ORIGINAL

Todd M. Friedman (State Bar No. 216752)
Adrian R. Bacon (State Bar No. 280332)
LAW OFFICES OF TODD M. FRIEDMAN, P.C.
21550 Oxnard St., Suite 780
Woodland Hills, CA 91367
Tel: (877) 206-4741
tfriedman@toddflaw.com
abacon@toddflaw.com
Counsel for Plaintiff

FILED
Superior Court of California
County of Los Angeles
OCT 13 2017
Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Shaunya Golden

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JACQULINE SALEM, individually and on behalf of all those similarly situated,

Plaintiff,

v.

Great Circle Family Foods, LLC dba Krispy Kreme Doughnuts and DOES 1-10,

Defendant(s).

Case No. BC679634

CLASS ACTION COMPLAINT

UNLIMITED JURISDICTION

AMOUNT TO EXCEED $25,000

DEMAND FOR JURY TRIAL

BY FAX

CIT/CASE: BC679634
LEA/DEF#:

RECEIPT #: CCH465980172
DATE PAID: 10/13/17 04:04 PM
PAYMENT: $435.00 310
RECEIVED:
CHECK: $435.00
CASH: $0.00
CHANGE: $0.00
CARD: $0.00

CIT/CASE: BC679634
LEA/DEF#:

RECEIPT #: CCH465980173
DATE PAID: 10/13/17 04:04 PM
PAYMENT: $1,000.00 310
RECEIVED:
CHECK: $1,000.00
CASH: $0.00
CHANGE: $0.00
CARD: $0.00

10/13/2017

OVERVIEW OF THE ACTION

1. Consumers rely on nutritional and label information in order to determine what food to purchase and consume. Consumers defer to the judgment of experts in the legal profession, the nutrition industry, and the food industry in order to obtain a reliable and descriptive information about their dietary lifestyles. The accuracy and veracity of this information and the protection of the legal profession are necessary components for individuals to make informed, healthy choices about what they want to place inside their bodies. When such information is falsely represented to consumers, their decisions become misinformed and their ability to make responsible choices taken from them.

2. Great Circle Family Foods, LLC dba Krispy Kreme Doughnuts ("Defendant") has utilized its position of power to feed false information to consumers in order to deceive them into making purchases that they would otherwise not make to obtain an unfair and unjust benefit. Specifically, Defendant has been purposefully, intentionally, and willfully misleading its consumers into believing that two of the most important nutritional components of its doughnuts are a fraction of what they are. Defendant advertises and represents objectively false statements about the amount of calories and sugar content its doughnuts has in order to take advantage of consumers who are actively trying to make healthier and more conscientious decisions about what they consume. Defendant has not only taken advantage of those that seek to make these healthier decisions, but Defendant is making a last ditch effort to try and capture its fleeting market share in the only way that it can—by directly lying to the consumers who rely on Defendant's labeling information.

3. Plaintiff thus brings this action on behalf of herself and all those similarly situated to Plaintiff who purchased within the applicable Statute of Limitations a Doughnut from Defendant ("Class Members") for damages for the amount of damaged caused to the members of the Class, restitution for the amount of unfair additional funds that Defendant stole from the members of the Class, and for injunctive, declaratory, and equitable relief demanding that Defendant cease engaging in its unlawful, unfair and fraudulent business and advertising practices.

///

///

JURISDICTION AND VENUE

4. All claims arise exclusively under California Law. Both Plaintiff and Defendant are residents of Los Angeles County California.

5. Venue is proper in this district under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions that give rise to Plaintiff's claims occurred in Los Angeles County and within this jurisdictional district, and Defendant does a substantial amount of business, including the business which gave rise to Plaintiff's claims within this County.

PARTIES

6. Defendant Great Circle Family Foods, LLC is a California Limited Liability Company headquartered in Long Beach, California. Defendant Great Circle Family Foods, LLC has subsidiaries, agents, and/or franchisees throughout California. Plaintiff is informed, believes and based thereon alleges that Defendants Great Circle Family Foods, LLC maintains direct and indirect control and supervision over its subsidiaries, agents, and/or franchisees through the requirements that its subsidiaries, agents, and/or franchisees maintain and use Defendant Great Circle Family Foods, LLC's uniform advertisements, pricing, clothing, labels, websites, structure, branding, and nearly every other component required to maintain and run a retail store of Defendant Great Circle Family Foods, LLC. Plaintiff does not know the true names and capacities of Defendant Great Circle Family Foods, LLC's subsidiaries, agents, and/or franchisees but is informed and believed and based thereon alleges that Defendant Great Circle Family Foods, LLC and each of its subsidiaries, agents, and/or franchisees were all in a joint scheme with Defendant Great Circle Family Foods, LLC and acting under the control and supervision of Defendant Great Circle Family Foods, LLC to carry out the unlawful business practices alleged herein. As Plaintiff does not know the true names and capacities of these subsidiaries, agents, and/or franchisees, Plaintiff brings this action against them under the names of "DOES 1-10." Plaintiff will amend its Complaint when the true names and capacities of DOES 1-10 becomes available to Plaintiff.

7. Plaintiff Jacqueline Salem is a citizen of California who resides in Beverly Hills, California. Plaintiff is a regular customer of Defendant who frequents retail stores run by Defendant throughout California for over four years.

FACTS SPECIFIC TO PLAINTIFF

8. In 2013 and continuing to at least October of 2017, Defendant supplied and provided to Plaintiff pamphlets claiming to provide accurate and updated nutritional information on its products and doughnuts. A true and correct copy of the pamphlet is attached hereto as "Exhibit A."

9. Among other things, the pamphlet provides a detailed breakdown of the nutritional value of each of the items sold by Defendant, including the calorie and sugar content of their doughnuts.

10. In reliance on this nutritional information, Plaintiff would come to Defendant's retail locations and purchase doughnuts from Defendant that are advertised as having a lower sugar content than other doughnuts. For example, the pamphlet advertises Defendant's "apple fritter" as having only 4g of sugar and being only 210 calories whereas as Defendant's Caramel KREME Crunch is advertised as having 30g of sugar and 390 calories. Based on this information, Plaintiff would choose to purchase Defendant's apple fritter doughnuts, believing that one serving size of a 1 doughnut had only 4g of sugar and was only 210 calories. In fact, Plaintiff returned to Defendant's retail locations on a reoccurring basis over the course of at least four years to purchase these doughnuts that were advertised as being so low in calories and sugar. Each time Plaintiff would be confronted with a similar pamphlet that would affirm the low caloric and sugar content of Defendant's doughnuts. Plaintiff would not have purchased doughnuts from Defendant had Defendant not advertised its doughnuts as being low in caloric and sugar content.

11. In or around August of 2017, Plaintiff was informed by Defendant's managerial staff at one of its locations that the nutritional information provided by the pamphlets were false and that there was no way that the doughnuts being sold by Defendant had the caloric and sugar content advertised. Plaintiff was shocked and disturbed at hearing this information. Plaintiff scoured the internet to determine if she would be able to find out the accurate and up to date nutritional information on the items that she purchased. Nowhere could Plaintiff find reliable nutritional information provided in a format as easily accessible as the Exhibit A Pamphlet that is provided in paper format in hand in Defendant's location. However, after looking for some time, Plaintiff was finally able to find on Defendant's website small text that linked individually to the nutritional

information of each item separately and discovered that the doughnut that Plaintiff purchased had was more sugar and calories than were advertised in the pamphlets like those attached as Exhibit A, which Plaintiff had been relying on for years. For example, Plaintiff discovered that the Apple Fitter that Plaintiff was purchasing had a sugar content of 26g and a calorie content of 350 grams for 1 serving size of 1 doughnut. A true and correct copy of this page is attached hereto as "Exhibit B."

COMMON FACTUAL ALLEGATIONS

12. Defendant sells doughnuts and related food products. Doughnuts make up almost the entirety of Defendant's business. Defendant makes almost all of their profit from the sales of doughnuts.

13. Consumers rely on the advertising, branding and nutritional information provided by Defendant and other food retailers in order to determine the nutritional content of the food they purchase and consume.

14. Defendant competes with other food retailers to obtain funds from consumers in order to maintain their business.

15. Consumers make active choices about which food items to purchase from which retailers as a result of the nutritional information that is provided by Defendant and other food retailers. The decision to purchase food items from one competitor over another is largely based on whether that food retailer sells food items that are lower in caloric content and sugar for the same or substantially similar food item.

The Class Products

16. The doughnuts and other products that are sold by Defendant is collectively referred to herein as "Class Products."

17. People typically refrain from purchasing doughnuts because they are known for having a high caloric content and amounts of sugar.

18. People would purchase many more doughnuts if they had the same taste but were of a lower caloric content and had less sugar.

19. Defendant obtain a significant portion of its revenue from the sale of doughnuts based on providing the calorie and sugar content of these items.

20. When it sold the Class Products, Defendant made the same or similar misrepresentations and omissions with respect to each Class Product.

21. Defendant made the same or similar misrepresentations and omissions with respect to each Class Product, when it provided pamphlets that advertised false information about the calorie and sugar content of its products.

Defendant's Motives for Carrying Out Its Injurious Advertising Practice

22. There has been a large shift in the consumer conscious to move away from less healthy foods with high calorie and sugar content to more nutritional foods. Doughnuts are one of the quintessential non-healthy "junk" foods that people first cut and seek to avoid eating when they make a determination to eat healthier and fuller.

23. Due to this shift in consumer conscious; Defendant has lost and continue to lose increasing market share to consumers who choose to eat less sugary foods with less caloric content.

24. In order to continue to capture this losing market share, Defendant would have to either provide a healthier, fuller product or to lie about the products it chose to provide. If Defendant would provide a healthier, fuller product with a lower sugar and calorie content, then it would not be able to provide their products at the same taste and with many of other qualities.

25. Defendant was therefore motivated to boost their earnings from sales by advertising, representing, and expressly stating that its doughnuts had lower sugar and calorie contents than they in fact had.

Defendant's Injurious Advertising Practices

26. For at least four years now, Defendant has been providing throughout its locations pamphlets such as those attached hereto as "Exhibit A."

27. These pamphlets provide clear and clear grids that label various columns of nutritional information including the sugar and calorie content of all the doughnuts that Defendant sells at its stores in one easily accessible format. Defendant provides no other presentation of nutritional information in such an easily accessible format.

28. Defendant provided the same systemic advertising of these flyers in the exact same format and with the exact same nutritional information throughout its retail locations.

29. Defendant's pamphlets actively included false information, which misled hundreds of thousands of consumers to purchase items that they believed were of a different quality than they in fact were. Many of these consumers made purchases that they would not have otherwise made.

Defendant's Scheme to Repel Competition and Limit Consumer Choice

30. Defendant purposely, willfully, and maliciously misrepresented the nutritional information of its doughnuts.

31. Through its false misrepresentations, Defendant sought to repel competition for healthier food options. The purpose of Defendant's false misrepresentations was to restrict consumer choice by misleading consumers for its own benefit and to provide nothing of value in return.

32. Defendant carried out this scheme to restrict the choices available to its customers, induce them to purchase more of Defendant's products, and protect Defendant's profits from sales of products from its competitors.

CLASS ACTION ALLEGATIONS

33. Plaintiff brings this action under the California Code of Civil Procedure on behalf of the following Class:

The California Class

> All persons in California who purchased one or more Class Products sold from Defendants.

Excluded from the proposed Class is Defendant's officers, directors, legal representatives, successors, and assigns; any entity in which Defendant has a controlling interest; and judicial officers to whom this case is assigned and their immediate family members.

34. Plaintiff reserves the ability to modify the definition of the proposed Class before the Court determines whether class certification is warranted.

35. The requirements of Federal Rule of Civil Procedure 23(a), (b)(1), (b)(2), and (b)(3) are met in this case.

36. Numerosity. The Class consists of thousands of purchasers of Class Products, making joinder of each Class member impracticable. The Class is presently ascertainable by reference to objective criteria and based on records within Defendants' possession.

37. Commonality and Predominance. Common questions of law and fact exist for each of the causes of action and predominate over questions affecting only individual Class members. Questions common to the Class include:

a. Whether Defendant's acts and practices constitute unfair methods of competition;

b. Whether Defendant engaged in unfair acts or practices in the conduct of trade;

c. Whether Defendant engaged in deceptive business practices at the point of sale with respect to the Class Products;

d. Whether Defendant made material misrepresentations and omissions with respect to the doughnuts originally sold to Plaintiff and Class members;

e. Defendant's motives for devising and executing its false advertising of Class Products;

f. Whether and to what extent Class Doughnuts profited from the sale of Class Products;

g. Whether Defendant violated Cal. Bus. & Prof. Code §§ 17200, *et seq.*, Cal. Bus. & Prof. Code §§ 17500, *et seq.*, and Cal. Civ. Code §§ 1750, *et seq.*;

h. Whether Defendant's conduct constitutes tortious interference with contractual relations and/or prospective economic advantage;

i. Whether Plaintiff and Class members are entitled to equitable relief;

j. Whether Defendants' unlawful, unfair, and deceptive practices harmed Plaintiff and Class members;

k. Whether Defendant's conduct is substantially injurious to purchasers;

l. The method of calculation and extent of damages for Plaintiff and Class members;

m. Whether Plaintiff and the Class are entitled to restitution and, if so, in what amount; and

38. Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff, like all Class members, purchased Class Products that Defendant falsely misrepresented. Each Class member's claims arise from the same tortious conduct of Defendant.

39. Adequacy. Plaintiff will fairly and adequately protect the interests of the Class. Plaintiff's interests do not conflict with the interests of Class members, and they have retained counsel experienced in prosecuting class action and consumer protection litigation.

40. In addition to satisfying the prerequisites of Rule 23(a), Plaintiff satisfies the requirements for maintaining a class action under Rule 23(b)(3).

41. Superiority. A class action is superior to individual adjudications of this controversy. Litigation is not economically feasible for individual Class members because the amount of monetary relief available to individual plaintiffs is insufficient in the absence of the class action procedure. Separate litigation could yield inconsistent or contradictory judgments, and increase the delay and expense to all parties and the court system. A class action presents fewer management difficulties and provides the benefits of a single adjudication, economy of scale, and comprehensive supervision by a single court.

42. Class certification also is appropriate under Rule 23(b)(1) or (b)(2) because:

a. the prosecution of separate actions by individual Class members would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for Defendant;

b. the prosecution of separate actions by individual Class members would create a risk of adjudication of their rights that, as a practical matter, would be dispositive of the interests of other Class members not parties to such adjudications or would substantially impair or impede other Class members' ability to protect their interests; and

c. Defendant has acted and refused to act on grounds that apply generally to the Class such that final injunctive relief or declaratory relief is warranted with respect to the Class as a whole.

///

///

FIRST CLAIM FOR RELIEF
Unfair and Unlawful Business Practices in Violation of the Unfair Competition Law, Cal. Bus. & Prof. Code § 17200, *et seq.*
(On Behalf of the Class and Subclass)

43. Plaintiff incorporates the above allegations by reference.

44. Defendant's conduct resulted from policies that Defendant contrived, ratified, and implemented throughout its retail locations.

45. Defendant's conduct is unlawful, in violation of the UCL, because it contravenes the legislatively declared policy against unfair methods of business competition. Additionally, Defendant's conduct is unlawful because, as set forth below, it violates the False Advertising Law and the Consumer Legal Remedies Act.

46. Defendant engaged in unfair methods of competition and unfair trade practices that violate the UCL in at least the following respects:

a. With the intent and effect of stifling open and vigorous competition in the market for food products, Defendant devised and executed a scheme to mislead consumers throughout its retail locations.

b. Defendant intentionally caused the above referenced misleading of consumers through purposeful, willful and intentional objectively false statements and omissions.

c. Defendant made no action to rectify the above referenced deception and provided no corrective advertising that was easily accessible to consumers which would offset its blatantly false advertising.

d. By forcing Plaintiff and Class members believe that its doughnuts had less sugar and calorie content, Defendant has obtained an unfair advantage in the marketplace and has hindered competition for other food products.

e. To induce purchases of Defendant's products, Defendant provided misleading pamphlets throughout its retail locations.

f. Defendant's conduct was designed to increase and maintain its share of the food market due to conditions separate from competitive factors like pricing and quality of goods.

47. Defendant acted to inhibit competition in a manner that is unfair and substantially injurious to the consuming public. Defendant's unfair methods of competition and unfair acts and practices are contrary to California law and policy and constitute unscrupulous, unethical, outrageous, and oppressive business practices.

48. Defendant has indicated that it considers itself free to commit similar injurious acts of unfair competition in the future. It should be enjoined from doing so pursuant to Business and Professions Code section 17203.

49. The gravity of the harm resulting from Defendant's conduct detailed above outweighs any possible utility of this conduct. There are reasonably available alternatives that would further Defendant's legitimate business interests.

50. Plaintiff and Class members could not have reasonably avoided injury from Defendant's unfair business conduct. Plaintiff and Class members did not know, and had no reasonable means of learning, that Defendant's products did not have the nutritional information that Defendant represented.

51. As a direct and proximate result of Defendant's conduct, Plaintiff and Class members have suffered injuries in fact, including because:

a. Defendant's unfair methods of competition and unfair acts and practices have prevented Plaintiff and Class members from making purchasing decisions on the basis of competitive factors in the marketplace for consumer and business goods.

b. As a result of Defendant's unfair methods of competition and unfair acts and practices, Plaintiff and Class members who purchased doughnuts that they would not have purchased absent Defendant's false representations.

c. Defendant's unfair methods of competition and unfair acts and practices have caused Plaintiff's and Class members' to purchase items that had substantially less value than advertised.

52. All of Defendant's unlawful and unfair conduct occurred during Defendant's business and was part of a generalized course of conduct.

53. Plaintiff and the Class accordingly are entitled to relief as provided for under the UCL, including restitution, declaratory relief, and a permanent injunction prohibiting Defendant from committing these violations. Plaintiff also respectfully seek reasonable attorneys' fees and costs under applicable law, including California Code of Civil Procedure section 1021.5.

SECOND CLAIM FOR RELIEF
Fraudulent Business Practices in Violation of the Unfair Competition Law, Cal. Bus. & Prof. Code § 17200, *et seq.* (On Behalf of the Class)

54. Plaintiff incorporates the above allegations by reference.

55. Defendant's conduct resulted from policies that Defendant contrived, ratified, and implemented systematically throughout its retail locations.

56. Defendant's conduct violates the UCL's prohibition of fraudulent business practices.

57. To induce purchases of Defendant's doughnuts, Defendant made misleading statements in its advertisements that deceived Plaintiff and Class members and reinforced its reasonable expectation and belief about the nutritional value of the doughnuts.

58. A reasonable consumer would expect that they would be able to rely on the nutritional information provided by Defendant.

59. At the time Plaintiff and Class members purchased their Class Products, Defendant was aware of consumers' widespread and common practice of relying on the nutritional information of Defendant. Defendant deliberately furthered, fostered, and reinforced this expectation, through uniform misrepresentations and material omissions.

60. Defendant's uniform listing of false nutritional information communicated to reasonable consumers through the use of paper pamphlets and other representations and omissions mislead these consumers into believing that Defendant's doughnuts were different than advertised.

61. These multiple statements, together with (i) consumers' existing reasonable expectations to rely on Defendant's representations, and (ii) Defendant's suppression of the true, material fact that the doughnuts were of a different nutritional information, completed Defendant's deceptive scheme.

62. Defendant's conduct had a strong tendency and likelihood to deceive reasonable consumers. Defendant's conduct misled, deceived, and tricked Plaintiff and Class members into purchasing Defendant's doughnuts they would not have purchased in the absence of Defendant's deception.

63. When they purchased Defendant's doughnuts, Plaintiff and Class members reasonably relied to their detriment on Defendant's misleading statements in its advertisements, representations and omissions. These statements deceived Plaintiff and Class members by, among other things, reinforcing their reasonable expectation and belief that they could rely on Defendant's nutritional information.

64. The nutritional information was material and highly important to Plaintiff and Class members in deciding to purchase Class Products.

65. Defendant has a duty to clearly and conspicuously disclose to Plaintiff and Class members the true and accurate nutritional information of its products, because (i) a reasonable consumer would find this information highly important and material to the decision of whether to purchase a doughnut instead of another food item, and (ii) a reasonable consumer would expect that, unless otherwise informed, he or she would be able to rely on Defendant's representations of the nutritional information.

66. Defendant caused Plaintiff and Class members to forgo purchasing doughnuts from other companies due to its false representations and concealment of material facts.

67. At the direct expense of Plaintiff and Class members, Defendant benefited and profited from its false representations and concealment of material facts. As a direct and proximate result of Defendant's deception, more consumers purchased Defendant's doughnuts.

68. Defendant's wrongful and injurious deception continued when it failed to provide corrective advertising to Plaintiff and Class members

69. To induce purchases of Defendant's doughnuts, Defendant intentionally caused the Class Products to be perceived as having a different nutritional content than they in fact had.

70. Defendant's misleading pamphlets had a strong tendency to, and actually did, deceive Plaintiff and Class members.

71. Plaintiff and Class members reasonably relied to their detriment on Defendant's misleading pamphlets. Defendant's misleading misrepresentations and omissions caused actual harm to Plaintiff and Class members by inducing them to purchase Defendants' doughnuts. Plaintiff and Class members purchased Defendant's doughnuts as a direct and proximate result of Defendant's misleading statements and omissions.

72. All of Defendant's misleading and fraudulent conduct occurred during Defendant's business and was part of a generalized course of conduct.

73. Plaintiff and the Class accordingly are entitled to relief as provided for under the UCL, including restitution, declaratory relief, and a permanent injunction. Plaintiff also respectfully seek reasonable attorneys' fees and costs under applicable law, including California Code of Civil Procedure section 1021.5.

THIRD CLAIM FOR RELIEF
Violations of the False Advertising Law,
Cal. Bus. & Prof. Code § 17500, *et seq.*
(On Behalf of the Class)

74. Plaintiff incorporates the above allegations by reference.

75. Defendant violated the FAL by using false and misleading statements, and material omissions, to promote the sale of Class Products.

76. Class Products do not possess the level of quality or value that Defendant promised.

77. Defendant made uniform representations and material omissions that communicated to Plaintiff and Class members that Class Products were of a different nutritional value.

78. Defendant knew, or in the exercise of reasonable diligence should have known, that its representations and omissions were false and misleading at the time it made them. Defendant deliberately provided false representations and omissions to deceive reasonable consumers.

79. Defendant's false and misleading advertising of Class Products deceived the general public.

80. As a direct and proximate result of Defendant's misleading and false advertising, Plaintiff and Class members have suffered injury-in-fact and have lost money and property. Plaintiff and Class members reasonably relied to their detriment on Defendant's material misrepresentations

and omissions that Class Products would be of lower national value. Plaintiff and Class members received products that were materially different than advertised: the Class Products were of a different nutritional content than advertised.

81. Plaintiff and Class members bring this action under Business and Professions Code section 17535 to enjoin the violations described herein and to require Defendants to issue appropriate corrective disclosures. Defendant's false advertising will continue to harm consumers unless and until it is enjoined. Plaintiff and Class members therefore seek: (a) an order requiring Defendant to cease its false advertising; (b) full restitution of all monies Defendant derived from its false advertising; (c) interest at the highest rate allowable by law; and (d) an award of reasonable attorneys' fees and costs under applicable law, including Code of Civil Procedure section 1021.5.

FOURTH CLAIM FOR RELIEF
Violations of the Consumer Legal Remedies Act,
Cal. Civ. Code § 1750, *et seq.*
(On Behalf of the Class)

82. Plaintiff incorporates the above allegations by reference.

83. Defendant's conduct violates the Consumer Legal Remedies Act, Cal. Civ. Code § 1770. Defendants violated the following CLRA provisions:

a. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have (§ 1770(5));

b. Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another (§ 1770(7));

c. Advertising goods or services with intent not to sell them as advertised (§ 1770(9));

d. Representing that a transaction confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law (§ 1770(14)); and

e. Representing that the subject of a transaction has been supplied in accordance with a previous representation when it has not (§ 1770(16)).

84. The Class Products are "goods" as defined by Civil Code § 1761(a).

85. Defendant is both a "person" as defined by Civil Code § 1761(c).

86. Plaintiff and Class members purchased Class Products for personal, family, and household purposes, and hence are "consumers" as defined by Civil Code § 1761(d).

87. These purchases by Plaintiff and Class members are "transactions" as defined by Civil Code § 1761(e)

88. Defendant made false and misleading representations regarding the features and functions of Class Products, including by concealing, at the time of sale, the material fact that the doughnuts were of a different nutritional value than advertised.

89. Defendant expressly represented to Plaintiff and Class members, through written statements on the pamphlets, that the nutritional value of the doughnuts was in fact different than they were. When purchasing the doughnuts, Plaintiff and Class members relied on and made their decision about this purchase as a result of Defendant's written statements. When purchasing Class Products, Plaintiffs and Class members reasonably understood and believed that that Defendant's representations were accurate.

90. Plaintiff and Class members relied on Defendant's representations and omissions about the nutritional value of the doughnuts.

91. The nutritional value of the doughnut is an important consideration to consumers in the food market. Reasonable consumers rely on this information when deciding which food item to purchase.

92. In deliberately conveying to purchasers that the items had a different nutritional value, and by suppressing and concealing the true and accurate nutritional value of the products, Defendant made false and misleading representations regarding the quality and contents of its products with the Class Products, in violation of sections 1770(a)(5), (7), (9), (14), and (16) of the CLRA.

93. Plaintiff and Class members have suffered injury-in-fact from Defendants' CLRA violations. Had Plaintiff and Class members known the material facts that Defendant concealed, they would not have purchased Class Products or would have paid significantly less for them.

94. Plaintiff and the Class accordingly are entitled to relief as provided for under the CLRA, including restitution, declaratory relief, and a permanent injunction. Plaintiff also respectfully

request reasonable attorneys' fees and costs under applicable law, including California Code of Civil Procedure section 1021.5.

95. Plaintiff complied with Civil Code § 1782 by providing Defendant with presuit notice of Defendant's CLRA violations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on behalf of themselves and the Class and Subclass defined above, respectfully request that this Court:

A. Certify this case as a class action under the California Rules of Civil Procedure, appoint Plaintiff as Class representative, and appoint the undersigned counsel as Class counsel;

B. Enter injunctive and declaratory relief as appropriate under applicable law;

C. Order restitution or actual damages to Plaintiff and Class members;

D. Award Plaintiff and Class members trebled damages along with pre- and post-judgment interest, as prescribed by law;

E. Award punitive damages, as permitted by law, in an amount to be determined by the jury or the Court;

F. Order Defendants to provide notice to the Class of this action and the remedies entered by this Court;

G. Award reasonable attorneys' fees and costs as permitted by law; and

H. Enter such other and further relief as may be just and proper.

///

///

///

///

///

///

///

///

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial on all issues so triable.

Dated: October 12, 2017

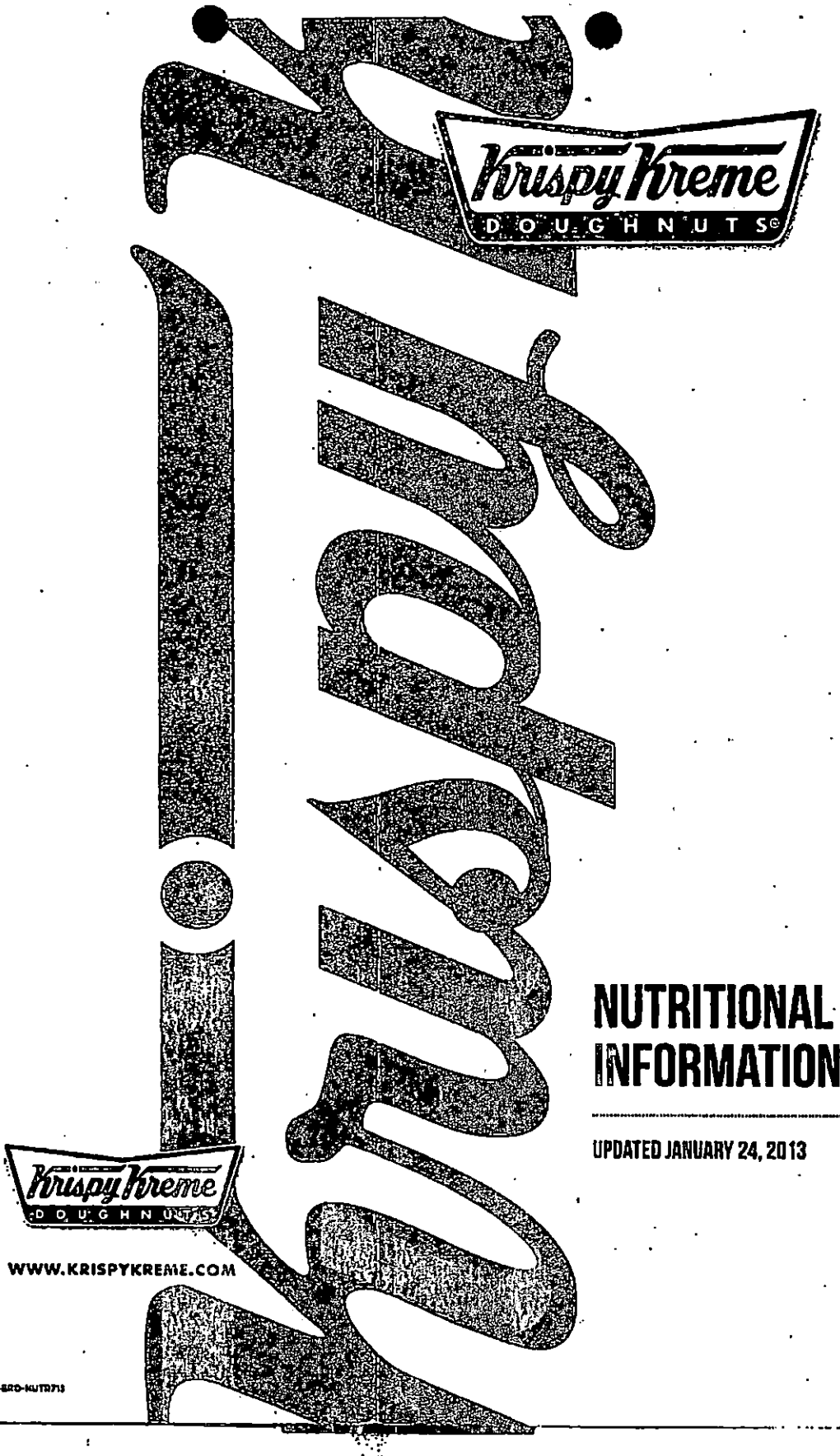
Respectfully submitted,

By: _____

Todd M. Friedman (State Bar No. 216752)
Adrian R. Bacon (State Bar No. 280332)
LAW OFFICES OF TODD M. FRIEDMAN, P.C.
21550 Oxnard St., Suite 780
Woodland Hills, California 91367
Telephone: (877) 206-4741
Facsimile: (866) 633-0228
tfriedman@toddflaw.com
abacon@toddflaw.com
Attorneys for Plaintiff

Exhibit A

10/13/2017
10/13/2017



NUTRITIONAL INFORMATION

UPDATED JANUARY 24, 2013

	Serving Size	Calories	Calories from Fat	Total Fat (g)	Saturated Fat (g)	Trans Fat (g)	Cholesterol (mg)	Sodium (mg)	Total Carbohydrates (g)	Dietary Fiber (g)	Sugars (g)	Protein (%DV)	Vitamin A (%DV)	Vitamin C (%DV)	Calcium (%DV)	Iron (%DV)
Apple Fritter	87g	210	130	14	7	0	5	110	18	1	4	3	0	2	8	8
Baseball Doughnut	68g	290	150	17	8	0	0	125	33	<1	16	4	0	2	4	6
Caramel KREME™ Crunch	96g	390	180	20	10	0	5	170	50	<1	30	4	0	2	6	6
Chocolate Iced Cake	71g	280	140	15	7	0	20	320	34	<1	19	3	0	0	2	8
Chocolate Iced Custard Filled	89g	310	160	17	8	0	0	150	36	<1	19	4	0	2	4	6
Chocolate Iced Glazed	64g	240	100	11	5	0	5	95	33	<1	21	2	0	2	6	4
Chocolate Iced Glazed Crullet	70g	260	110	12	5	0	15	260	38	<1	25	2	0	0	2	6
Chocolate Iced Glazed Football Stamp	72g	290	150	17	8	0	0	125	31	<1	15	4	0	2	4	6
Chocolate Iced Glazed Hearts w/Strawberry KREME™ Filling and Red Drizzle	93g	360	190	20	10	0	0	150	43	<1	25	4	0	2	4	6
Chocolate Iced w/ KREME™ Filling	89g	360	190	21	10	0	0	140	40	<1	23	4	0	2	4	6
Chocolate Iced KREME™ Web (Halloween)	100g	400	180	20	10	0	0	140	51	<1	34	4	0	2	4	6
Chocolate Iced Glazed with Sprinkles	66g	250	110	12	5	0	0	95	35	1	23	2	0	4	4	4
Chocolate Iced Raspberry Filled	89g	310	150	17	8	0	0	125	36	<1	19	4	0	2	4	6
Cinnamon Apple Filled	81g	290	150	16	8	0	5	150	33	<1	14	3	0	2	10	6
Cinnamon Bun	67g	260	150	16	8	0	5	125	28	<1	13	3	0	2	10	6
Cinnamon Twist	59g	240	140	15	7	0	5	130	23	<1	7	3	0	2	8	6
Doughnut Hole Glazed Blueberry Cake = 4 Holes	51g	190	80	8	4	0	15	210	26	<1	16	2	0	0	2	6
Doughnut Hole Glazed Cake = 4 holes	51g	200	90	10	4.5	0	15	220	26	<1	16	2	0	0	2	6
Doughnut Hole Glazed Chocolate Cake = 4 Holes	51g	190	80	9	4.5	0	15	200	25	1	15	2	0	0	2	6
Doughnut Hole Original Glazed® = 4 Holes	54g	200	100	11	4.5	0	0	90	26	0	15	2	0	0	6	4
Doughnut Hole Pumpkin Spice Cake = 4 Holes	51g	210	90	10	4.5	0	15	240	29	0	17	2	0	0	4	6
Dulce De Leche	75g	300	160	18	9	0	5	160	31	<1	14	3	0	2	10	6
Eclair - Chocolate Iced Banana Filled w/Yellow Drizzle	99g	290	120	13	6	0	0	90	41	<1	27	3	0	2	4	4
Eclair - Chocolate Iced Chocolate Filled w/Chocolate Drizzle	99g	290	150	16	7	0	0	120	39	2	23	4	0	2	4	6
Eclair - White Iced Strawberries & KREME™ w/Pink Drizzle	99g	330	150	16	8	0	5	110	43	<1	29	3	0	2	4	4
Glazed Blueberry Cake	80g	300	130	14	7	0	20	230	42	<1	28	2	0	0	2	8
Glazed Chocolate Cake	80g	300	130	15	7	0	20	230	41	2	26	3	0	0	2	10
Glazed Cinnamon	53g	200	100	11	4.5	0	0	90	25	<1	13	2	0	2	4	4
Glazed Crullet	56g	220	100	12	5	0	15	260	27	<1	15	2	0	0	2	6
Glazed w/ KREME™ Filling	84g	340	180	20	10	0	5	140	38	<1	22	3	0	2	8	6
Glazed Lemon Filled	85g	290	140	16	8	0	5	135	35	<1	17	3	0	2	8	6
Glazed Raspberry Filled	84g	290	140	16	8	0	5	125	36	<1	20	3	0	2	8	6
Glazed Sour Cream Cake	80g	310	130	14	7	0	20	250	43	<1	27	2	0	0	2	8
Jack-O-Lantern	74g	280	120	13	6	0	0	110	38	<1	24	3	0	2	4	6
Maple Iced Glazed	64g	230	100	11	5	0	0	90	32	<1	20	2	0	2	4	4
Mini Chocolate Iced Glazed	30g	110	50	5	2.5	0	0	45	16	0	10	1	0	0	2	2
Mini Chocolate Iced with Sprinkles	35g	130	50	5	2.5	0	0	45	20	0	13	1	0	0	2	2
Mini Original Glazed®	23g	90	45	5	2.5	0	0	40	10	0	5	1	0	0	2	2
New York Cheesecake	96g	350	190	21	10	0	10	200	36	<1	17	4	2	2	6	8
Original Glazed®	49g	190	100	11	5	0	0	90	21	0	10	2	0	2	4	4
Powdered Blueberry Filled	84g	300	150	17	8	0	0	135	34	<1	14	4	0	2	4	6
Powdered Cake	54g	220	100	11	5	0	15	240	27	0	14	2	0	0	2	6
Powdered Strawberry Filled	81g	290	150	16	8	0	5	135	33	<1	13	3	0	2	8	6
Pumpkin Spice Cake	81g	300	130	14	7	0	20	240	42	<1	27	2	0	0	2	8
Pumpkin, Football, Egg Shape Iced & Stamped	70g	280	150	17	8	0	5	120	29	<1	12	3	3	3	3	3
Sugar	46g	190	100	11	5	0	0	85	20	0	9	2	0	2	4	4
Tennis Ball	73g	290	150	17	8	0	0	125	32	<1	16	4	0	2	4	6
Traditional Cake	57g	190	110	12	6	0	15	260	19	0	7	2	0	0	2	6
White Iced Egg with Easter Sprinkles	74g	340	160	18	8	0	0	120	41	<1	20	4	0	2	4	6
White Iced Glazed Heart	81g	320	160	17	8	0	0	120	38	<1	20	3	0	2	4	6
White Iced Glazed Snowman + Stamp	66g	280	150	17	8	0	5	120	29	<1	12	3	0	2	8	6
White Iced Heart w/Valentine Sprinkles	69g	300	150	16	8	0	0	115	35	<1	19	3	0	2	4	3
White Iced Shamrock with St Patrick's Sprinkles	68g	300	160	18	8	0	0	120	31	<1	11	3	0	2	4	6
White Iced Star with Patriotic Sprinkles	69g	300	160	18	8	0	0	120	31	<1	11	3	0	2	4	6

Exhibit B

Product Name: Apple Fritter

Nutrition Facts

Serving Size 1 Doughnut (100g)
Servings per Container

Amount Per Serving	
Calories 350	Calories from Fat 170
	% Daily Value
Total Fat 19g	29%
Saturated Fat 9g	45%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 110mg	5%
Potassium 45mg	
Total Carbohydrates 42g	14%
Dietary Fiber 1g	4%
Sugars 26g	
Protein 4g	

Vitamin A	0%	• Vitamin C	10%
Calcium	6%	• Iron	6%

*Percent(s) Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower based on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Saturated Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

Ingredients: Doughnut (Enriched Wheat Flour (Wheat Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid and Enzyme), Vegetable Shortening (Palm Oil, Fully and/or Partially Hydrogenated Soybean Oil, and/or Partially Hydrogenated Cottonseed Oil, Cottonseed Oil, and/or Soybean Oil, Mono and Diglycerides and Polyglycerol Esters and/or BHT and/or Tocopherol and/or Citric Acid), Water, Dextrose, Yeast, Soy Flour, Salt, Wheat Gluten, Monoglycerides, Monocalcium Phosphate Monohydrate, Lecithin, Sugar, Calcium Propionate (To Maintain Freshness), Dried Milk Powder, Ethoxylated Monoglycerides, Cellulose Gum, Calcium Sulfate, Maltodextrin, Ascorbic Acid, Natural and Artificial Flavors, Sorbitan Monostearate, Ammonium Sulfate, Dicalcium Phosphate, Enzyme, Tricalcium Phosphate, Diammonium Phosphate); **Glaze** (Sugar, Water, Corn Starch, Partially Hydrogenated Soybean Oil, Calcium Sulfate And/Or Calcium Carbonate, Agar, Dextrose, Natural and Artificial Flavors, Salt, Disodium Phosphate, Locust Bean Gum And/Or Mono and Diglycerides); **Filling** (Apples, Water, Corn Syrup, Ground Cinnamon).

Allergens: Wheat, Soy, Milk

Issue Date: 3/22/2016 1:26:26 PM

Revision Date: 9/16/2016 V:2 Allergen Disclaimer Change

Our facilities produce products with peanuts, tree nuts, soy, milk, eggs and wheat. While we take steps to minimize the risk of cross contamination, we cannot guarantee that any of our products are safe to consume for people with peanut, tree nut, soy, milk, egg or wheat allergies.

ORIGINAL

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Todd M. Friedman, Esq. SBN 216752
Law Offices of Todd M. Friedman
21550 Oxhard St., Suite 780
Woodland Hills, CA 91367
TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228
ATTORNEY FOR (Name): Plaintiff, JACQUINE SALEM

FILED
Superior Court of California
County of Los Angeles
OCT 13 2017
Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Shaniya Bolden

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 111 N Hill St
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles 90012
BRANCH NAME: Stanley Mosk Courthouse

CASE NAME:
JACQUINE SALEM v. Great Circle Family Foods, LLC

CASE NUMBER: BC679634

JUDGE:
DEPT:

CIVIL CASE COVER SHEET
- [✓] Unlimited (Amount demanded exceeds $25,000)
- [ ] Limited (Amount demanded is $25,000 or less)

Complex Case Designation
- [ ] Counter
- [ ] Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1–6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Asbestos (04)
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [ ] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- [ ] Business tort/unfair business practice (07)
- [ ] Civil rights (08)
- [ ] Defamation (13)
- [ ] Fraud (16)
- [ ] Intellectual property (19)
- [ ] Professional negligence (25)
- [✓] Other non-PI/PD/WD tort (35)

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [ ] Eminent domain/inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re: arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
- [ ] Antitrust/Trade regulation (03)
- [ ] Construction defect (10)
- [ ] Mass tort (40)
- [ ] Securities litigation (28)
- [ ] Environmental/Toxic tort (30)
- [ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- [ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
- [ ] RICO (27)
- [ ] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- [ ] Partnership and corporate governance (21)
- [ ] Other petition *(not specified above)* (43)

BY FAX

2. This case [✓] is [ ] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [✓] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [✓] Substantial amount of documentary evidence
   d. [✓] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [✓] monetary b. [✓] nonmonetary; declaratory or injunctive relief c. [✓] punitive
4. Number of causes of action *(specify)*: 4
5. This case [✓] is [ ] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: October 13, 2017
Todd M. Friedman
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 [Rev. July 1, 2007]

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740;
Cal. Standards of Judicial Administration, std. 3.10
www.courtinfo.ca.gov

American LegalNet, Inc.
www.FormsWorkflow.com

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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

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

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

CASE TYPES AND EXAMPLES

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

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/ Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice–Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort
- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment
- Wrongful Termination (36)
- Other Employment (15)

Contract
- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
  - Contract/Warranty Breach–Seller Plaintiff *(not fraud or negligence)*
  - Negligent Breach of Contract/ Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case–Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

Real Property
- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review
- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

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

Miscellaneous Civil Complaint
- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition
- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition

ORIGINAL

SHORT TITLE: JACQUILINE SALEM V. Great Circle Family Foods, LLC dba Krisp	CASE NUMBER BC 679634

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

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury).

BY FAX

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: JACQUILINE SALEM V. Great Circle Family Foods, LLC dba Krisp	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	☐ A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	☐ A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	☐ A6017 Legal Malpractice	1, 2, 3
		☐ A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	☑ A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	☐ A6024 Other Employment Complaint Case	1, 2, 3
		☐ A6109 Labor Commissioner Appeals	10
Contract	Breach of Contract/ Warranty (06) (not Insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2, 5
		☐ A6019 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1, 2, 5
	Collections (09)	☐ A6002 Collections Case-Seller Plaintiff	5, 6, 11
		☐ A6012 Other Promissory Note/Collections Case	5, 11
		☐ A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	☐ A6009 Contractual Fraud	1, 2, 3, 5
		☐ A6031 Tortious Interference	1, 2, 3, 5
		☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
Real Property	Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	☐ A6018 Mortgage Foreclosure	2, 6
		☐ A6032 Quiet Title	2, 6
		☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
Unlawful Detainer	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: JACQUILINE SALEM V. Great Circle Family Foods, LLC dba Krisp	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus	2, 8
		☐ A6152 Writ - Mandamus on Limited Court Case Matter	2
		☐ A6153 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	☐ A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment	2, 5, 11
		☐ A6160 Abstract of Judgment	2, 6
		☐ A6107 Confession of Judgment (non-domestic relations)	2, 9
		☐ A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		☐ A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	☐ A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only	1, 2, 8
		☐ A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		☐ A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
		☐ A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment	2, 3, 9
		☐ A6123 Workplace Harassment	2, 3, 9
		☐ A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		☐ A6190 Election Contest	2
		☐ A6110 Petition for Change of Name/Change of Gender	2, 7
		☐ A6170 Petition for Relief from Late Claim Law	2, 3, 8
		☐ A6100 Other Civil Petition	2, 9

SHORT TITLE: JACQUILINE SALEM V. Great Circle Family Foods, LLC dba Krisp	CASE NUMBER

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON:	ADDRESS:
☒ 1. ☐ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☐ 11.	4760 E LOS COYOTES DIAGONAL

CITY:	STATE:	ZIP CODE:
LONG BEACH	CA	90815

Step 5: Certification of Assignment: I certify that this case is properly filed in the CENTRAL District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 10/13/2017

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.