(Fraud and Deceit)**

23 (On Behalf of Himself and the Nationwide Class)

24 78.Plaintiff realleges and incorporates by reference all preceding paragraphs as
25 though fully set forth herein.

26 79.Defendant knowingly and intentionally misrepresented the Mislabeled Product
27 by labeling it as “Mediterranean Blend,” when laboratory testing conducted as of
28

1 January 2026 confirms it contains no olive oil and consists entirely of canola oil, in
2 violation of California Health and Safety Code § 112895(b).

3 80. Defendant made these misrepresentations on the front label of the product
4 packaging where it advertised the product as a “Mediterranean Blend” of canola oil
5 and olive oil. These statements were made to consumers, including Plaintiffs, at the
6 point of sale and in online product listings throughout the applicable class period.
7 Plaintiff purchased the product in reliance on these representations within the four
8 years preceding the filing of this Complaint.

9 81. Plaintiff and Class members reasonably relied on Defendant’s
10 misrepresentations and omissions, believing the product contained olive oil, and
11 suffered economic injury as a result.

12 82. Defendant’s fraudulent conduct was willful, knowing, and intentional.
13 Defendant was aware that the product contained no olive oil at the time it labeled and
14 sold it as a “Canola & Extra Virgin Olive Oil” and nevertheless continued to market
15 and distribute it with the intent to deceive consumers and increase profits.
16 Defendant’s actions were undertaken with conscious disregard for consumer rights
17 and safety, warranting punitive and exemplary damages.

18 83. As a result, Plaintiff and the Class have suffered injury and lost money due to
19 Defendant’s fraud, in an amount to be proven at trial, exceeding the jurisdictional
20 minimum.

21 84. As a direct and proximate result of Defendant’s fraudulent misrepresentations
22 and omissions, Plaintiff and the Class paid more for the product than it was worth,
23 were deprived of the benefit of their bargain, and suffered measurable economic
24 damages.

25 85. Defendant continues to label, market, and sell the same or substantially similar
26 product with the same false representations. Absent injunctive relief, Plaintiff and the
27 Class will continue to face the risk of future deception and harm.

28 **PLAINTIFF’S FIFTH CAUSE OF ACTION**

1 **Breach of Implied Warranty of Merchantability (California Commercial Code**
2 **Section 2314)**

3 (On Behalf of Himself and the Nationwide Class)

4 86.Plaintiff realleges and incorporates by reference all preceding paragraphs as
5 though fully set forth herein.

6 87.Defendant, as manufacturer, distributor, and retailer, impliedly warranted that
7 the Mislabeled Product was merchantable and fit as a true olive oil blend for culinary
8 use.

9 88.The Mislabeled Product was not merchantable, as laboratory testing conducted
10 as of January 2026 confirms it contains no olive oil, consisting entirely of canola oil,
11 failing to meet consumer expectations and causing financial harm.

12 89.Plaintiff and class members relied on the implied warranty of a true olive oil
13 blend, but the product’s pure canola oil composition, confirmed by testing, renders it
14 unfit, resulting in economic loss.

15 90.As a result of Defendant’s breach, Plaintiffs and the Class have suffered injury
16 and lost money, in an amount to be proven at trial, exceeding the jurisdictional
17 minimum.

18 **PLAINTIFF’S SIXTH CAUSE OF ACTION**

19 **Unjust Enrichment**

20 (On Behalf of Himself and the Nationwide Class)

21 91.Plaintiff realleges and incorporate by reference all preceding paragraphs as
22 though fully set forth herein.

23 92.Defendant has been unjustly enriched by selling the Mislabeled Product, which
24 consumers overpaid for believing it was a true olive oil blend, when laboratory testing
25 conducted as of January 2026 confirms it contains no olive oil.

26 93.Defendant has no right to retain these profits, and it would be unjust to allow it
27 to benefit from this deception.

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1 94.Plaintiff and the Class are entitled to restitution of the amounts paid, less the fair
2 market value if properly labeled as pure canola oil, in an amount to be proven at trial,
3 exceeding the jurisdictional minimum.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- 6 1. For an order certifying this action as a class action pursuant to
7 Federal Rules of Civil Procedure 23(b)(2) and 23(b)(3)
- 8 2. For an order appointing Plaintiff as representatives of the Classes
9 and appointing their counsel as class counsel;
- 10 3. For full restitution of all monies acquired by Defendants from
11 Plaintiff and class members through the sale of the Mislabeled
12 Product, in an amount to be determined at trial;
- 13 4. For disgorgement of all profits obtained by Defendants from the
14 sale of the Mislabeled Product, in an amount to be determined at
15 trial;
- 16 5. For compensatory damages, including damages for breach of
17 implied warranty of merchantability, in an amount to be determined
18 at trial;
- 19 6. For punitive damages against Defendant for its willful, malicious,
20 and oppressive conduct, in an amount to be determined at trial;
- 21 7. For prejudgment interest on all monetary awards at the legal rate
22 pursuant to California Civil Code Section 3287(a);
- 23 8. For declaratory relief, declaring that Defendant’s labeling,
24 marketing, and sales practices violate California law;
- 25 9. For injunctive relief, including an order enjoining Defendants from
26 continuing to label, market, or sell the Mislabeled Product as
27 **“CANOLA & EXTRA VIRGIN OLIVE OIL**
28 **MEDITERRANEAN BLEND,”** and requiring Defendant to

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reformulate the product label to “blended vegetable oil” with the contents and proportions prominently displayed, in compliance with California Health and Safety Code Section 112895(b);

- 10. For reasonable attorneys’ fees according to proof, pursuant to California Code of Civil Procedure Section 1021.5, California Civil Code § 1780(e), and other applicable law;
- 11. For restitution and disgorgement pursuant to Business and Professions Code §§ 17203 and 17535;
- 12. For costs of suit incurred; and
- 13. For such further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

Dated: May 28, 2026

Respectfully submitted,

SWIGART LAW GROUP, APC

/s/ Joshua B. Swigart
Joshua B. Swigart
Katherine A. Tuohy

THE LAW OFFICES OF QUINTIN SHAMMAM

/s/ Quintin G. Shammam
Quintin G. Shammam

THE LAW OFFICE OF JOSEPH M. ATTIQ

/s/ Joseph M. Attiq
Joseph M. Attiq

Attorney for Plaintiffs

CIVIL COVER SHEET

JS 44 (Rev. 08/18)

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

Emmanuel Hallak, an individual, on behalf of themselves and all others similarly situated

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Joshua Swigart, Swigart Law Group, APC
2221 Camino del Rio South, Ste. 308
San Diego, CA 92108, 866-219-3343

DEFENDANTS

KARABETIAN IMPORT & DISTRIBUTION, INC.,

County of Residence of First Listed Defendant Los Angeles
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Unk

'26CV3269 AJB DDL

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 | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

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

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

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

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - 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:
Product mislabeled as Olive-Oil

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 10,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE 05/28/2026 SIGNATURE OF ATTORNEY OF RECORD
/s/ Joshua B. Swigart

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.