

1 JOHN H. DONBOLI (SBN: 205218)  
2 JL SEAN SLATTERY (SBN: 210965)  
3 CASEY M. ROCHA (SBN: 269582)  
4 DEL MAR LAW GROUP, LLP  
5 12250 El Camino Real, Suite 120  
6 San Diego, CA 92130  
7 Telephone: (858) 793-6244  
8 Facsimile: (858) 793-6005

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Superior Court of California,  
County of San Diego

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Clerk of the Superior Court  
By Andrea Santiago, Deputy Clerk

Attorneys for Plaintiff: EINAT NOIMAN, an individual and on behalf  
of all others similarly situated

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

EINAT NOIMAN, an individual and on behalf  
of all others similarly situated,

Plaintiff,

vs.

HUDSON CLOTHING, LLC, a California  
Limited Liability Company; and DOES 1  
through 100, inclusive,

Defendants.

CASE NO. 37-2015-00000566-CU-BT-CTL

**CLASS ACTION**

**COMPLAINT FOR:**

- (1) VIOLATION OF BUSINESS & PROFESSIONS CODE SECTIONS 17200 *ET SEQ.* (CALIFORNIA UNFAIR COMPETITION LAW);
- (2) VIOLATION OF BUSINESS & PROFESSIONS CODE § 17533.7 (FALSE "Made in U.S.A." CLAIM);
- (3) VIOLATION OF CONSUMERS LEGAL REMEDIES ACT (CIVIL CODE SECTION 1750 *ET SEQ.*);
- (4) NEGLIGENT MISREPRESENTATION

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1 COMES NOW, plaintiff EINAT NOIMAN (“Plaintiff”), as an individual and on behalf  
2 of the general public and all others similarly situated, by her undersigned attorneys, and alleges  
3 as follows:

4 **NATURE OF THE CASE**

5 1. This is a California class action case brought on behalf of all purchasers of  
6 Hudson jeans manufactured, distributed, marketed, and/or sold by HUDSON CLOTHING, LLC  
7 (“Hudson”) that were labeled as "Made in USA" but that contained foreign-made component  
8 parts (hereinafter referred to as “Jeans”). The Jeans are sold at various retail stores in California.  
9 The Jeans are also sold by Hudson via its website ([www.hudsonjeans.com](http://www.hudsonjeans.com)) directly to consumers  
10 throughout the United States.

11 2. As stated by the California Supreme Court in *Kwikset v. Superior Court* (January  
12 27, 2011) 51 Cal.4th 310, 328-29:

13  
14 **Simply stated: labels matter.** The marketing industry is based on  
15 the premise that labels matter, that consumers will choose one  
16 product over another similar product based on its label and various  
17 tangible and intangible qualities they may come to associate with a  
18 particular source....In particular, to some consumers, the “Made in  
19 U.S.A.” label matters. A range of motivations may fuel this  
20 preference, from the desire to support domestic jobs, to beliefs  
21 about quality, to concerns about overseas environmental or labor  
22 conditions, to simple patriotism. The Legislature has recognized  
23 the materiality of this representation by specifically outlawing  
24 deceptive and fraudulent “Made in America” representations. (§  
25 17533.7; see also Civ.Code, § 1770, subd. (a)(4) [prohibiting  
26 deceptive representations of geographic origin].) The object of  
27 section 17533.7 “is to protect consumers from being misled when  
28 they purchase products in the belief that they are advancing the  
interests of the United States and its industries and workers...

Id. (emphasis added).

25 3. Through an unlawful, deceptive and unfair course of conduct, Hudson, and DOES  
26 1 through 100 (collectively “Defendants”), manufactured, distributed, marketed, and/or sold a  
27 variety of Jeans to various consumers throughout California with the false designation and  
28 representation that Defendants’ Jeans were "Made in USA" during the relevant four year

1 statutory time period. The "Made in USA" label was clearly printed on the product. Contrary to  
2 the "Made in USA" claim, however, the offending Jeans were manufactured or produced from  
3 component parts that were manufactured outside of the United States in violation of California  
4 law.

#### 5 PARTIES

6 4. Plaintiff is an individual currently, and at all relevant times to this action, residing  
7 in San Diego, California.

8 5. Plaintiff is informed and believes, and on that basis alleges, that Defendant  
9 Hudson Clothing, LLC is a California limited liability company that is organized and exists  
10 under the laws of the State of California. Its business address (as listed on the California  
11 Secretary of State website) is 1231 S. Gerhart Ave., Commerce, CA 90022. Hudson can be  
12 served in California via its registered agent for service of process: Jorge Arciniega, 2049 Century  
13 Park East, Suite 3800, Los Angeles, CA 90022.

14 6. Plaintiff is ignorant of the true names and capacities of the defendants sued herein  
15 as DOES 1-100, inclusive; therefore, Plaintiff sues these defendants by such fictitious names.  
16 Plaintiff is informed and believes that each of the fictitious named defendants are legally  
17 responsible in some manner for the occurrences herein alleged, assisted in and about the wrongs  
18 complained herein by providing financial support, advice, proprietary resources or other  
19 assistance. Plaintiff will amend the complaint to allege their true names and capacities when  
20 ascertained.

21 7. Plaintiff is informed and believes that all defendants were agents, servants and  
22 employees of their co-defendants, and in doing the things hereinafter mentioned, were acting  
23 within the scope of their authority as such agents, servants and employees with the permission  
24 and consent of their co-defendants.

#### 25 JURISDICTION AND VENUE

26 8. This Court has jurisdiction in this matter because Defendants routinely transact  
27 business in San Diego County.

28 9. Venue in this Court is proper pursuant to Code of Civil Procedure §§ 395 and

1 395.5 and Business & Professions Code §§ 17203 and 17204 because Defendants do business in  
2 San Diego County and Plaintiff's transaction took place in San Diego County.

3 **GENERAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

4 10. Plaintiff incorporates herein each and every allegation contained in paragraphs 1  
5 through 9, inclusive, as though fully set forth herein.

6 11. During the relevant four-year statutory time period, Defendants manufactured,  
7 marketed, distributed and/or sold Jeans with a "Made in USA" label.

8 12. Contrary to the "Made in USA" claim, however, the Jeans were made,  
9 manufactured or produced with component parts that are manufactured outside of the United  
10 States. On information and belief, the Jeans are made with foreign-made buttons, rivets, zipper  
11 assembly, thread, and/or fabric in violation of California law and/or federal apparel labeling  
12 laws.

13 13. Not only did Defendants market and falsely represent to consumers that their  
14 Jeans were "Made in USA," but Defendants concealed the true country of origin of their "Made  
15 in USA" labeled Jeans to the California general public. Defendants' disclosure of this  
16 information was necessary in order to avoid misleading its consumers. Defendants possess  
17 superior knowledge of the true facts which were not disclosed, thereby tolling the running of any  
18 applicable statute of limitations.

19 14. Consumers are particularly vulnerable to these deceptive and fraudulent practices.  
20 Most consumers possess very limited knowledge of the likelihood that products, including the  
21 component parts therein, claimed to be made in the United States are in fact made in foreign  
22 countries. This is a material factor in many individuals' purchasing decisions, as they believe  
23 they are supporting American companies and American jobs.

24 15. Consumers generally believe that "Made in USA" products are of higher quality  
25 than their foreign-manufactured counterparts. In addition, consumers regularly pay higher prices  
26 for products that they believe are American made. As alleged herein, due to Defendants' scheme  
27 to defraud the market, members of the general public were fraudulently induced to purchase  
28 Defendants' products. California laws are designed to protect consumers from this type of false

1 representation and predatory conduct. Defendants' scheme to defraud consumers is ongoing and  
2 will victimize consumers each and every day until altered by judicial intervention.

### 3 THE PLAINTIFF TRANSACTION

4 16. On or about around October 30, 2014, Plaintiff purchased Hudson jeans from  
5 Bloomingdale's online (bloomingdales.com) to be shipped to her home in San Diego. At the  
6 time of purchase, the actual product was marked with a "Made in USA" designation. In making  
7 her purchasing decision, Plaintiff saw and relied upon the "Made in USA" claim on  
8 bloomingdales.com (as it relates to the specific pair of jeans she purchased). Plaintiff paid  
9 \$245.00 for the Jeans, plus sales tax of \$19.60 for a grand total of \$264.60.

10 17. Defendants were not entitled to lawfully make a "Made in USA" representation  
11 because California law requires 100% U.S.-made component parts within a product to qualify for  
12 a "Made in USA" or "Made in the USA" country of origin designation (as it relates to selling in  
13 California).

14 18. When Plaintiff, and Class Members, purchased Jeans from Defendants, they saw  
15 and relied upon the unqualified "Made in USA" representation (whether it was purchased online  
16 or in retail stores on the actual product) to make their purchasing decisions, which is typical of  
17 most California consumers, and they were deceived as a result of Defendants' actions. These  
18 purchasing decisions were supported by the "Made in USA" representation made by Defendants,  
19 which is absent from many of Defendants' competitors (that are made in Mexico or Pakistan).  
20 Plaintiff believed at the time she purchased the Jeans that she was in fact supporting American  
21 jobs and the American economy.

22 19. Plaintiff suffered an "injury in fact" because Plaintiff's money was taken by  
23 Defendants as a result of Defendants' false "Made in USA" claim set forth on the offending  
24 product (through its customary retail channels). Furthermore, she suffered an "injury in fact" by  
25 paying for something she believed was genuinely manufactured in the USA, when it was not.

26 20. On information and belief, the Jeans at issue in this litigation were manufactured  
27 with substandard foreign-made parts that are of inferior quality to their U.S.-manufactured  
28 counterparts. Essentially, the Jeans are not worth the purchase price paid. Class Members are

1 entitled to monetary damages or restitution (the specific measure of which is the realm of expert  
2 testimony).

3 21. U.S.-made component parts are subject to strict regulatory requirements, such as  
4 environmental, labor, and safety standards. Foreign-made component parts are not subject to the  
5 same U.S. manufacturing standards and are inherently of lower quality than their U.S.-made  
6 counterparts. Moreover, foreign-made component parts are less reliable and durable than their  
7 U.S.-made counterparts. As such, the offending Jeans, made with foreign-made component parts  
8 (yet unlawfully labeled "Made in USA"), are of inferior quality, less reliable, and fail more often.

9 22. Plaintiff and Class Members were undoubtedly injured as a result of Defendants'  
10 false "Made in USA" representations that are at issue in this litigation.

11 **CLASS ALLEGATIONS**

12 23. Plaintiff brings this action on behalf of herself as an individual and on behalf of  
13 all other persons similarly situated in California who purchased Defendants' Jeans. Specifically  
14 excluded from the class are any persons who have a controlling interest in Defendants, any of  
15 Defendants' parent companies, subsidiaries, and Defendants' officers, directors, managers,  
16 shareholders and members of their immediate families, and their heirs, successors and assigns  
17 (the "Class"), pursuant to Code of Civil Procedure § 382 and Business & Professions Code §  
18 17200 *et seq.* The class also does not include any persons who previously filed suit against  
19 Defendants for similar violations of California law and/or the Hon. Judge presiding over this  
20 matter and his or her judicial staff.

21 24. Plaintiff alleges no federal claims.

22 25. All causes of action herein have been brought and may properly be maintained as  
23 a class action pursuant to the provisions of Code of Civil Procedure § 382 because there is a  
24 well-defined community of interest in the litigation and the proposed class is easily  
25 ascertainable:

26 a. Numerosity: On information and belief, the Class is so numerous that the  
27 individual joinder of all members would be impracticable. The exact number and identities of  
28 the members of the Class are readily ascertainable from the records in Defendants' possession or

1 that of its retail customers.

2           b.     Common Questions Predominate: Common questions of law and fact  
3 exist as to all members of the Class, and those questions clearly predominate over any questions  
4 that might affect members individually. These common questions of law and fact include, for  
5 example, whether Defendants violated Business & Professions Code § 17533.7 by  
6 misrepresenting the country of origin of the Jeans because component parts within the product  
7 are manufactured outside the United States and whether Defendants' actions in this regard  
8 constitute an unfair, unlawful, or fraudulent business practice pursuant to Business & Professions  
9 Code § 17200 *et seq.*

10           c.     Typicality: On information and belief, Plaintiff's claims are typical of the  
11 claims of the members of the Class. Plaintiff and all members of the Class sustained damages  
12 arising out of Defendants' common course of conduct complained herein.

13           d.     Adequacy: Plaintiff will fairly and adequately protect the interests of the  
14 members of the Class because Plaintiff has no interests which are adverse to the interests of  
15 absent class members and because Plaintiff has retained counsel who possesses significant  
16 litigation experience regarding violations of consumer statutes.

17           e.     Superiority: A class action is superior to other available means for the fair  
18 and efficient adjudication of this controversy since individual joinder of all members would be  
19 impracticable. Class action treatment will permit a large number of similarly situated persons to  
20 prosecute their common claims in a single forum simultaneously, efficiently and without the  
21 unnecessary duplication of effort and expense that numerous individual actions would engender.  
22 Furthermore, since most class members' individual claims for damages are likely to be modest,  
23 the expenses and burdens of litigating individual actions would make it difficult or impossible  
24 for individual members of the Class to redress the wrongs done to them. An important public  
25 interest will be served by addressing the matter as a class action, substantial economies to the  
26 litigants and to the judicial system will be realized and the potential for inconsistent or  
27 contradictory judgments will be avoided.

28 ///

1 **FIRST CAUSE OF ACTION**

2 **(Violation of Business & Professions Code § 17200 *et seq.* Against All Defendants)**

3 26. Plaintiff realleges and incorporates herein by reference all of the allegations  
4 contained in Paragraphs 1 through 25, inclusive, of this complaint as though fully set forth  
5 herein.

6 27. Business & Professions Code § 17200 *et seq.* provides that unfair competition  
7 means and includes “any unlawful, unfair or fraudulent business act or practice and unfair,  
8 deceptive, untrue or misleading marketing.”

9 28. By and through their conduct, including the conduct detailed above, Defendants  
10 engaged in activities which constitute unlawful, unfair, and fraudulent business practices  
11 prohibited by Business & Professions Code § 17200 *et seq.* Beginning at an exact date unknown  
12 as yet and continuing up through the present Defendants committed acts of unfair competition,  
13 including those described above, by engaging in a pattern of “unlawful” business practices,  
14 within the meaning of Business & Professions Code § 17200 *et seq.*, by manufacturing,  
15 distributing, marketing, and/or selling products with a false country of origin designation and  
16 violating Business & Professions Code § 17533.7 by falsely claiming that the products  
17 referenced herein are "Made in USA" when they are in fact made with component parts  
18 manufactured outside of the United States.

19 29. Beginning at an exact date unknown as yet and continuing up through the present,  
20 Defendants committed acts of unfair competition that are prohibited by Business & Professions  
21 Code § 17200 *et seq.* Defendants engaged in a pattern of “unfair” business practices that violate  
22 the wording and intent of the statutes, by engaging in practices that threaten an incipient  
23 violation of law, or violate the policy or spirit of laws because its effects are comparable to or the  
24 same as a violation of the law by manufacturing, distributing, and marketing products with a  
25 false country of origin designation and violating Business & Professions Code § 17533.7 by  
26 falsely claiming that the products referenced herein are "Made in USA" when they are in fact  
27 made with component parts manufactured outside of the United States.

28 a. Alternatively, Defendants engaged in a pattern of “unfair” business



1 practices that violate the wording and intent of the statutes, by engaging in practices that are  
2 immoral, unethical, oppressive or unscrupulous, the utility (if any) of which conduct is far  
3 outweighed by the harm done to consumers and public policy by manufacturing, distributing,  
4 marketing, and advertising products with the false claim that the products referenced herein are  
5 "Made in USA."

6 b. Alternatively, Defendants engaged in a pattern of "unfair" business  
7 practices that violate the wording and intent of the statutes, by engaging in practices wherein: (1)  
8 the injury to the consumer was substantial; (2) the injury was not outweighed by any  
9 countervailing benefits to consumers or competition; and (3) the injury was of the kind that the  
10 consumers themselves could not reasonably have avoided by manufacturing, distributing,  
11 marketing, and advertising products with the false claim that the products referenced herein are  
12 "Made in USA."

13 30. Beginning at an exact date unknown as yet and continuing up through the present,  
14 Defendants committed acts of unfair competition, including those described above, prohibited by  
15 Business & Professions Code § 17200 *et seq.* by engaging in a pattern of "fraudulent" business  
16 practices within the meaning of Business & Professions Code § 17200 *et seq.*, by manufacturing,  
17 distributing, marketing, and/or selling products with a false country of origin designation and  
18 violating Business & Professions Code § 17533.7 by falsely claiming that the products  
19 referenced herein are "Made in USA."

20 31. Defendants engaged in these unlawful, unfair and fraudulent business practices  
21 for the primary purpose of collecting unlawful and unauthorized monies from Plaintiff and all  
22 others similarly situated, thereby unjustly enriching Defendants.

23 32. As a result of the repeated violations described herein, Defendants received  
24 unearned commercial benefits at the expense of their competitors and the public.

25 33. Defendants' unlawful, unfair and fraudulent business practices present a  
26 continuing threat to the public in that Defendants continues to engage in unlawful, misleading  
27 conduct.

28 34. Such acts and omissions are unlawful, unfair and/or fraudulent and constitute a

1 violation of Business & Professions Code § 17200 *et seq.* Plaintiff reserves the right to identify  
2 additional violations by Defendants as may be established through discovery.

3 35. As a direct and legal result of their unlawful, unfair and fraudulent conduct  
4 described herein, Defendants have been and will be unjustly enriched by the receipt of ill-gotten  
5 gains from customers, including Plaintiff, who unwittingly provided their money to Defendants  
6 based on Defendants' fraudulent country of origin designation.

7 36. Plaintiff suffered an "injury in fact" because Plaintiff's money was taken by  
8 Defendants as a result of Defendants' false "Made in USA" claims set forth on the Jeans.

9 37. Plaintiff and Class Members were undoubtedly injured as a result of Defendants'  
10 false "Made in USA" representations that are at issue in this litigation.

11 38. In prosecuting this action for the enforcement of important rights affecting the  
12 public interest, Plaintiff seeks the recovery of attorneys' fees pursuant to Code of Civil  
13 Procedure § 1021.5, which is available to a prevailing plaintiff who wins relief for the general  
14 public.

### 15 SECOND CAUSE OF ACTION

#### 16 **(Violation of Business & Professions Code § 17533.7 Against All Defendants)**

17 39. Plaintiff realleges and incorporates by reference Paragraphs 1 through 38,  
18 inclusive, as if set forth in full herein.

19 40. Business & Professions Code § 17533.7 provides:

20  
21 It is unlawful for any person, firm, corporation or association to  
22 sell or offer for sale in this State any merchandise on which  
23 merchandise or on its container there appears the words "Made in  
24 USA" "Made in America," "U.S.A.," or similar words when the  
merchandise or **any article, unit, or part thereof**, has been  
entirely or substantially made, manufactured, or produced outside  
of the United States. (Emphasis added).

25 41. As stated by the California Supreme Court in *Kwikset v. Superior Court* (January  
26 27, 2011) 51 Cal.4th 310, 328-29:

27  
28 **Simply stated: labels matter.** The marketing industry is based on

1 the premise that labels matter, that consumers will choose one  
2 product over another similar product based on its label and various  
3 tangible and intangible qualities they may come to associate with a  
4 particular source....In particular, to some consumers, the “Made in  
5 U.S.A.” label matters. A range of motivations may fuel this  
6 preference, from the desire to support domestic jobs, to beliefs  
7 about quality, to concerns about overseas environmental or labor  
8 conditions, to simple patriotism. The Legislature has recognized  
9 the materiality of this representation by specifically outlawing  
10 deceptive and fraudulent “Made in America” representations. (§  
11 17533.7; see also Civ.Code, § 1770, subd. (a)(4) [prohibiting  
12 deceptive representations of geographic origin].) The object of  
13 section 17533.7 “is to protect consumers from being misled when  
14 they purchase products in the belief that they are advancing the  
15 interests of the United States and its industries and workers...

16 Id. (emphasis added).

17 42. Defendants violated Business & Professions Code § 17533.7 by manufacturing,  
18 selling and/or offering to sell merchandise in the State of California with the “Made in USA”  
19 label as fully set forth herein. The Jeans in this case contain component parts that are  
20 manufactured outside of the United States.

21 43. It is alleged on information and belief that Defendants’ violations of Business &  
22 Professions Code § 17533.7 were done with awareness of the fact that the conduct alleged was  
23 wrongful and were motivated solely for increased profit. It is also alleged on information and  
24 belief that Defendants did these acts knowing the harm that would result to Plaintiff and that  
25 Defendants did these acts notwithstanding that knowledge.

26 44. As a direct and proximate result of Defendants’ violations of Business &  
27 Professions Code § 17533.7, Plaintiff and Class members are entitled to restitution of excess  
28 monies paid to Defendants by Plaintiff and Class members relating to the false “Made in USA”  
claims on Defendants’ Jeans.

45. Plaintiff suffered an “injury in fact” because Plaintiff’s money was taken by  
Defendants as a result of Defendants’ false “Made in USA” claims set forth on the Jeans.  
Furthermore, she suffered an “injury in fact” by paying for something she believed was  
genuinely manufactured in the USA, when it was not. See also Paragraphs 18-22 herein.



1 unlawful: Using deceptive representations or designations of geographic origin in connection  
2 with goods or services....Advertising good or services with intent not to sell them as marketed.”

3 54. Defendants violated Civil Code § 1770(a)(4) and (9) by marketing and  
4 representing that their products are “Made in USA” when they actually contain component parts  
5 that are manufactured outside of the United States.

6 55. It is alleged on information and belief that Defendants’ violations of the  
7 Consumer Legal Remedies Act set forth herein were done with awareness of the fact that the  
8 conduct alleged was wrongful and were motivated solely for increased profit. It is also alleged  
9 on information and belief that Defendants did these acts knowing the harm that would result to  
10 Plaintiff and that Defendants did these acts notwithstanding that knowledge.

11 56. On or about November 14, 2014, Plaintiff provided to Hudson the requisite 30-  
12 day notice, which was sent pursuant to the Consumer Legal Remedies Act (“CLRA”). The 30-  
13 day notice complied with the relevant provisions of the CLRA as it was a demand to correct,  
14 repair, replace, or otherwise rectify the false country of origin designation as it relates to  
15 offending and violative Jeans sold in California pursuant to California Civil Code § 1782(a).  
16 Plaintiff sent a follow-up letter on or about December 4, 2014. As of the date of the filing of this  
17 Complaint, however, Hudson has not yet responded to Plaintiff’s CLRA letter. As such, Plaintiff  
18 seeks “actual damages” and/or punitive damages pursuant to the CLRA from Hudson.

19 57. As a direct and proximate result of Defendants’ violations of the Consumers Legal  
20 Remedies Act, Plaintiff and Class members are entitled to the following remedies: (a) statutory  
21 damages; (b) a declaration that Defendants violated the Consumers Legal Remedies Act, (c) an  
22 injunction preventing Defendants’ unlawful actions; and (d) punitive damages.

23 58. Plaintiff suffered an “injury in fact” because Plaintiff’s money was taken by  
24 Defendants as a result of Defendants’ false claims set forth on their Jeans. Furthermore, she  
25 suffered an “injury in fact” by paying for a substandard product that she believed was genuinely  
26 manufactured in the USA, when it was not.

27 59. Plaintiff and Class Members were undoubtedly injured as a result of Defendants’  
28 false “Made in USA” representations that are at issue in this litigation.



1 Members known the actual facts, they would not have taken such action.

2 69. As a proximate result of the fraudulent conduct of Defendants as herein alleged,  
3 Plaintiff and Class Members paid monies to Defendants, through Defendants' regular retail sales  
4 channels, to which Defendants are not entitled, and have been damaged in an amount to be  
5 proven at trial.

6 70. Plaintiff and Class Members seek damages, prejudgment interest, and reasonable  
7 attorneys' fees (pursuant to Code of Civil Procedure § 1021.5) and costs as will be determined at  
8 time of trial.

9 WHEREFORE, Plaintiff prays for relief and judgment against Defendants, as follows:

10 **PRAYER**


- 11 1. Damages according to proof;
- 12 2. For statutory damages pursuant to the Consumers Legal Remedies Act;
- 13 3. For a judgment declaring this action to be a proper class action;
- 14 3. A declaration that Defendants violated the provisions of California Business &  
15 Professions Code § 17200 *et seq.* and Civil Code § 1750 *et seq.*;
- 16 5. Pursuant to Business & Professions Code § 17204 and pursuant to the equitable  
17 powers of this Court, a judgment enjoining Defendants, their subsidiaries, affiliates, and their  
18 successors, agents, servants, officer, directors, employees, and all persons, acting in concert with  
19 them, directly or indirectly, from engaging in conduct violative of Business & Professions Code  
20 § 17200 *et seq.* as more fully described above;
- 21 6. Pursuant to Business & Professions Code § 17204, a judgment requiring  
22 Defendants to provide adequate restitution to restore all persons in interest, including all Class  
23 Members, with all monies acquired by means of Defendants' unfair competition;
- 24 7. Plaintiff and each of the other members of the Class recover the amounts by  
25 which Defendants have been unjustly enriched;
- 26 8. Plaintiff's reasonable attorneys' fees as it relates to all causes of action pursuant  
27 to Code of Civil Procedure § 1021.5;
- 28 9. For punitive damages pursuant to the Consumers Legal Remedies Act;

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- 10. For costs of suit incurred herein;
  - 11. For prejudgment interest as allowed by law; and
  - 12. For such other and further relief as this Court finds just, equitable and proper,
- including, but not limited to, the remedy of disgorgement.

Dated: January 7, 2015

DEL MAR LAW GROUP, LLP

By:   
\_\_\_\_\_  
John H. Donboli  
Jr. Sean Slattery  
Casey M. Rocha  
Attorneys for: EINAT NOIMAN, an individual  
and on behalf of all others similarly situated