

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MARK GLICKMAN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CHURCH & DWIGHT CO., INC.,

Defendant.

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Case No. 26-4936

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMANDED**

Plaintiff Mark Glickman (“Plaintiff”), individually and on behalf of all others similarly situated, brings this class action against Church & Dwight Co., Inc. (“Defendant”), seeking monetary damages and other remedies.

**NATURE OF ACTION**

1. This is a putative class action lawsuit on behalf of purchasers of Arm & Hammer Essentials Unscented Deodorant and Arm & Hammer UltraMax Unscented Antiperspirant and Deodorant (the “Products”):



2. Defendant manufactures, markets, and sells the Products in thousands of stores throughout the United States, including the state of New York.

3. Defendant prominently advertises, markets, and sells the Products as antiperspirant/deodorant that is “unscented” (the “Unscented Representation”). The Unscented Representation promises that the Products do not contain fragrance ingredients.

4. Defendant intentionally misleads consumers into believing that the Products do not contain fragrance ingredients. It does this because consumers desire products without fragrance ingredients, which can cause skin irritation and allergic reactions. As a result, consumers are seeking out products without fragrance ingredients.

5. However, unbeknownst to consumers, the Products contain the fragrance ingredient *Ethylene brassylate* and are therefore not “unscented.”

6. As such, Defendant has engaged in widespread false and deceptive conduct by designing, marketing, manufacturing, distributing, and selling the Products with the Unscented Representation. Every package of the Products misleads consumers into believing the Products do not contain fragrance.

7. Plaintiff and Class Members purchased the Products, which are designed, marketed, manufactured, distributed, and sold by Defendant. Further, Plaintiff and Class Members relied to their detriment on Defendant’s Unscented Representation, when the Products contain the fragrance ingredient *Ethylene brassylate* and therefore are not unscented. Plaintiff and Class Members would not have purchased the Products – or would not have paid as much as they did to purchase them – had they known the Unscented Representation was false. Plaintiff and Class Members thus suffered monetary damages as result of Defendant’s deceptive and false representation.

8. Plaintiff brings this action individually, and on behalf of similarly situated individuals who purchased the falsely and deceptively labeled Products for violations of New York General Business Law §§ 349 and 350.

### **PARTIES**

9. Plaintiff Mark Glickman is a citizen and resident of East Meadow, New York who has an intent to remain there, and is therefore a domiciliary of New York. Plaintiff purchased Arm & Hammer Essentials Unscented Deodorant on multiple occasions from retail stores in New York. Most recently, in April 2026, Plaintiff purchased Arm & Hammer Essentials Unscented Deodorant from a ShopRite retail store in New York. Prior to his purchase of the Product, Plaintiff reviewed the Product's labeling and packaging and saw that the Product was labeled and marketed as being "unscented." Based on the Unscented Representation, Plaintiff believed he was purchasing a product that did not contain fragrance ingredients. Plaintiff relied on Defendant's Unscented Representation in deciding to purchase the Product. Accordingly, the Unscented Representation was part of the basis of the bargain, in that he would not have purchased his product on the same terms had he known the Unscented Representation was not true. Plaintiff paid more for the Unscented Deodorants, and would only have been willing to pay less, or unwilling to purchase them at all, absent the false and misleading labeling complained of herein. In making his purchase, Plaintiff paid a price premium for a product that was unscented.

10. Defendant Church & Dwight Co., Inc. is a Delaware corporation with its principal place of business in Ewing, New Jersey. Defendant formulates, manufactures, labels, markets, distributes, and sells the Products nationwide under its in-house brand, Arm & Hammer. Defendant has maintained substantial distribution and sales in this District.

### **JURISDICTION AND VENUE**

11. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(d)(2)(A) because this case is a class action where the aggregate claims of all members of the proposed class are in excess of \$5,000,000.00, exclusive of interest and costs, and at least one member of the proposed class is citizen of a state different from Defendant.

12. This Court has specific jurisdiction over Defendant because Defendant's contacts with the forum are continuous and substantial, and Defendant otherwise intentionally availed itself of the laws of this State through the marketing of the Products at issue in New York to consumers in New York and through sales of the Products in New York to consumers in New York, so as to render the exercise of jurisdiction by this Court consistent with traditional notions of fair play and substantial justice. A substantial portion of the events giving rise to the claims alleged here occurred in this State, including Plaintiff's purchase.

13. Venue is proper pursuant to 28 U.S.C. § 1391 because a substantial part of the events and acts giving rise to the claims herein occurred in this District and because Defendant engages in continuous and systematic business activities within this District.

### **FACTUAL ALLEGATIONS**

#### **I. Unscented Products**

14. Consumers are increasingly seeking out "unscented" formulations for personal care products because of increasing consumer awareness of skin and allergen sensitivities.

15. Unscented products appeal to consumers for a variety of reasons, including because fragrance ingredients often irritate the skin resulting in redness, rashes, and itchiness. Even those without fragrance sensitivities sometimes wish to avoid fragrance due to the sensitivities of those around them, including workplace policies that prohibit the use of scented products. Further, consumers also desire fragrance-free products because they prefer products with minimal additives.

16. As a result, consumers are seeking out, and willing to pay more for, unscented products because they believe they will be free of fragrance .

17. In response to consumer demand, personal care companies – including Defendant – are increasingly introducing unscented product lines.

## II. Defendant’s “Unscented” Representation is False and Misleading

18. Defendant prominently and unambiguously represents the Products are “unscented”:



19. Consumers reasonably believe that “unscented” products will be free from added fragrances.

20. However, the Products contain the fragrance ingredient *Ethylene brassylate*, and therefore the Products are not in fact “unscented.”

21. Accordingly, because the Products contain the fragrance ingredient *Ethylene brassylate* the Unscented Representation is false and misleading.

22. Defendant’s conduct thus deceived and/or was likely to deceive the public.

23. Plaintiff and Class Members were deceived into believing the Products are “unscented,” when in fact they contain the fragrance ingredient *Ethylene brassylate*, as shown below.



Above: Arm & Hammer UltraMax Unscented Anti-Perspirant and Deodorant



**Above: Arm & Hammer Essentials Unscented Deodorant**

24. *Ethylene brassylate* is a synthetic musk with a sweet floral scent used as a fragrance in consumer goods.

25. Plaintiff and Class Members would not know the true nature of the Products by looking at the front labels of the Products. There is nothing on the front labels (like an asterisk) disclaiming or modifying the Unscented Representation. The Unscented Representation is not

ambiguous or vague to reasonable consumers such that they would reasonably think or be expected to investigate the Unscented Representation further before purchasing the products.

26. Moreover, the ingredient lists do not preclude consumer deception. As the Second Circuit has noted, “[r]easonable consumers should [not] be expected to look beyond misleading representations on the front of the box to discover the truth from the ingredient list in small print on the side of the box.” *Mantikas v. Kellogg Co.*, 910 F.3d 633, 637 (2d Cir. 2018) (insertion in original).

27. Further, average consumers do not know what *Ethylene brassylate* is, and so reading the ingredient list is insufficient to inform them the Products contain fragrance and are therefore not unscented. Nor does the fact that *Ethylene brassylate* supposedly “helps prevent any scents in your deo” sufficiently disclose that the Arm & Hammer Essentials Product is not unscented. Consumers are far more likely to read “prevent[ing] any scents” to mean that *Ethylene brassylate* acts to absorb any malodors of the other ingredients, not that it is a fragrance that imparts a scent itself.

28. Plaintiff and Class Members purchased the Products in reliance on the Unscented Representation, reasonably believing the Products were unscented and therefore did not contain fragrance ingredients.

29. Plaintiff’s and Class Members’ reasonable belief that the Products were unscented was a significant factor in their decisions to purchase the Products.

30. Plaintiff and Class Members did not know, and had no reason to know, that the Products contained fragrance ingredients because of how the Products are deceptively labeled and advertised to create the impression the Products are unscented. Nothing on the front packaging of the Products indicates that the Products contain fragrance ingredients.

31. Defendant knew that Plaintiff and Class Members would rely on the Unscented Representation and would therefore reasonably believe the Products did not contain fragrance ingredients.

32. Because the Products contain fragrance ingredients contrary to the Unscented Representation, Defendant's uniform practice regarding the marketing and sale of the Products was and continues to be misleading and deceptive.

33. Each Class member has been exposed to the same or substantially similar deceptive practices, as the Products are uniformly marketed as "unscented" when they contain fragrance ingredients.

34. Consumers are willing to pay a price premium for unscented personal care products. They are also induced to make purchases that they otherwise would not have, but for the belief that the Products did not contain fragrance ingredients. Plaintiff and Class Members would not have purchased the Products had they known the Products contained fragrance ingredients. Further, Plaintiff and Class Members paid a price premium for the Products because of the Unscented Representation. Therefore, Plaintiff and Class Members suffered an injury in fact and lost money as a result of Defendant's false and misleading Unscented Representation.

### **CLASS ALLEGATIONS**

35. ***Class Definition:*** Plaintiff brings this action on behalf a Class all people in the state of New York who purchased the Products for personal or household use during the last four years ("Class Members").

36. Subject to additional information obtained through further investigation and discovery, the foregoing class definitions may be expanded or narrowed by amendment or in the motion for class certification.

37. Specifically excluded from the putative classes are Defendant and any entities in which Defendant has a controlling interest, Defendant's agents and employees, the judge to whom this action is assigned, members of the judge's staff, and the judge's immediate family.

38. **Numerosity.** Class Members are so numerous that their individual joinder herein is impracticable. On information and belief, the Class includes hundreds of thousands of consumers. The precise number of Class Members and their identities are unknown to Plaintiff at this time but may be determined through discovery. Class Members may be notified of the pendency of this action by mail and/or publication through the distribution records of Defendant, its agents, or other means.

39. **Commonality and Predominance.** Common questions of law and fact exist as to all Class Members and predominate over questions affecting only individual Class Members. Common legal and factual questions include, but are not limited to:

- a. Whether Defendant misrepresented and/or failed to disclose material facts concerning the Products;
- b. Whether the Unscented Representation is false, misleading, and/or deceptive;
- c. Whether Defendant's conduct in advertising and selling the Products amounted to deceptive business practices;
- d. Whether Plaintiff and the Class Members have sustained damage as a result of Defendant's deceptive conduct;
- e. The proper measure of damages sustained by Plaintiff and the Class Members; and
- f. Whether Defendant was unjustly enriched by its unlawful practices.

40. **Typicality.** The claims of the Plaintiff are typical of the claims of the Class Members in that Plaintiff and the Class Members sustained damages as a result of Defendant's uniform wrongful conduct, as alleged above.

41. **Adequacy.** Plaintiff will fairly and adequately protect the interests of Class Members. Plaintiff has retained counsel that is highly experienced in complex consumer class action litigation, and Plaintiff intends to vigorously prosecute this action on behalf of the Class. Plaintiff has no

interests that are antagonistic to those of the Class Members. Plaintiff has no past or present financial, employment, familial, or other relationship with any of the attorneys in this case that would create a conflict of interest with the proposed Class Members.

42. ***Superiority***. A class action is superior to all other available methods for the fair and efficient adjudication of this controversy for, *inter alia*, the following reasons: prosecutions of individual actions are economically impractical for Class Members; the Class Members are readily definable; prosecution as a class action avoids repetitious litigation and duplicative litigation costs, conserves judicial resources, and ensures uniformity of decisions; and prosecution as a class action permits claims to be handled in an orderly and expeditious manner.

43. Defendant has acted or failed to act on grounds generally applicable to the Class Members, thereby making appropriate final injunctive relief with respect to the Class Members as a whole.

44. Without a class action, Defendant will continue a course of action that will result in further damages to the Plaintiff and Class Members and will likely retain the benefits of its wrongdoing.

**FIRST CAUSE OF ACTION**  
**Violation of New York General Business Law § 349**

45. Plaintiff repeats the prior allegations of this Complaint and incorporates them by reference herein.

46. Plaintiff brings this cause of action individually and on behalf of the Class Members.

47. New York's General Business Law § 349 prohibits deceptive acts or practices in the conduct of any business, trade, or commerce.

48. In their sale of goods throughout the State of New York, Defendant conducts business and trade within the meaning and intendment of New York's General Business Law § 349.

49. Plaintiff and Class Members are consumers who purchased the Products for their personal use.

50. By the acts and conduct alleged herein, Defendant engaged in deceptive, unfair, and misleading acts and practices, as alleged above.

51. The foregoing deceptive acts and practices were directed at consumers.

52. The foregoing deceptive acts and practices are misleading in a material way because they fundamentally misrepresent the characteristics and quality of the Products to induce consumers to purchase the same.

53. By reason of this conduct, Defendant engaged in deceptive conduct in violation of New York's General Business Law.

54. Defendant's actions are the direct, foreseeable, and proximate cause of the damages Plaintiff and Class Members have sustained from having paid for and used the Products.

55. As a result of Defendant's violations, Plaintiff and Class Members have suffered damages because: (a) they would not have purchased the Products on the same terms if they knew about Defendant's misrepresentation; (b) they paid a price premium for the Products due to the misrepresentation; and (c) the Products do not have the characteristics, uses, benefits, or qualities as promised.

56. Plaintiff seeks all available relief under this cause of action.

**SECOND CAUSE OF ACTION**  
**Violation of New York General Business Law § 350**

57. Plaintiff repeats the prior allegations of this Complaint and incorporates them by reference herein.

58. Plaintiff brings this cause of action individually and on behalf of the Class Members.

59. New York's General Business Law § 350 prohibits false advertising in the conduct of any business, trade, or commerce or in the furnishing of any service.

60. Pursuant to said statute, false advertising is defined as "advertising, including labeling, of a commodity . . . if such advertising is misleading in a material respect."

61. Based on the foregoing, Defendant engaged in consumer-oriented conduct that is deceptive or misleading in a material way which constitutes false advertising in violation of New York's General Business Law § 350.

62. Defendant's false, misleading, and deceptive statements and representations of fact were and are directed toward consumers. Defendant also actively concealed and knowingly omitted material facts regarding the true nature of the Products.

63. Defendant's false, misleading, and deceptive statements and representations of fact were and are likely to mislead a reasonable consumer acting reasonably under the circumstances.

64. Defendant's false, misleading, and deceptive statements and representations of fact has resulted in consumer injury or harm to the public interest.

65. As a result of Defendant's false, misleading, and deceptive statements and representations of fact, Plaintiff and Class Members have suffered and continue to suffer economic injury.

66. As a result of Defendant's violations, Plaintiff and Class Members have suffered damages because: (a) they would not have purchased the Products on the same terms if they knew about Defendant's misrepresentation; (b) they paid price premium for the Products due to the misrepresentation; and (c) the Products do not have the characteristics, uses, benefits, or qualities as promised.

67. Plaintiff seeks all available relief under this cause of action.

#### **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 and naming Plaintiff as the representative of the Class;

- (B) For an order declaring 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 actual, compensatory, statutory, and/or punitive damages in amounts to be determined by the Court and/or jury;
- (E) For prejudgment interest on all amounts awarded; and
- (F) For an order awarding Plaintiff and the Class their reasonable attorney fees, expenses, and costs of suit.

**JURY TRIAL DEMANDED**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff requests a jury trial on all issues so triable.

Dated: August 12, 2026

By: /s/ Jack Fitzgerald  
Jack Fitzgerald

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*Counsel for Plaintiffs and the Class*

*\*Pro hac vice forthcoming*

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

MARK GLICKMAN, individually and on behalf of all others similarly situated

(b) County of Residence of First Listed Plaintiff Nassau County, NY  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Fitzgerald Monroe Flynn PC;  
2341 Jefferson St., Ste. 200, San Diego CA 92110  
(619) 215-1741

DEFENDANTS

CHURCH & DWIGHT CO., INC.

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                        |                                                               | 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 type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" 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                                               | <b>PERSONAL INJURY</b>                                                  | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 422 Appeal 28 USC 158                         | <input type="checkbox"/> 375 False Claims Act                                                 |
| <input type="checkbox"/> 120 Marine                                                  | <input type="checkbox"/> 310 Airplane                                   | <input type="checkbox"/> 690 Other                                       | <input type="checkbox"/> 423 Withdrawal 28 USC 157                     | <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))                                         |
| <input type="checkbox"/> 130 Miller Act                                              | <input type="checkbox"/> 315 Airplane Product Liability                 |                                                                          | <b>INTELLECTUAL PROPERTY RIGHTS</b>                                    | <input type="checkbox"/> 400 State Reapportionment                                            |
| <input type="checkbox"/> 140 Negotiable Instrument                                   | <input type="checkbox"/> 320 Assault, Libel & Slander                   |                                                                          | <input type="checkbox"/> 820 Copyrights                                | <input type="checkbox"/> 410 Antitrust                                                        |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment       | <input type="checkbox"/> 330 Federal Employers' Liability               |                                                                          | <input type="checkbox"/> 830 Patent                                    | <input type="checkbox"/> 430 Banks and Banking                                                |
| <input type="checkbox"/> 151 Medicare Act                                            | <input type="checkbox"/> 340 Marine                                     |                                                                          | <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application | <input type="checkbox"/> 450 Commerce                                                         |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 345 Marine Product Liability                   |                                                                          | <input type="checkbox"/> 840 Trademark                                 | <input type="checkbox"/> 460 Deportation                                                      |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits           | <input type="checkbox"/> 350 Motor Vehicle                              | <b>LABOR</b>                                                             | <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016          | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations                   |
| <input type="checkbox"/> 160 Stockholders' Suits                                     | <input type="checkbox"/> 355 Motor Vehicle Product Liability            | <input type="checkbox"/> 710 Fair Labor Standards Act                    | <b>SOCIAL SECURITY</b>                                                 | <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)                            |
| <input type="checkbox"/> 190 Other Contract                                          | <input type="checkbox"/> 360 Other Personal Injury                      | <input type="checkbox"/> 720 Labor/Management Relations                  | <input type="checkbox"/> 861 HIA (1395ff)                              | <input type="checkbox"/> 485 Telephone Consumer Protection Act                                |
| <input type="checkbox"/> 195 Contract Product Liability                              | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice      | <input type="checkbox"/> 740 Railway Labor Act                           | <input type="checkbox"/> 862 Black Lung (923)                          | <input type="checkbox"/> 490 Cable/Sat TV                                                     |
| <input type="checkbox"/> 196 Franchise                                               |                                                                         | <input type="checkbox"/> 751 Family and Medical Leave Act                | <input type="checkbox"/> 863 DIWC/DIWW (405(g))                        | <input type="checkbox"/> 850 Securities/Commodities/Exchange                                  |
| <b>REAL PROPERTY</b>                                                                 | <b>CIVIL RIGHTS</b>                                                     | <input type="checkbox"/> 790 Other Labor Litigation                      | <input type="checkbox"/> 864 SSID Title XVI                            | <input type="checkbox"/> 890 Other Statutory Actions                                          |
| <input type="checkbox"/> 210 Land Condemnation                                       | <input type="checkbox"/> 440 Other Civil Rights                         | <input type="checkbox"/> 791 Employee Retirement Income Security Act     | <input type="checkbox"/> 865 RSI (405(g))                              | <input type="checkbox"/> 891 Agricultural Acts                                                |
| <input type="checkbox"/> 220 Foreclosure                                             | <input type="checkbox"/> 441 Voting                                     |                                                                          | <b>FEDERAL TAX SUITS</b>                                               | <input type="checkbox"/> 893 Environmental Matters                                            |
| <input type="checkbox"/> 230 Rent Lease & Ejectment                                  | <input type="checkbox"/> 442 Employment                                 | <b>IMMIGRATION</b>                                                       | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)       | <input type="checkbox"/> 895 Freedom of Information Act                                       |
| <input type="checkbox"/> 240 Torts to Land                                           | <input type="checkbox"/> 443 Housing/Accommodations                     | <input type="checkbox"/> 462 Naturalization Application                  | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609               | <input type="checkbox"/> 896 Arbitration                                                      |
| <input type="checkbox"/> 245 Tort Product Liability                                  | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment          | <input type="checkbox"/> 465 Other Immigration Actions                   |                                                                        | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| <input type="checkbox"/> 290 All Other Real Property                                 | <input type="checkbox"/> 446 Amer. w/Disabilities - Other               |                                                                          |                                                                        | <input type="checkbox"/> 950 Constitutionality of State Statutes                              |
|                                                                                      | <input type="checkbox"/> 448 Education                                  |                                                                          |                                                                        |                                                                                               |
|                                                                                      | <b>PRISONER PETITIONS</b>                                               |                                                                          |                                                                        |                                                                                               |
|                                                                                      | <b>Habeas Corpus:</b>                                                   |                                                                          |                                                                        |                                                                                               |
|                                                                                      | <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                              |                                                                          |                                                                        |                                                                                               |
|                                                                                      | <b>Other:</b>                                                           |                                                                          |                                                                        |                                                                                               |
|                                                                                      | <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)(2)(A) (Class Action Fairness Act)

Brief description of cause:  
Deodorants containing fragrance falsely labeled as "unscented."

VII. REQUESTED IN COMPLAINT:

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

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**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, **Jack Fitzgerald**, counsel for **Plaintiff Mark Glickman**, 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.

Plaintiff is unaware of any such corporation.

**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."

Plaintiff is unaware of any related cases.

**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, or 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?

**Check Form to Validate Before Signing**

I certify the accuracy of all information provided above.

Signature: /s/ Jack Fitzgerald

2. Does this case require immediate attention of a judge?

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>.

Date: 8/12/2026

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

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UNITED STATES DISTRICT COURT

for the

Eastern District of New York



MARK GLICKMAN, individually and on behalf of all  
others similarly situated,

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*Plaintiff(s)*

v.

CHURCH & DWIGHT CO., INC.

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*Defendant(s)*

Civil Action No. 26-4936

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Church & Dwight Co., Inc.  
500 Charles Ewing Blvd.  
Ewing, NJ 08628

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:

Jack Fitzgerald  
Fitzgerald Monroe Flynn PC  
2341 Jefferson St., Ste. 200  
San Diego, CA 92110

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.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. \_\_\_\_\_

**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: