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15 *Michelle Richard, and all others similarly situated*

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES

18 BC 563304

19 MICHELLE RICHARD, individually, and
20 on behalf of other members of the general
21 public similarly situated,

22 Plaintiff,

23 vs.

24 WHOLE FOODS MARKET
25 CALIFORNIA, INC., a California
26 corporation,

27 Defendant.

28 Case No.:

CLASS ACTION COMPLAINT

- (1) Violation of Unfair Competition Law (Cal. Business & Professions Code §§ 17200 *et seq.*);
- (2) Violation of Unfair Competition Law (Cal. Business & Professions Code §§ 17500 *et seq.*);
- (3) Violation of the Consumers Legal Remedies Act (Cal. Civil Code §§ 1750 *et seq.*);
- (4) Negligent Misrepresentation; and
- (5) Breach of Quasi-Contract.

Jury Trial Demanded

BY FAX

11/07/2014

CIT/CASE: BC563304
 LEA/DEF#:
 RECEIPT #: CCH465960055
 DATE PAID: 11/07/14 10:03 AM
 PAYMENT: \$435.00 310
 RECEIVED:
 CHECK: \$435.00
 CASH: \$0.00
 CHANGE: \$0.00
 CARD: \$0.00

1 Plaintiff Michelle Richard ("Plaintiff"), individually and on behalf of all other members
2 of the public similarly situated, allege as follows:

3 **NATURE OF THE ACTION**

4 1. Plaintiff brings this class action Complaint against Defendant **WHOLE FOODS**
5 **MARKET CALIFORNIA, INC.** (hereinafter "Defendant" or "Whole Foods") to stop
6 Defendant's practice of selling misbranded products into the stream of commerce and to
7 obtain redress for all nationwide consumers ("Class Members") who purchased, within the
8 applicable statute of limitations period, Blue Diamond Refrigerated Almond Breeze Original
9 Almond Milk and/or Blue Diamond Refrigerated Almond Breeze Vanilla Almond Milk
10 products, bearing the Non-GMO (genetically modified organism) Project Verified label
11 indicating that these products have been verified by the Non-GMO Project as having been
12 produced according to best practices for GMO avoidance (hereinafter collectively referred to
13 as the "Class Products").

14 2. Whole Foods is a California corporation that sells and distributes the Class
15 Products at premium prices throughout the United States. Whole Foods is the world's #1
16 natural foods grocery store chain. Whole Foods specializes in natural and organic foods with
17 stores throughout the United States, including approximately 73 locations within the State of
18 California. Whole Foods operates more than 370 stores throughout the United States, Canada
19 and the UK. The stores emphasize organic, holistic and natural products. Founded in 1980,
20 Whole Foods pioneered the supermarket concept in natural and organic foods retailing.

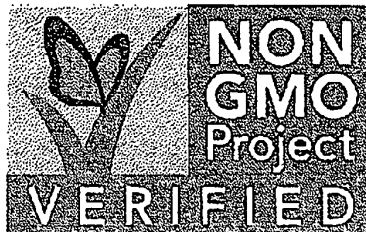
21 3. Whole Foods knows that a majority of its consumers are health conscious and
22 prefer foods that are natural and non-GMO. Whole Foods recognizes that health claims drive
23 sales, and, as a result, Whole Foods actively promotes the health benefits of non-GMO foods
24 that are sold in its stores.

25 4. Whole Foods represents that the Class Products have been verified by the Non-
26 GMO Project as having been produced according to best practices for GMO avoidance by
27 labeling the Class Products with the Non-GMO Project's Verified label.
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1 5. The Non-GMO Project is a 501(c)3 non-profit organization that is dedicated to
2 educating and building awareness among consumers and the food industry about genetically
3 modified organisms and providing labeling for food products produced in compliance with
4 their non-GMO standard. Part of the Non-GMO Project's mission is to preserve and build
5 sources of non-GMO products, educate consumers, and provide verified non-GMO product
6 choices. The Non-GMO Project is North America's only third party verification and labeling
7 for non-GMO foods. The Non-GMO Project has over 20,000 Non-GMO Project Verified
8 products from 2,200 brands. Non-GMO Project Verified is one of the fastest growing labels
9 in the natural food sector and increasingly is an attribute sought by conventional brands as
10 well.

11 6. The Non-GMO Project Verified label, as depicted below, indicates that the
12 food bearing the label has been verified by the Non-GMO Project as a non-GMO food,
13 namely, that the food product has been produced according to best practices for GMO
14 avoidance.



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19 7. Whole Foods misbranded the Blue Diamond Refrigerated Almond Breeze
20 Original Almond Milk and Blue Diamond Refrigerated Almond Breeze Vanilla Almond Milk
21 by advertising and selling these products with the Non-GMO Project Verified labels when
22 these products have not been verified by the Non-GMO Project. In so doing, Whole Foods has
23 violated California's Sherman Law and California consumer protection statutes.

24 8. This action is not pre-empted by federal law. State law claims based on a food
25 product's non-conforming, misleading or deceptive label are expressly permitted where, as
26 here, they impose legal obligations identical to the Food Drug and Cosmetics Act ("FDCA")
27 of 1938 and corresponding FDA regulations, including FDA regulations concerning naming
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1 and labeling.

2 **NATURE OF THE CASE & COMMON ALLEGATIONS OF FACT**

3 9. In recent years, Americans have become increasingly health conscious, with
4 strong justification. Numerous independent studies have come to the same conclusion: an
5 informed, healthy, and balanced diet is critical to a long and healthy life.¹ Those same studies
6 have found that poor dietary habits are one of the leading causes of preventable deaths.

7 10. GMOs, or genetically modified organisms, are plants or animals created
8 through gene splicing techniques of biotechnology, also known as genetic engineering. This
9 technology merges DNA from different species creating unstable combinations of plant,
10 animal, bacterial and viral genes that cannot occur in nature or in traditional crossbreeding.
11 The evidence of risk and actual harm from genetically modified foods and crops to our health
12 and environment is constantly growing. GMOs have been linked to thousands of toxic and
13 allergic reactions, sick, sterile and dead livestock, and damage to almost every organ and
14 system studied in lab animals.

15 11. Proper dietary habits regarding GMO intake have been found to have a
16 significant correlation to improving overall health while lessening various health risks.
17 Consequently, maintaining a diet free from GMOs has become important to a growing number
18 of consumers.

19 12. Whole Foods is the largest United States natural foods chain.

20 13. To profit from the public's increasing focus on dietary health and interest in
21 non-GMO foods, Whole Foods has, at various times during the class period, advertised,
22 marketed, and misbranded the Class Products, by using the Non-GMO Project Verified label
23 for these products when they have not been verified by the Non-GMO Project.

24 14. The Food Drug and Cosmetics Act of 1938 provides the Food and Drug
25 Administration ("FDA") with the authority to oversee the safety of food, drugs and cosmetics.

26 ¹ See, e.g., "A Statement for Healthcare Professionals From the Nutrition Committee of the
27 American Heart Association" <http://circ.ahajournals.org/content/102/18/2284.long>

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1 21 U.S.C. §301, *et seq.* Pursuant to this authority, the FDA has promulgated regulations and
2 issued guidance that spell out, in painstaking detail, how foods are to be labeled.

3 15. If a seller or distributor of food products makes a claim on a food label, the
4 label must meet certain legal requirements that help consumers make informed choices and
5 ensure that they are not misled. As described more fully below, Defendant has made, and
6 continues to make false and deceptive claims in violation of federal and California laws that
7 govern the types of representations that can be made on food labels. These laws recognize
8 that reasonable consumers are likely to choose products claiming to have a health or
9 nutritional benefit over otherwise similar food products that do not claim such properties it
10 benefits or that disclose certain ingredients. More importantly, these laws recognize that the
11 failure to disclose the presence of risk-increasing ingredients, like GMOs, is deceptive
12 because it conveys to consumers the net impression that a food makes only positive
13 contributions to a diet, or does not contain any ingredients at levels that raise the risk of diet
14 related disease or health-related conditions.

15 16. Defendant has made and continues to make, unlawful claims on the food labels
16 of its misbranded Class Products that are prohibited under applicable federal and California
17 laws. Under the FDCA section 403(a), food is considered misbranded if “its labeling is false
18 or misleading in any particular,” or if it does not contain certain information on its label or its
19 labeling. 21 U.S.C. § 343(a).

20 17. Under FDCA, the term “false” has its usual meaning of “untruthful,” while the
21 term “misleading” is a term of art. Misbranding reaches not only false claims, but those
22 claims that might be technically true, but still misleading. If one representation in the labeling
23 is misleading, the entire food is misbranded. No other statement in the labeling can cure a
24 misleading statement. “Misleading” is judged in reference to “the ignorant, the unthinking
25 and the credulous who, when making a purchase, do not stop to analyze.” *United States v. El-*
26 *O-Pathic Pharmacy*, 192 F.2d 62, 75 (9th Cir. 1975). Under the FDCA, it is not necessary to
27 prove that anyone was actually misled.
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1 18. Defendant's Class Products are also misbranded under applicable California
2 state law. Specifically, California's Sherman Law incorporates "[a]ll food labeling
3 regulations and any amendments to those regulations adopted pursuant to the FDCA" as "the
4 food labeling regulations of this state." Cal. Health & Saf. Code § 110100(a). "Any food is
5 misbranded if its labeling does not conform with the requirements for nutrient content or
6 health claims as set forth in Section 403(r) (21 U.S.C. Sec. 343(r)) of the federal act and the
7 regulations adopted pursuant thereto." Cal. Health & Saf. Code § 110670. State law claims
8 based on a food product's non-conforming, misleading or deceptive label are expressly
9 permitted when they impose legal obligations identical to the FDCA and corresponding FDA
10 regulations, including FDA regulations concerning naming and labeling. *In re Farm Raised*
11 *Salmon Cases*, 42 Cal. 4th 1077, 1094-95 (2008). Whole Foods' conduct thus constitutes a
12 violation of California law for which Plaintiff and class members are entitled to seek redress
13 under the UCL, CLRA and other California consumer protection statutes.

14 19. Defendant has made, and continues to make, false and deceptive claims in its
15 misbranded Class Products in violation of federal and California laws. In particular,
16 Defendant has violated federal and California labeling regulations by labeling the Class
17 Products with the Non-GMO Project Verified labels.

18 20. Defendant's violations of the law include, but not limited to, the illegal
19 advertising, marketing, distribution, and sale of the misbranded Class Products to consumers
20 in California and throughout the United States. As such, Whole Foods' misbranded Class
21 Products cannot legally be advertised, distributed, held, or sold.

22 21. On behalf of the class, Plaintiff seeks an injunction requiring Defendant to
23 cease circulation of the misbranded Class Products and an award of damages to the Class
24 Members, together with costs and reasonable attorneys' fees.

25 JURISDICTION AND VENUE

26 22. This class action is brought pursuant to California *Code of Civil Procedure*
27 section 382. The damages and restitution sought by Plaintiff exceeds the minimal jurisdiction
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1 limits of the Superior Court and will be established according to proof at trial.

2 23. This Court has jurisdiction over this action pursuant to the California
3 Constitution, Article VI, Section 10, which grants the Superior Court "original jurisdiction in
4 all causes except those given by statute to other courts." The statutes under which this action
5 is brought do not specify any other basis for jurisdiction.

6 24. This Court has jurisdiction over the Defendant because, upon information and
7 belief, Defendant is either a citizen of California, has sufficient minimum contacts in
8 California, or otherwise intentionally avails itself of the California market so as to render the
9 exercise of jurisdiction over it by the California courts consistent with traditional notions of
10 fair play and substantial justice.

11 25. Venue is proper in this Court because, upon information and belief, Defendant
12 resides and transacts business in this County and the acts and omissions alleged herein took
13 place in this County.

14 **THE PARTIES**

15 26. Plaintiff Michelle Richard is a citizen and resident of the State of California,
16 County of Los Angeles.

17 27. Defendant WHOLE FOODS MARKET CALIFORNIA, INC. is a subsidiary of
18 Whole Foods Market, Inc., a corporation with its headquarters and principal place of business
19 located at 550 Bowie Street, Austin, Texas 78703. Defendant is a California corporation.

20 28. Plaintiff is informed and believes, and thereon alleges, that each and all of the
21 acts and omissions alleged herein was performed by, or is attributable to, WHOLE FOODS
22 MARKET CALIFORNIA, INC. and/or its employees, agents, and/or third parties acting on its
23 behalf, each acting as the agent for the other, with legal authority to act on the other's behalf.
24 The acts of any and all of Defendant's employees, agents, and/or third parties acting on its
25 behalf, were in accordance with, and represent, the official policy of Defendant.

26 29. Plaintiff is informed and believes, and thereon alleges, that said Defendant is in
27 some manner intentionally, negligently, or otherwise responsible for the acts, omissions,
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1 occurrences, and transactions of each and all its employees, agents, and/or third parties acting
2 on its behalf, in proximately causing the damages herein alleged.

3 30. At all relevant times, Defendant ratified each and every act or omission
4 complained of herein. At all relevant times, Defendant, aided and abetted the acts and
5 omissions as alleged herein.

6 PLAINTIFF'S FACTS

7 31. Plaintiff Michelle Richard is a health-conscious person whose son has been
8 diagnosed with autism. As a result, Ms. Richard routinely purchases and pays a premium for
9 products advertised to be healthy and/or non-GMO foods. Ms. Richard also routinely and
10 consistently purchases food products bearing the Non-GMO Project Verified labels.

11 32. Plaintiff regularly purchased the Class Products, including, but not limited to,
12 Blue Diamond Refrigerated Almond Breeze Original Almond Milk and Blue Diamond
13 Refrigerated Almond Breeze Vanilla Almond Milk, approximately one to two times per week
14 between January and June of 2014. During this time period Plaintiff purchased the Class
15 Products from various Whole Foods grocery stores located in Sherman Oaks and Tarzana,
16 California.

17 33. Plaintiff read and relied upon the Non-GMO Project Verified labels listed on
18 the Class Products at the time of purchase, and selected the Class Products over other less
19 expensive alternatives because she believed the Class Products were verified by the Non-
20 GMO Project.

21 34. Had Whole Foods not marketed, advertised, and labeled the Class Products as
22 being verified by the Non-GMO Project, Plaintiff would not have purchased the products,
23 would have purchased less of the products, and/or would have paid less for the products.

24 CLASS ACTION ALLEGATIONS

25 35. Plaintiff brings this action, on behalf of herself and all others similarly situated,
26 and thus, seeks class certification under *California Code of Civil Procedure* section 382.

27 36. The class Plaintiff seeks to represent (the "Class") is defined as follows:
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1 All persons in the United States who, within the last four years,
2 purchased Defendant's Class Products labeled with the Non-
3 GMO Project Verified label. ("Class Members").

4 37. As used herein, the term "Class Members" shall mean and refer to the members
5 of the Class described above.

6 38. Excluded from the Class are Whole Foods, its affiliates, employees, agents, and
7 attorneys, and the Court.

8 39. Plaintiff reserves the right to amend the Class, and to add additional subclasses,
9 if discovery and further investigation reveals such action is warranted.

10 40. There is a well-defined community of interest in the litigation and the class is
11 readily ascertainable:

12 (a) Numerosity: Upon information and belief, the members of the Class
13 (and subclass) are so numerous that joinder of all Class Members would
14 be unfeasible and impractical.

15 (b) Typicality: Plaintiff is qualified to, and will, fairly and adequately
16 protect the interests of each Class Member with whom she has a well-
17 defined community of interest, because Plaintiff bought Whole Foods'
18 misbranded Class Products during the Class Period. Whole Foods'
19 unlawful, unfair and/or fraudulent actions concerns the same business
20 practices described herein irrespective of where they occurred or were
21 experiences. Plaintiff's claims (or defenses, if any) are typical of all
22 Class Members as demonstrated herein.

23 (c) Adequacy: Plaintiff is qualified to, and will, fairly and adequately,
24 protect the interests of each class member with whom she has a well-
25 defined community of interest and typicality of claims, as demonstrated
26 herein. Plaintiff acknowledges that she has an obligation to make
27 known to the Court any relationship, conflicts or differences with any
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1 class member. Plaintiff's attorneys, the proposed class counsel, are
2 versed in the rules governing class action discovery, certification and
3 settlement. Plaintiff has incurred, and throughout the duration of this
4 action, will continue to incur costs and attorneys' fees that have been,
5 are and will be necessarily expended for the prosecution of this action
6 for the substantial benefit of each class member.

7 (d) Superiority: The nature of this action makes the use of class action
8 adjudication superior to other methods. A class action will achieve
9 economies of time, effort and expense as compared with separate
10 lawsuits, and will avoid inconsistent outcomes because the same issues
11 can be adjudicated in the same manner and at the same time for the
12 entire class.

13 41. There are common questions of law and fact as to the class members that
14 predominate over questions affecting only individual members, including but not limited to:

- 15 (a) Whether Defendant engaged in unlawful, unfair, or deceptive business
16 practices by misbranding its Class Products it sold to consumers;
- 17 (b) Whether the Class Products at issue were misbranded as a matter of law;
- 18 (c) Whether Defendant made unlawful and misleading verified by the Non-
19 GMO Project claims with respect to the Class Products sold to
20 consumers;
- 21 (d) Whether Defendant violated California Bus. & Prof. Code § 17200, *et*
22 *seq.*, California Bus. & Prof. Code § 17500, *et seq.*, and California Civ.
23 Code § 1750, *et seq.*;
- 24 (e) Whether Plaintiff and Class Members are entitled to equitable and/or
25 injunctive relief;
- 26 (f) Whether Defendant's unlawful, unfair, and/or deceptive practices
27 harmed Plaintiff and Class Members; and
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1 (g) The method of calculation and extent of damages for Plaintiff and Class
2 Members

3 **FIRST CAUSE OF ACTION**

4 **Violation of Unfair Business Practices Act**

5 (Cal. Bus. & Prof. Code §§ 17200 *et seq.*)

6 42. Plaintiff incorporates by reference each allegation set forth above.

7 43. California Business and Professions Code Section 17200, *et seq.* prohibits “any
8 unlawful, unfair or fraudulent business act or practice.”

9 44. As set forth above, under FDA regulations wholly adopted by California’s
10 Sherman Act, food labels must not be misleading, but instead, must help consumers make
11 informed choices. Here, Whole Foods misbrands the Class Products by labeling them with the
12 Non-GMO Project Verified labels, falsely suggesting that these food products have been
13 verified by the Non-GMO Project as being produced according to best practices for GMO
14 avoidance, when they have not been verified by the Non-GMO Project, in violation of
15 California Sherman Act’s advertising and misbranded food provisions. The declaration that
16 the Class Products are verified by the Non-GMO Project is therefore an “unlawful” business
17 practice or act under Business and Professions Code Section 17200 *et seq.*

18 45. Whole Foods’ declaration that its Class Products are verified by the Non-GMO
19 Project in its advertising, marketing, and labeling, as set forth herein, also constitutes an
20 “unfair” business act or practice within the meaning of California Business and Professions
21 Code sections 17200 *et seq.*, because any utility for Whole Foods’ conduct is outweighed by
22 the gravity of the consequences to Plaintiff and Class Members and because the conduct
23 offends public policy.

24 46. In addition, Whole Foods’ declaration that its Class Products are verified by the
25 Non-GMO Project in its advertising, marketing, and labeling constitutes a “fraudulent”
26 business practice or act within the meaning of Business and Professions Code Section 17200
27 *et seq.* The applicable food labeling regulations are carefully crafted to require that the labels
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1 help consumers make informed choices and ensure that they are not misled in order to protect
2 the consuming public from being deceived. Whole Foods' non-compliant advertising,
3 marketing, and labeling declaring that the Class Products are verified by the Non-GMO
4 Project poses the very risk of deception the regulations were promulgated to protect against.

5 47. Moreover, there were reasonable alternatives available to Whole Foods to
6 further its legitimate business interests, other than the conduct described herein. For example,
7 Whole Foods could have complied with FDA requirements by not using the Non-GMO
8 Project's verified labels on the Class Products.

9 48. Whole Foods used misbranded advertising, marketing, and labeling to induce
10 Plaintiff and Class Members to purchase the Class Products. Had Whole Foods not
11 misbranded its Class Products as verified by the Non-GMO Project in its advertising,
12 marketing, and labeling, Plaintiff and Class Members would not have purchased the products,
13 would have purchased less of the products and/or would have paid less for the products.
14 Whole Foods' conduct therefore caused and continues to cause economic harm to Plaintiff and
15 Class Members.

16 49. Whole Foods has thus engaged in unlawful, unfair, and fraudulent business acts
17 entitling Plaintiff and Class Members to judgment and equitable relief against Whole Foods,
18 as set forth in the Prayer for Relief. Additionally, pursuant to Business and Professions Code
19 section 17203, Plaintiff and Class Members seek an order requiring Whole Foods to
20 immediately cease such acts of unlawful, unfair, and fraudulent business practices and
21 requiring Whole Foods to correct its actions.

22 **SECOND CAUSE OF ACTION**

23 **Violation of the California False Advertising Act**

24 **(Cal. Bus. & Prof. Code §§ 17500 *et seq.*)**

25 50. Plaintiff incorporates by reference each allegation set forth above.

26 51. Pursuant to California Business and Professions Code section 17500, *et seq.*, it
27 is unlawful to engage in advertising "which is untrue or misleading, and which is known, or
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1 which by the exercise of reasonable care should be known, to be untrue or misleading.”

2 52. As explained above, Whole Foods misbrands the Class Products as being
3 verified by the Non-GMO Project, when they have not, falsely suggesting that the Class
4 Products have been produced according to best practices for GMO avoidance.

5 53. As also explained above, the applicable food labeling regulations are carefully
6 crafted to protect the consuming public from being deceived. Whole Foods’ non-compliant
7 advertising, marketing, and labeling declaring that the Class Products are verified by the Non-
8 GMO Project poses the very risk of deception the regulations were promulgated to protect
9 against.

10 54. Whole Foods is a multi-million dollar company advised by skilled counsel who,
11 on information and belief, are or by the exercise of reasonable care should be aware of the
12 governing regulations and their purpose, and the fact that the labels on the Class Products do
13 not comply with them.

14 55. Whole Foods’ use of the misbranded labels on the Class Products therefore
15 constitutes untrue and/or misleading advertising within the meaning of Business and
16 Professions Code Section 17500 *et seq.*

17 56. Plaintiff, individually and on behalf of all others similarly situated, demands
18 judgment against Whole Foods for restitution, disgorgement, injunctive relief, and all other
19 relief afforded under Business & Professions Code section 17500, plus interest, attorneys’
20 fees, and costs.

21 **THIRD CAUSE OF ACTION**

22 **Violation of the Consumers Legal Remedies Act**

23 **(Cal. Civil Code §§ 1750 *et seq.*)**

24 57. Plaintiff incorporates by reference each allegation set forth above.

25 58. This cause of action is brought pursuant to the Consumers Legal Remedies Act,
26 California Civil Code Sections 1750 *et seq.* (“CLRA”).

27 59. The CLRA has adopted a comprehensive statutory scheme prohibiting various
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1 deceptive practices in connection with the conduct of a business providing goods, property, or
2 services to consumers primarily for personal, family or household purposes. The self-
3 declared purposes of the act are to protect consumers against unfair and deceptive business
4 practices and to provide efficient and economical procedures to secure such protection.

5 60. The defendant named herein is a "person" as defined by Civil Code section
6 1761(c) because it is a corporation and/or company as set forth above.

7 61. Plaintiff and Class Members are "consumers" within the meaning of Civil Code
8 section 1761(d) because they are individuals who purchased the products at issue in this
9 complaint for personal and/or household use, i.e. the Class Products.

10 62. The Class Products are "goods" within the meaning of California Civil Code
11 section 1761 (a) in that they are tangible products bought by Plaintiff and Class Members for
12 personal, family, and/or household use.

13 63. Plaintiff's and Class Members' payments for the goods of the Class Products
14 are "transaction[s]" as defined by Civil Code section 1761 (e) because Whole Foods entered
15 into an agreement to sell those products in exchange for Plaintiff's and Class Members'
16 monetary compensation.

17 64. Plaintiff has standing to pursue this claim as she has suffered injury in fact and
18 has lost money as a result of Whole Foods' actions as set forth herein. Specifically, Plaintiff
19 purchased the Class Products on various occasions. Had Whole Foods not marketed,
20 advertised or included the offending labels on its Class Products, Plaintiff would not have
21 purchased the products, would have purchased less of the products and/or would have paid
22 less for the products.

23 65. Section 1770(a)(2) of the CLRA prohibits anyone from "[m]isrepresenting the
24 source, sponsorship, approval, or certification of goods or services" As discussed above,
25 Whole Foods misbrands the Class Products by labeling them with the Non-GMO Project
26 Verified labels, falsely suggesting that the Class Products have been verified by the Non-
27 GMO Project as being produced according to best practices for GMO avoidance, in violation
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1 of California Sherman Act's advertising and misbranded food provisions. As a result, by
2 marketing, advertising, and employing the misbranded labels on its Class Products, Whole
3 Foods effectively misrepresented that the Class products have sponsorship, approval,
4 characteristics, or certification, which they do not have under the governing law.

5 66. Section 1770(a)(5) of the CLRA prohibits anyone from "[r]epresenting that
6 goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or
7 quantities which they do not have" As discussed above, Whole Foods misbrands the
8 Class Products by labeling them with the Non-GMO verified labels, falsely suggesting that the
9 Class Products have been verified by the Non-GMO Project as being produced according to
10 best practices for GMO avoidance, in violation of California Sherman Act's advertising and
11 misbranded food provisions. As a result, by marketing, advertising, and employing the
12 misbranded labels on its Class Products, Whole Foods effectively represented that the Class
13 products have sponsorship, approval, characteristics, ingredients, uses and benefits which they
14 do not have under the governing law.

15 67. Section 1770(a)(7) of the CLRA prohibits anyone from "[r]epresenting that
16 goods or services are of a particular standard, quality, or grade, or that goods are of a
17 particular style or model, if they are of another." By marketing, advertising, and employing
18 the misbrand labels on its Class Products, Whole Foods similarly represented the Class
19 Products to be of a particular standard, quality or grade which they are not under the
20 governing law.

21 68. Section 1770(a)(9) of the CLRA prohibits anyone from "[a]dvertising goods or
22 services with intent not to sell them as advertised." As noted above, Whole Foods is a multi-
23 million dollar company advised by skilled counsel who, on information and belief, are or by
24 the exercise of reasonable care should be aware of the governing regulations and their
25 purpose, and the fact that the labels on its Class Products, declaring that they have been
26 verified by the Non-GMO Project does not comply with them. By introducing its Class
27 Products with non-compliant labels into the stream of commerce notwithstanding this
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1 knowledge, Whole Foods thus intentionally sold a misbranded product.

2 69. Section 1770(a)(16) of the CLRA prohibits anyone from “[r]epresenting that
3 the subject of a transaction has been supplied in accordance with a previous representation
4 when it has not.” As noted above, by marketing, advertising, and employing the misbrand
5 labels on its Class Products, Whole Foods represented the Class Products were verified by the
6 Non-GMO Project when they have not.

7 70. Pursuant to section 1782 of the CRLA, on July 11, 2014, Plaintiff notified
8 Whole Foods in writing of the particular violations of sections of the CLRA and demanded
9 that Whole Foods rectify the problems associated with the behavior detailed above, which acts
10 and practices are in violation of Civil Code section 1770.

11 71. Whole Foods failed to adequately respond to Plaintiff’s above-described
12 demands and failed to give notice to all affected consumers, pursuant to Civil Code section
13 1782.

14 72. Plaintiff has filed concurrently herewith the declaration of venue required by
15 Civil Code section 1780(d).

16 73. Plaintiff seeks an order enjoining the act and practices described above,
17 restitution of property, and any other relief that the court deems proper. Plaintiff additionally
18 seeks damages, restitution, punitive damages, attorneys’ fees and costs, and any other relief
19 available under section 1780(a) of the CRLA.

20 **FOURTH CAUSE OF ACTION**

21 **Negligent Misrepresentation**

22 74. Plaintiff incorporates by reference each allegation set forth above.

23 75. Whole Foods owed a duty to Plaintiff and Class Members to exercise
24 reasonable care in making representations about its Class Products which it offered for sale to
25 consumers.

26 76. Whole Foods knew, or should have known by the exercise of reasonable care,
27 that the Class Products were not verified by the Non-GMO Project and thus should not have
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1 been labeled with the Non-GMO Project Verified label. Nevertheless, Whole Foods
2 negligently and/or recklessly included the Non-GMO Project Verified labels, declaring that its
3 Class Products were verified b-y the Non-GMO Project on its widely distributed Class
4 Products that is sold nationwide and consumed by millions of people annually.

5 77. Plaintiff and Class Members reviewed, believed, and relied upon the
6 misbranded labels on the Class Products when deciding to purchase them, and how much to
7 pay for the Class Products.

8 78. As a direct and proximate result of Whole Foods' negligent and/or reckless
9 conduct, Plaintiff and Class Members have been damaged in an amount to be proven at trial.

10 FIFTH CAUSE OF ACTION

11 Breach of Quasi-Contract

12 79. Plaintiff incorporates by reference each allegation set forth above.

13 80. As a direct and proximate result of Whole Foods' acts, as set forth above,
14 Whole Foods has been unjustly enriched.

15 81. Through unlawful and deceptive conduct in connection with the advertising,
16 marketing, promotion, and sale of its Class Products, Whole Foods has reaped the benefits of
17 Plaintiff's and Class Members' payments for a misbranded product.

18 82. Whole Foods' conduct created a contract or quasi-contract through which
19 Whole Foods received a benefit of monetary compensation without providing the
20 consideration promised to Plaintiff and Class Members. Accordingly, Whole Foods will be
21 unjustly enriched unless ordered to disgorge those profits for the benefit of Plaintiff and Class
22 Members.

23 83. Plaintiff and Class Members are entitled to and seek through this action
24 restitution of, disgorgement of, and the imposition of a constructive trust upon all profits,
25 benefits, and compensation obtained by Whole Foods from its improper conduct as alleged
26 herein.

1 **MISCELLANEOUS**

2 84. Plaintiff and Class Members allege that they have fully complied with all
3 contractual and other legal obligations and fully complied with all conditions precedent to
4 bringing this action or all such obligations or conditions are excused.

5 **REQUEST FOR JURY TRIAL**

6 85. Plaintiff requests a trial by jury as to all claims so triable.

7 **PRAYER FOR RELIEF**

8 86. Plaintiff, on behalf of herself and the Class, requests the following relief:

- 9 (a) An order certifying the Class and appointing Plaintiff as Representative
10 of the Class;
- 11 (b) An order certifying the undersigned counsel as Class Counsel;
- 12 (c) A declaratory judgment that Whole Foods' use of the labels on the Class
13 Products is unlawful;
- 14 (d) An order requiring Whole Foods, at its own cost, to notify all Class
15 Members of the unlawful and deceptive conduct herein;
- 16 (e) An order requiring Whole Foods to change the product labeling for the
17 Class Products such that it complies with all applicable food labeling
18 rules and regulations;
- 19 (f) An order requiring Whole Foods to engage in corrective advertising
20 regarding the conduct discussed above;
- 21 (g) Actual damages suffered by Plaintiff and Class Members as applicable
22 or full restitution of all funds acquired from Plaintiff and Class
23 Members from the sale of misbranded Class Products during the
24 relevant class period;
- 25 (h) Punitive damages, as allowable, in an amount determined by the Court
26 or jury;
- 27 (i) Any and all statutory enhanced damages;
- 28

11/07/2014

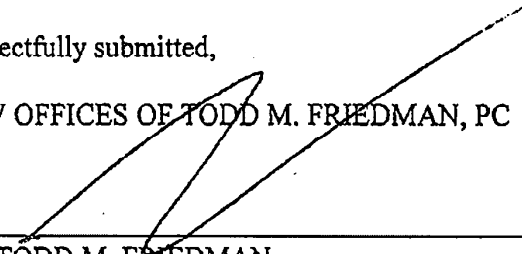
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- (j) All reasonable and necessary attorneys' fees and costs provided by statute, common law or the Court's inherent power;
- (k) Pre- and post-judgment interest; and
- (l) All other relief, general or special, legal and equitable, to which Plaintiff and Class Members may be justly entitled as deemed by the Court.

Dated: November 6, 2014

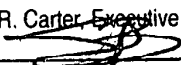
Respectfully submitted,

LAW OFFICES OF TODD M. FRIEDMAN, PC

By: 
TODD M. FRIEDMAN

Attorney for Plaintiff Michelle Richard

11/07/2014

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Todd M. Friedman, Esq. SBN 216752 Law Offices of Todd M. Friedman 324 S. Beverly Dr., #725 Beverly Hills, CA 90212 TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228 ATTORNEY FOR (Name): Plaintiff, Michelle Richard		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles NOV 07 2014 Sherril R. Carter, Executive Officer/Clerk By:  Deputy Shaunya Bolden
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, Ca BRANCH NAME: Stanley Mosk Courthouse		CASE NUMBER: BC 563304 JUDGE: DEPT:
CASE NAME: Michelle Richard, et al. v. Whole Foods Market California, Inc., et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> 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 <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	Contract <input type="checkbox"/> Breach of contract/warranty (08) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Other P/IPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/IPD/WD (23)	Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20)
Non-P/IPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-P/IPD/WD tort (35)	Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

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. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> 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): 5

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: November 6, 2014

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.

BY FAX

11/07/2014 10:14

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

<p>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)</p>	<p>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</p>	<p>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 (Out of County) Abstract of Judgment (20 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</p>
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SHORT TITLE: Michelle Richard, et al. v. Whole Foods Market California, Inc., et al	CASE NUMBER BC 563304
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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 2.0 in all new civil case filings in the Los Angeles Superior Court.

BY FAX

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? YES CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL 2-4 HOURS/ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left-margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. 2. May be filed in central (other county, or no bodily injury/property damage). 3. Location where cause of action arose. 4. Location where bodily injury, death or damage occurred. 5. Location where performance required or defendant resides. | <ol style="list-style-type: none"> 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 |
|---|---|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	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)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Michelle Richard, et al. v. Whole Foods Market California, Inc., et al

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)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (18)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
		<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2, 8.	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case	1., 2., 3.
		<input type="checkbox"/> A6109 Labor Commissioner Appeals	10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2., 5.
		<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
		<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
		<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
		<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.	
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.	
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.	
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
<input type="checkbox"/> A6032 Quiet Title		2., 6.	
<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)		2., 6.	
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

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SHORT TITLE: Michelle Richard, et al. v. Whole Foods Market California, Inc., et al	CASE NUMBER
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	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)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)		1., 2., 8.	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
		<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
		<input type="checkbox"/> A6190 Election Contest	2.
		<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.
<input type="checkbox"/> A6100 Other Civil Petition		2., 8.	

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SHORT TITLE: Michelle Richard, et al. v. Whole Foods Market California, Inc., et al	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 14221 Burbank Blvd. #6
CITY: Van Nuys	STATE: CA	ZIP CODE: 91401

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: November 6, 2014


(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. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
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.

11/07/2014