

# EXHIBIT 1

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*Attorneys for Plaintiff, and all others similarly situated*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

MICHAEL DOTSON, individually, and on  
behalf of others similarly situated,

Plaintiff,

vs.

DANONE WATERS OF AMERICA, LLC

Defendant.

Case No. **24STCV04928**

**CLASS ACTION COMPLAINT**

- (1) Violation of Unfair Competition Law  
(Cal. Business & Professions Code  
§§ 17500 *et seq.*) and
- (2) Violation of Unfair Competition Law  
(Cal. Business & Professions Code  
§§ 17200 *et seq.*)

**Jury Trial Demanded**

1 Now comes the Plaintiff, MICHAEL DOTSON (“Plaintiff”), individually  
2 and on behalf of all others similarly situated, by and through his attorneys, and for  
3 his class action Complaint against the Defendant, DANONE WATERS OF  
4 AMERICA, LLC (“Defendant”), Plaintiff alleges and states as follows:

### 5 **PRELIMINARY STATEMENTS**

6 1. This is an action for damages, injunctive relief, and any other available  
7 legal or equitable remedies, for violations of Unfair Competition Law (Cal.  
8 Business & Professions Code §§ 17500 *et seq.*, and Unfair Competition Law (Cal.  
9 Business & Professions Code §§ 17200 *et seq* resulting from the illegal actions of  
10 Defendant, in advertising and labeling its products as Natural Spring Water, when  
11 the products contain microplastics. Plaintiff alleges as follows upon personal  
12 knowledge as to himself and his own acts and experiences, and, as to all other  
13 matters, upon information and belief, including investigation conducted by his  
14 attorneys.

### 15 **JURISDICTION AND VENUE**

16 2. This class action is brought pursuant to California Code of Civil  
17 Procedure § 382. All causes of action in the instant complaint arise under California  
18 statutes.

19 3. This court has personal jurisdiction over Defendant, because  
20 Defendant does business within the State of California and County of Los Angeles

21 4. Venue is proper in this Court because Defendant does business *inter*  
22 *alia* in the county of Los Angeles and a significant portion of the conduct giving  
23 rise to Plaintiff’s Claims happened here.

### 24 **PARTIES**

25 5. Plaintiff is an individual who was at all relevant times residing in Los  
26 Angeles, California.

27 6. Defendant is a Delaware limited liability company, whose principal  
28 place of business is located in Denver, Colorado.

1           7. At all times relevant hereto, Defendant was engaged in the  
2 manufacturing, marketing, and sale of bottled water.

3                           **FACTS COMMON TO ALL COUNTS**

4           8. Defendant manufactures, advertises, markets, sells, and distributes  
5 bottled water throughout California and the United States.

6           9. During the Class Period Defendant sold Evian bottled water (the  
7 “Products”) labeled, marketed, and advertised as “Natural Spring Water” but which  
8 actually contained microplastics.

9           10. Microplastics are small sized plastic particles that originate from  
10 manufacturing and physical degradation of plastics. Microplastics encompass a  
11 variety of different molecules with different structures, shapes, sizes, and polymers.

12           11. Microplastics are not naturally occurring. Instead, microplastics are  
13 typically made from polypropylene, polyethylene, polystyrene, and other synthetic  
14 polymers.<sup>1</sup>

15           12. Microplastics can leach into the water from the bottle, and consumers  
16 are exposed to additives, processing aid, and unreacted monomers.<sup>2</sup>

17           13. In 2018 Orb Media commissioned a global study on synthetic  
18 microplastic contamination in bottled water.<sup>3</sup> The study was performed at the  
19 Mason lab at State University of New York at Fredonia, Department of Geology &  
20  
21  
22  
23

24           <sup>1</sup> Md. Iftakharul Muhib, Md. Khabir Uddin, Md. Mostafizur Rahman, and Guilherme  
25 Malafaia, "Occurrence of microplastics in tap and bottled water, and food packaging: A  
26 narrative review on current knowledge," *Science of The Total Environment* (2022),  
27 <http://dx.doi.org/10.1016/j.scitotenv.2022.161274>.

28           <sup>2</sup> *Id*; Winkler, A., Santo, N., Ortenzi, M.A., Bolzoni, E., Bacchetta, R., Tremolada, P.,  
2019. Does mechanical stress cause microplastic release from plastic water bottles? *Water Res.*  
166, 115082

<sup>3</sup> Orb Media, "Plus Plastic," Orb Media (2023), available at <https://orbmedia.org/plus-plastic>.

Environmental Sciences. The study tested 259 individual bottles from 27 different lots across 11 brands purchased from 19 locations in 9 countries. Ninety-three percent, (“93%”), of bottled water showed signs of microplastic contamination.

14. A study conducted in 2019 found the origin of bottled microplastics in drinking water due to mechanical stress.<sup>4</sup> They proposed that the main mechanical reason for bottled water contamination originated from releasing microplastic particles from the bottleneck and plastic cap by frequent opening and closing.

15. Microplastic contamination in the Products is possible at various manufacturing levels and as a result of usage by reasonable consumers.<sup>5</sup>

16. Toxic effects of microplastics on the physiology and behavior of marine invertebrates have been extensively documented.<sup>6</sup> Similar effects have also been observed in larger marine vertebrates such as fish. Furthermore, recent studies using mouse models have reported potential effects of Microplastics on mammalian gut microbiota, as well as cellular and metabolic toxicity in the host.<sup>7</sup> However, the

<sup>4</sup> Winkler, A., Santo, N., Ortenzi, M.A., Bolzoni, E., Bacchetta, R., Tremolada, P., 2019. Does mechanical stress cause microplastic release from plastic water bottles? *Water Res.* 166, 115082.

<sup>5</sup> See Md. Iftakharul Muhib, Md. Khabir Uddin, Md. Mostafizur Rahman, and Guilherme Malafaia, "Occurrence of microplastics in tap and bottled water, and food packaging: A narrative review on current knowledge," *Science of The Total Environment* (2022), <http://dx.doi.org/10.1016/j.scitotenv.2022.161274>.

<sup>6</sup> Damià Barceló, Yolanda Picó, & Ahmed H. Alfarhan, *Microplastics: Detection in human samples, cell line studies, and health impacts*, Environmental Toxicology and Pharmacology (2023), <https://doi.org/10.1016/j.etap.2023.104204>; Grote, K., Brüstle, F., Vlacil, A.K., 2023. Cellular and systemic effects of micro- and nanoplastics in mammals—what we know so far. *Materials* 16, 3123. <https://doi.org/10.3390/ma16083123>;

<sup>7</sup> Yong, C.Q.Y., Valiyaveetil, S., Tang, B.L., 2020. Toxicity of microplastics and nanoplastics in mammalian systems. *Int. J. Environ. Res. Public Health* 2020 Vol. 17, 1509. <https://doi.org/10.3390/IJERPH17051509>.

1 pathophysiological consequences of acute and chronic exposure to microplastics in  
2 mammalian systems, particularly in humans, are not yet fully understood.<sup>8</sup>

3 17. After being absorbed, Microplastics have the potential to be  
4 transported through the circulatory system and subsequently accumulate in various  
5 organs, including the kidney, gut, and liver.<sup>9</sup> Thus, the effects on several blood and  
6 the immune system cell lines have been widely reported for several Microplastics.  
7 Moreover, Microplastics exhibit a "Trojan Horse" effect by absorbing and  
8 transporting various environmental pollutants.<sup>10</sup>

11 18. Studies indicate that exposure to microplastics through ingestion can  
12 lead to gastrointestinal problems such as irritable bowel syndrome; endocrine  
13 disruption such as adverse effects on hormonal balance and reproductive function;  
14 and cardiovascular problems such as increase of oxidative stress and impaired  
15 regular heart function.<sup>11</sup>

18 19. Microplastics contamination is a material concern to Plaintiff and other  
19 reasonable consumers.

21 20. Bottled water that is contaminated with microplastics is not natural.

24 <sup>8</sup> Damià Barceló, Yolanda Picó, & Ahmed H. Alfarhan, *Microplastics: Detection in*  
25 *human samples, cell line studies, and health impacts*, Environmental Toxicology and  
26 Pharmacology (2023), <https://doi.org/10.1016/j.etap.2023.104204>

26 <sup>9</sup> Id.

26 <sup>10</sup> Id.

27 <sup>11</sup> Ebuka Chizitere Emenike et al., *From Oceans to Dinner Plates: The Impact of*  
28 *Microplastics on Human Health*, Volume 9, issue 10, Heliyon, 2023,  
<https://www.sciencedirect.com/science/article/pii/S240584402307648X>

1           21. The Food and Drug Administration (“FDA”) has not officially defined  
2 the term “natural” and has not promulgated an official rule regarding the use of the  
3 term “natural.”

4           22. Furthermore, FDA has considered the term "natural" to mean that  
5 nothing artificial or synthetic (including all color additives regardless of source) has  
6 been included in, or has been added to, a food that would not normally be expected  
7 to be in that food.<sup>12</sup>

8           23. Microplastics are not expected to be in food or water.

9           24. Plaintiff, and reasonable consumers, do not expect “Natural” water  
10 products to contain microplastics.

11           25. The following picture includes an example of Defendant’s fraudulent  
12 labeling:



27           <sup>12</sup> U.S. Food and Drug Administration, "Use of the Term 'Natural' on Food Labeling,"  
28 FDA (2023), available at <https://www.fda.gov/food/food-labeling-nutrition/use-term-natural-food-labeling>.

1           26. Yet, when consumers drink Defendant's Products, they are consuming  
2 synthetic plastic particles.

3           27. On January 27, 2024, Plaintiff purchased one case of Products labeled,  
4 marketed, and sold as "Natural Spring Water", from a Food For Less in Los  
5 Angeles.

6           28. Plaintiff's Products contained microplastics despite being labeled  
7 Natural Spring Water.  
8

9           29. Persons, like Plaintiff herein, have an interest in purchasing products  
10 that do not contain false and misleading claims with regards to the contents of the  
11 Products.  
12

13           30. By making false and misleading claims about the contents of its  
14 Products, Defendant impaired Plaintiff's ability to choose the type and quality of  
15 products he chose to buy.  
16

17           31. Therefore, Plaintiff has been deprived of his legally protected interest  
18 to obtain true and accurate information about their consumer products as required  
19 by law.  
20

21           32. As a result of Defendant's fraudulent labeling, Plaintiff and the Class  
22 have been misled into purchasing Products that did not provide them with the  
23 benefit of the bargain they paid money for, namely that the Products were Natural  
24 Spring Water.  
25  
26  
27  
28



1           33. As a result of Defendant's fraudulent labeling, Plaintiff and the Class  
2 paid a price premium for premium Products, but instead received non-premium  
3 Products.

4           34. Plaintiff and the Class purchased Defendant's Products because  
5 Defendant's advertising claimed that the Products were Natural Spring Water.  
6

7           35. Due to Defendant's intentional, deceitful practice of falsely labeling  
8 the Products as Natural Spring Water, Plaintiff could not have known that the  
9 Products contained microplastics.  
10

11           36. Plaintiff was unaware that the Products contained microplastics when  
12 he purchased them.  
13

14           37. Worse than the lost money, Plaintiff, the Class, and Sub-Class were  
15 deprived of their protected interest to choose the type and quality of products they  
16 ingest.  
17

18           38. Defendant, and not Plaintiffs, the Class, or Sub-Class, knew or should  
19 have known that labeling, marketing, and selling the Products as Natural Spring  
20 Water was false, deceptive, and misleading, and that Plaintiff, the Class, and Sub-  
21 Class members would not be able to tell the Products they purchased contained  
22 microplastics unless Defendant expressly told them.  
23  
24

25           39. Defendant knew that the Products contained microplastics but chose to  
26 label the Products with Natural Spring Water labeling anyway to induce consumers  
27 to purchase the Products.  
28

1           40. Furthermore, copious research has shown the deleterious effects of  
2 plastic bottles on both the environment and human health, yet Defendant continues  
3 to bottle its water in plastic and continues to label the Products as Natural.<sup>13</sup>  
4

5           41. As a result of Defendant's acts and omissions outlined above, Plaintiffs  
6 have suffered concrete and particularized injuries and harm, which include, but are  
7 not limited to, the following:  
8

- 9           a. Lost money;  
10           b. Wasting Plaintiffs' time; and  
11           c. Stress, aggravation, frustration, loss of trust, loss of serenity, and  
12           d. loss of confidence in product labeling  
13

14                           **CLASS ALLEGATIONS**

15           42. Plaintiff brings this action on behalf of himself and all others similarly  
16 situated, as members of the proposed class (the "Class"), defined as follows:  
17

18                   All persons within the United States who purchased the  
19                   Products within four years prior to the filing of this  
20                   Complaint through to the date of class certification.

21           43. Plaintiff also brings this action on behalf of himself and all others  
22 similarly situated, as a member of the proposed California sub-class (the "Sub-  
23 Class"), defined as follows:

24                   All persons within California who purchased the Products  
25                   within four years prior to the filing of this Complaint  
26                   through to the date of class certification.

27           <sup>13</sup> ABC7 News, "Nanoplastics found in bottled water and the bloodstream, study says,"  
28 ABC7 News (2023), available at <https://abc7news.com/nanoplastics-bottled-water-bloodstream-plastic/14302293/>.

1           44. Defendant, their employees and agents are excluded from the Class and  
2 Sub-Class. Plaintiff does not know the number of members in the Class and Sub-  
3 Class, but believe the members number in the thousands, if not more. Thus, this  
4 matter should be certified as a Class Action to assist in the expeditious litigation of  
5 the matter.

6           45. The Class and Sub-Class are so numerous that the individual joinder  
7 of all of their members is impractical. While the exact number and identities of their  
8 members are unknown to Plaintiff at this time and can only be ascertained through  
9 appropriate discovery, Plaintiff is informed and believes and thereon alleges that  
10 the Class and Sub-Class include thousands, if not millions of members. Plaintiff  
11 alleges that the class members may be ascertained by the records maintained by  
12 Defendant.

13           46. This suit is properly maintainable as a class action pursuant to Fed. R.  
14 Civ. P. 23(a) because the Class and Sub-Class are so numerous that joinder of their  
15 members is impractical and the disposition of their claims in the Class Action will  
16 provide substantial benefits both to the parties and the Court.

17           47. There are questions of law and fact common to the Class and Sub-Class  
18 affecting the parties to be represented. The questions of law and fact common to the  
19 Class and Sub-Class predominate over questions which may affect individual class  
20 members and include, but are not necessarily limited to, the following:

- 21           a. Whether the Defendant intentionally, negligently, or recklessly  
22           disseminated false and misleading information by labeling the  
23           Products as Natural when the Products contain microplastics;
  - 24           b. Whether the Class and Sub-Class members were informed that  
25           the Products contained microplastics;
  - 26           c. Whether the Products contained micoplastics;
  - 27           d. Whether Defendant's conduct was unfair and deceptive;
- 28

- e. Whether Defendant unjustly enriched itself as a result of the unlawful conduct alleged above;
- f. Whether the inclusion of microplastics in the Products is a material fact;
- g. Whether there should be a tolling of the statute of limitations; and
- h. Whether the Class and Sub-Class are entitled to restitution, actual damages, punitive damages, and attorney fees and costs.

48. As a resident of the United States and the State of California who purchased the Products, Plaintiff is asserting claims that are typical of the Class and Sub-Class.

49. Plaintiff has no interests adverse or antagonistic to the interests of the other members of the Class and Sub-Class.

50. Plaintiff will fairly and adequately protect the interests of the members of the Class and Sub-Class. Plaintiff has retained attorneys experienced in the prosecution of class actions.

51. A class action is superior to other available methods of fair and efficient adjudication of this controversy, since individual litigation of the claims of all Class and Sub-Class members is impracticable. Even if every Class and Sub-Class member could afford individual litigation, the court system could not. It would be unduly burdensome to the courts in which individual litigation of numerous issues would proceed. Individualized litigation would also present the potential for varying, inconsistent or contradictory judgments and would magnify the delay and expense to all parties, and to the court system, resulting from multiple trials of the same complex factual issues. By contrast, the conduct of this action as a class action presents fewer management difficulties, conserves the resources of the parties and of the court system and protects the rights of each class member. Class treatment will also permit the adjudication of relatively small claims by many

1 class members who could not otherwise afford to seek legal redress for the wrongs  
2 complained of herein.

3 52. The prosecution of separate actions by individual members of the Class  
4 and Sub-Class would create a risk of adjudications with respect to them that would,  
5 as a practical matter, be dispositive of the interests of the other class members not  
6 parties to such adjudications or that would substantially impair or impede the ability  
7 of such non-party class members to protect their interests.

8 53. Defendants have acted or refused to act in respect generally applicable  
9 to the Class and Sub-Class thereby making appropriate final and injunctive relief  
10 with regard to the members of the Class and Sub-Class as a whole.

11 54. The size and definition of the Class and Sub-Class can be identified  
12 through records held by retailers carrying and reselling the Products, and by  
13 Defendant's own records.

14 **COUNT I**  
15 **VIOLATIONS OF THE CALIFORNIA FALSE ADVERTISING ACT**  
16 **(Cal. Bus. & Prof. Code §§ 17500 *et seq.*)**  
17 **On behalf of the Class and the Sub-Class**

18 55. Plaintiff incorporates by reference each allegation set forth above in  
19 paragraphs 1 through 54.

20 56. Pursuant to California Business and Professions Code section 17500,  
21 *et seq.*, it is unlawful to engage in advertising "which is untrue or misleading, and  
22 which is known, or which by the exercise of reasonable care should be known, to  
23 be untrue or misleading...or...to so make or disseminate or cause to be so made or  
24 disseminated any such statement as part of a plan or scheme with the intent not to  
25 sell that personal property or those services, professional or otherwise, so  
26 advertised at the price stated therein, or as so advertised."  
27  
28

1           57. California Business and Professions Code section 17500, *et seq.*'s  
2 prohibition against false advertising extends to the use of false or misleading  
3 written statements.

4           58. Defendant misled consumers by making misrepresentations and  
5 untrue statements about the Class Products, namely, Defendant sold the Products  
6 with labeling claiming the Products were Natural, and made false representations  
7 to Plaintiff and other putative class members in order to solicit these transactions.

8           59. Specifically, Defendant claimed the Products were Natural when the  
9 Products contained synthetic microplastics.

10           60. Defendant knew that their representations and omissions were untrue  
11 and misleading, and deliberately made the aforementioned representations and  
12 omissions in order to deceive reasonable consumers like Plaintiff and other Class  
13 and Sub-Class Members.

14           61. As a direct and proximate result of Defendant's misleading and false  
15 advertising, Plaintiff and the other Class Members have suffered injury in fact and  
16 have lost money or property. Plaintiff reasonably relied upon Defendant's  
17 fraudulent statements regarding the Products, namely that they did not know the  
18 Products contained synthetic microplastics. In reasonable reliance on Defendant's  
19 omissions of material fact and false advertisements, Plaintiff and other Class and  
20 Sub-Class Members purchased the Products. In turn Plaintiff and other Class  
21 Members ended up with products that turned out to actually be different than  
22 advertised, and therefore Plaintiff and other Class Members have suffered injury  
23 in fact.

24           62. Plaintiff alleges that these false and misleading written  
25 representations made by Defendant constitute a "scheme with the intent not to sell  
26 that personal property or those services, professional or otherwise, so advertised  
27 at the price stated therein, or as so advertised."  
28

63. Defendant advertised to Plaintiff and other putative class members, through written representations and omissions made by Defendant and its employees, that the Class Products would be Natural.

64. Defendant knew that the Class Products did in fact contain synthetic microplastics.

65. Thus, Defendant knowingly sold Class Products to Plaintiff and other putative class members that contained synthetic microplastics and were not Natural.

66. The misleading and false advertising described herein presents a continuing threat to Plaintiff and the Class and Sub-Class Members in that Defendant persists and continues to engage in these practices, and will not cease doing so unless and until forced to do so by this Court. Defendant's conduct will continue to cause irreparable injury to consumers unless enjoined or restrained. Plaintiff is entitled to preliminary and permanent injunctive relief ordering Defendant to cease their false advertising, as well as disgorgement and restitution to Plaintiff and all Class Members Defendant's revenues associated with their false advertising, or such portion of those revenues as the Court may find equitable.

**COUNT II**  
**VIOLATIONS OF UNFAIR BUSINESS PRACTICES ACT**  
**(Cal. Bus. & Prof. Code §§ 17200 *et seq.*)**  
**On behalf of the Class and Sub-Class**

67. Plaintiff incorporates by reference each allegation set forth above in paragraphs 1 through 54.

68. Actions for relief under the unfair competition law may be based on any business act or practice that is within the broad definition of the UCL. Such violations of the UCL occur as a result of unlawful, unfair or fraudulent business acts and practices. A plaintiff is required to provide evidence of a causal connection between a defendant's business practices and the alleged harm--that is,

1 evidence that the defendant's conduct caused or was likely to cause substantial  
2 injury. It is insufficient for a plaintiff to show merely that the defendant's conduct  
3 created a risk of harm. Furthermore, the "act or practice" aspect of the statutory  
4 definition of unfair competition covers any single act of misconduct, as well as  
5 ongoing misconduct.

### 6 UNFAIR

7 69. California Business & Professions Code § 17200 prohibits any  
8 “unfair ... business act or practice.” Defendant’s acts, omissions,  
9 misrepresentations, and practices as alleged herein also constitute “unfair”  
10 business acts and practices within the meaning of the UCL in that its conduct is  
11 substantially injurious to consumers, offends public policy, and is immoral,  
12 unethical, oppressive, and unscrupulous as the gravity of the conduct outweighs  
13 any alleged benefits attributable to such conduct. There were reasonably available  
14 alternatives to further Defendant’s legitimate business interests, other than the  
15 conduct described herein. Plaintiff reserves the right to allege further conduct  
16 which constitutes other unfair business acts or practices. Such conduct is ongoing  
17 and continues to this date.

18 70. In order to satisfy the “unfair” prong of the UCL, a consumer must  
19 show that the injury: (1) is substantial; (2) is not outweighed by any countervailing  
20 benefits to consumers or competition; and, (3) is not one that consumers  
21 themselves could reasonably have avoided.

22 71. Here, Defendant’s conduct has caused and continues to cause  
23 substantial injury to Plaintiff and members of the Class. Plaintiff and members of  
24 the Class have suffered injury in fact due to Defendant’s decision to sell them  
25 fraudulently labeled products (Class Products). Thus, Defendant’s conduct has  
26 caused substantial injury to Plaintiff and the members of the Class and Sub-Class.

27 72. Moreover, Defendant’s conduct as alleged herein solely benefits  
28 Defendant while providing no benefit of any kind to any consumer. Such



1 deception utilized by Defendant convinced Plaintiff and members of the Class that  
2 the Class Products were natural, in order to induce them to spend money on said  
3 Class Products. In fact, knowing that Class Products, by their objective terms  
4 contained microplastics, unfairly profited from their sale, in that Defendant knew  
5 that the expected benefit that Plaintiff would receive from this feature is  
6 nonexistent, when this is typically never the case in situations involving consumer  
7 products. Thus, the injury suffered by Plaintiff and the members of the Class and  
8 Sub-Class is not outweighed by any countervailing benefits to consumers.

9 73. Finally, the injury suffered by Plaintiff and members of the Class and  
10 California Sub-Class is not an injury that these consumers could reasonably have  
11 avoided. After Defendant, fraudulently labeled the Class Products as Natural, the  
12 Plaintiff, Class members, and Sub-Class Members suffered injury in fact due to  
13 Defendant's sale of Class Products to them. Defendant failed to take reasonable  
14 steps to inform Plaintiff and Class and Sub-Class members that the Class Products  
15 contained synthetic microplastics and are not Natural as a result. As such,  
16 Defendant took advantage of Defendant's position of perceived power in order to  
17 deceive Plaintiff and the Class members to purchase the products. Therefore, the  
18 injury suffered by Plaintiff and members of the Class is not an injury which these  
19 consumers could reasonably have avoided.

20 74. Thus, Defendant's conduct has violated the "unfair" prong of  
21 California Business & Professions Code § 17200.

## 22 FRAUDULENT

23 75. California Business & Professions Code § 17200 prohibits any  
24 "fraudulent ... business act or practice." In order to prevail under the "fraudulent"  
25 prong of the UCL, a consumer must allege that the fraudulent business practice  
26 was likely to deceive members of the public.

27 76. The test for "fraud" as contemplated by California Business and  
28 Professions Code § 17200 is whether the public is likely to be deceived. Unlike

1 common law fraud, a § 17200 violation can be established even if no one was  
2 actually deceived, relied upon the fraudulent practice, or sustained any damage.

3 77. Here, not only were Plaintiff and the Class and Sub-Class members  
4 likely to be deceived, but these consumers were actually deceived by Defendant.  
5 Such deception is evidenced by the fact that Plaintiff agreed to purchase Class  
6 Products at a price premium even though the Products contained synthetic  
7 microplastics. Plaintiff's reliance upon Defendant's deceptive statements is  
8 reasonable due to the unequal bargaining powers of Defendant and Plaintiff. For  
9 the same reason, it is likely that Defendant's fraudulent business practice would  
10 deceive other members of the public.

11 78. As explained above, Defendant deceived Plaintiff and other Class  
12 Members by labeling the Products as Natural, when in fact the Products contain  
13 synthetic microplastics.

14 79. Thus, Defendant's conduct has violated the "fraudulent" prong of  
15 California Business & Professions Code § 17200.

### 16 **UNLAWFUL**

17 80. California Business and Professions Code Section 17200, et seq.  
18 prohibits "any unlawful...business act or practice."

19 81. As explained above, Defendant deceived Plaintiff and other Class  
20 Members by labeling the Products as Natural, when in fact the Products contain  
21 synthetic microplastics.

22 82. Defendant used false advertising, marketing, and misrepresentations  
23 to induce Plaintiff and Class and Sub-Class Members to purchase the Class  
24 Products, in violation of California Business and Professions Code Section 17500,  
25 et seq.

26 83. Had Defendant not falsely advertised, marketed or misrepresented the  
27 Class Products, Plaintiff and Class Members would not have purchased the Class  
28 Products. Defendant's conduct therefore caused and continues to cause economic

1 harm to Plaintiff and Class Members. These representations by Defendant are  
 2 therefore an “unlawful” business practice or act under Business and Professions  
 3 Code Section 17200 *et seq.*

4 84. Defendant has thus engaged in unlawful, unfair, and fraudulent  
 5 business acts entitling Plaintiff and Class and Sub-Class Members to judgment and  
 6 equitable relief against Defendant, as set forth in the Prayer for Relief.  
 7 Additionally, pursuant to Business and Professions Code section 17203, Plaintiff  
 8 and Class and Sub-Class Members seek an order requiring Defendant to  
 9 immediately cease such acts of unlawful, unfair, and fraudulent business practices  
 10 and requiring Defendant to correct its actions.

### 11 MISCELLANEOUS

12 101. Plaintiff and Classes Members allege that they have fully complied  
 13 with all contractual and other legal obligations and fully complied with all  
 14 conditions precedent to bringing this action or all such obligations or conditions  
 15 are excused.

### 16 REQUEST FOR JURY TRIAL

17 102. Plaintiff requests a trial by jury as to all claims so triable.

### 18 PRAYER FOR RELIEF

19 103. Plaintiff, on behalf of himself and the Class and Sub-Class, requests  
 20 the following relief:

- 21 (a) An order certifying the Class and Sub-Class and appointing
- 22 Plaintiff as Representative of the Class and Sub-Class;
- 23 (a) An order certifying the undersigned counsel as Class and Sub-
- 24 Class Counsel;
- 25 (b) An order requiring Defendant to engage in corrective
- 26 advertising regarding the conduct discussed above;
- 27 (c) Actual damages suffered by Plaintiff and Class and Sub-Class
- 28

- 1 Members as applicable or full restitution of all funds acquired  
2 from Plaintiff and Class and Sub-Class Members from the sale  
3 of misbranded Class Products during the relevant class period;  
4 (d) Punitive damages, as allowable, in an amount determined by  
5 the Court or jury;  
6 (e) Any and all statutory enhanced damages;  
7 (f) All reasonable and necessary attorneys' fees and costs provided  
8 by statute, common law or the Court's inherent power;  
9 (g) Pre- and post-judgment interest; and  
10 (h) All other relief, general or special, legal and equitable, to which  
11 Plaintiff and Class and Sub-Class Members may be justly  
12 entitled as deemed by the Court.

13  
14 Dated: February 27, 2024

Respectfully submitted,

15 LAW OFFICES OF TODD M. FRIEDMAN, PC

16  
17 By: 

TODD M. FRIEDMAN, ESQ.

18 Attorney for Plaintiff Michael Dotson  
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# SUMMONS (CITACION JUDICIAL)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

DANONE WATERS OF AMERICA, LLC

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

MICHAEL DOTSON, individually, and on behalf of others similarly situated,

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
2/27/2024 2:22 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Covarrubias, Deputy Clerk

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): **Stanely Mosk Courthouse**

111 North Hill Street  
Los Angeles, CA 90012

CASE NUMBER:  
(Número del Caso):

**24STCV04928**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Todd M. Friedman, Adrian R Bacon 21031 Ventura Blvd., Ste. 340 Woodland Hills, CA 91364, 323-306-4234

**David W. Slayton, Executive Officer/Clerk of Court**

Clerk, by **J. Covarrubias**, Deputy  
(Secretario) (Adjunto)

DATE: **02/27/2024**  
(Fecha)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



**NOTICE TO THE PERSON SERVED:** You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

- ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)

☐ other (specify):

- ☐ by personal delivery on (date):

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Todd M. Friedman, SBN 216752</b> 21031 Ventura Blvd., Suite 340, Woodland Hills, CA 91364  TELEPHONE NO.: 323-306-4234 FAX NO.: 866-633-0228 EMAIL ADDRESS: tfriedman@toddfllaw.com ATTORNEY FOR (Name): Michael Dotson		<b>FOR COURT USE ONLY</b>  <b>Electronically FILED by</b> <b>Superior Court of California,</b> <b>County of Los Angeles</b> <b>2/27/2024 2:22 PM</b> <b>David W. Slayton,</b> <b>Executive Officer/Clerk of Court,</b> <b>By J. Covarrubias, Deputy Clerk</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse			
CASE NAME: Michael Dotson v. Danone Waters of America, LLC			
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$35,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$35,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: <b>24STCV04928</b>
			JUDGE: DEPT.:

*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:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <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-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <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) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <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)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</b> <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) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint ( <i>not specified above</i> ) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition ( <i>not specified above</i> ) (43)
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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<br>b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve<br>c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses<br>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<br>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*): 2
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: February 27, 2024

Todd M. Friedman, Esq.

(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.

Page 1 of 2



**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET****CM-010**

**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

SHORT TITLE Michael Dotson v. Danone Waters of America, LLC	CASE NUMBER <b>24STCV04928</b>
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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 2.3 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 Courthouse Location (Column C)**

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

	<b>A</b> Civil Case Cover Sheet Case Type	<b>B</b> Type of Action (check only one)	<b>C</b> Applicable Reasons (see Step 3 above)
<b>Auto Tort</b>	Auto (22)	<input type="checkbox"/> 2201 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death	1, 4
	Uninsured Motorist (46)	<input type="checkbox"/> 4601 Uninsured Motorist – Personal Injury/Property Damage/Wrongful Death	1, 4
<b>Other Personal Injury/ Property Damage/ Wrongful Death</b>	Other Personal Injury/ Property Damage/ Wrongful Death (23)	<input type="checkbox"/> 2301 Premise Liability (e.g., dangerous conditions of property, slip/trip and fall, dog attack, etc.)	1, 4
		<input type="checkbox"/> 2302 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, battery, vandalism, etc.)	1, 4
		<input type="checkbox"/> 2303 Intentional Infliction of Emotional Distress	1, 4
		<input type="checkbox"/> 2304 Other Personal Injury/Property Damage/Wrongful Death	1, 4
		<input type="checkbox"/> 2305 Elder/Dependent Adult Abuse/Claims Against Skilled Nursing Facility	1, 4
		<input type="checkbox"/> 2306 Intentional Conduct – Sexual Abuse Case (in any form)	1, 4



SHORT TITLE Michael Dotson v. Danone Waters of America, LLC	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
		<input type="checkbox"/> 2307 Construction Accidents	1, 4
		<input type="checkbox"/> 2308 Landlord – Tenant Habitability (e.g., bed bugs, mold, etc.)	1, 4
Other Personal Injury/ Property Damage/ Wrongful Death	Product Liability (24)	<input type="checkbox"/> 2401 Product Liability (not asbestos or toxic/ environmental)	1, 4
		<input type="checkbox"/> 2402 Product Liability – Song-Beverly Consumer Warranty Act (CA Civil Code §§1790-1795.8) (Lemon Law)	1, 3, 5
	Medical Malpractice (45)	<input type="checkbox"/> 4501 Medical Malpractice – Physicians & Surgeons	1, 4
		<input type="checkbox"/> 4502 Other Professional Health Care Malpractice	1, 4
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> 0701 Other Commercial/Business Tort (not fraud or breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> 0801 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> 1301 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> 1601 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> 2501 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> 2502 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	<input checked="" type="checkbox"/> 3501 Other Non-Personal Injury/Property Damage Tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> 3601 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> 1501 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> 1502 Labor Commissioner Appeals	10
Contract	Breach of Contract / Warranty (06) (not insurance)	<input type="checkbox"/> 0601 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> 0602 Contract/Warranty Breach – Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> 0603 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> 0604 Other Breach of Contract/Warranty (no fraud/ negligence)	1, 2, 5
		<input type="checkbox"/> 0605 Breach of Rental/Lease Contract (COVID-19 Rental Debt)	2, 5
	Collections (09)	<input type="checkbox"/> 0901 Collections Case – Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> 0902 Other Promissory Note/Collections Case	5, 11
		<input type="checkbox"/> 0903 Collections Case – Purchased Debt (charged off consumer debt purchased on or after January 1, 2014)	5, 6, 11
		<input type="checkbox"/> 0904 Collections Case – COVID-19 Rental Debt	5, 11
	Insurance Coverage (18)	<input type="checkbox"/> 1801 Insurance Coverage (not complex)	1, 2, 5, 8

SHORT TITLE Michael Dotson v. Danone Waters of America, LLC	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Contract</b> (Continued)	Other Contract (37)	<input type="checkbox"/> 3701 Contractual Fraud	1, 2, 3, 5
		<input type="checkbox"/> 3702 Tortious Interference	1, 2, 3, 5
		<input type="checkbox"/> 3703 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
<b>Real Property</b>	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> 1401 Eminent Domain/Condemnation Number of Parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> 3301 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> 2601 Mortgage Foreclosure	2, 6
		<input type="checkbox"/> 2602 Quiet Title	2, 6
		<input type="checkbox"/> 2603 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
<b>Unlawful Detainer</b>	Unlawful Detainer – Commercial (31)	<input type="checkbox"/> 3101 Unlawful Detainer – Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Residential (32)	<input type="checkbox"/> 3201 Unlawful Detainer – Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Post Foreclosure (34)	<input type="checkbox"/> 3401 Unlawful Detainer – Post Foreclosure	2, 6, 11
	Unlawful Detainer – Drugs (38)	<input type="checkbox"/> 3801 Unlawful Detainer – Drugs	2, 6, 11
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> 0501 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> 1101 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> 0201 Writ – Administrative Mandamus	2, 8
		<input type="checkbox"/> 0202 Writ – Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> 0203 Writ – Other Limited Court Case Review	2
	Other Judicial Review (39)	<input type="checkbox"/> 3901 Other Writ/Judicial Review	2, 8
		<input type="checkbox"/> 3902 Administrative Hearing	2, 8
		<input type="checkbox"/> 3903 Parking Appeal	2, 8
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> 0301 Antitrust/Trade Regulation	1, 2, 8
	Asbestos (04)	<input type="checkbox"/> 0401 Asbestos Property Damage	1, 11
		<input type="checkbox"/> 0402 Asbestos Personal Injury/Wrongful Death	1, 11

SHORT TITLE Michael Dotson v. Danone Waters of America, LLC	CASE NUMBER
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	<b>A</b> Civil Case Cover Sheet Case Type	<b>B</b> Type of Action (check only one)	<b>C</b> Applicable Reasons (see Step 3 above)
<b>Provisionally Complex Litigation</b> (Continued)	Construction Defect (10)	<input type="checkbox"/> 1001 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> 4001 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> 2801 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> 3001 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> 4101 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> 2001 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> 2002 Abstract of Judgment	2, 6
		<input type="checkbox"/> 2004 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> 2005 Petition/Certificate for Entry of Judgment Unpaid Tax	2, 8
		<input type="checkbox"/> 2006 Other Enforcement of Judgment Case	2, 8, 9
<b>Miscellaneous Civil Complaints</b>	RICO (27)	<input type="checkbox"/> 2701 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (not specified above) (42)	<input type="checkbox"/> 4201 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> 4202 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> 4203 Other Commercial Complaint Case (non-tort/noncomplex)	1, 2, 8
		<input type="checkbox"/> 4204 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> 2101 Partnership and Corporation Governance Case	2, 8
	Other Petitions (not specified above) (43)	<input type="checkbox"/> 4301 Civil Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4302 Workplace Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4303 Elder/Dependent Adult Abuse Case with Damages	2, 3, 9
		<input type="checkbox"/> 4304 Election Contest	2
		<input type="checkbox"/> 4305 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> 4306 Petition for Relief from Late Claim Law	2, 3, 8
		<input type="checkbox"/> 4307 Other Civil Petition	2, 9

SHORT TITLE Michael Dotson v. Danone Waters of America, LLC	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: <input checked="" type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input checked="" type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11			ADDRESS:
CITY:	STATE: CA	ZIP CODE:	

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

Dated: 02/27/2024

  
 (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 LASC CIV 109 (01/23).
5. Payment in full of the filing fee, unless there is a court order for waiver, partial or schedule payments.
6. A signed order appointing a 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 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.

<b>SUPERIOR COURT OF CALIFORNIA</b> <b>COUNTY OF LOS ANGELES</b>	<small>Reserved for Clerk's File Stamp</small>  <b>FILED</b> Superior Court of California County of Los Angeles <b>02/27/2024</b> <small>David W. Slayton, Executive Officer / Clerk of Court</small> By: <u>J. Covarrubias</u> Deputy
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012	
<b>NOTICE OF CASE ASSIGNMENT</b>  <b>UNLIMITED CIVIL CASE</b>	
Your case is assigned for all purposes to the judicial officer indicated below.	CASE NUMBER: <b>24STCV04928</b>

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Yvette M. Palazuelos	9					

Given to the Plaintiff/Cross-Complainant/Attorney of Record **David W. Slayton, Executive Officer / Clerk of Court**

on 02/28/2024  
(Date)

By J. Covarrubias, Deputy Clerk

**INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES**

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

**APPLICATION**

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

**PRIORITY OVER OTHER RULES**

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

**CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within **15** days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

**TIME STANDARDS**

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

**COMPLAINTS**

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

**CROSS-COMPLAINTS**

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

**STATUS CONFERENCE**

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

**FINAL STATUS CONFERENCE**

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

**SANCTIONS**

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

**This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.**

**Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

**\*Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.

<b>SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES</b>		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		<b>FILED</b> Superior Court of California County of Los Angeles <b>03/06/2024</b> David W. Slayton, Executive Officer / Clerk of Court By: <u>R. Arraiga</u> Deputy
PLAINTIFF: Michael Dotson,		
DEFENDANT: Danone Waters of America, LLC		
<b>CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6</b>		CASE NUMBER: <b>24STCV04928</b>

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Minute Order and Initial Status Conference Order entered herein, on 03/06/2024, upon each party or counsel of record in the above entitled action, by electronically serving the document(s) on Counsel Todd M. Friedman at tfriedman@toddfllaw.com on 03/06/2024 from my place of business, Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012 in accordance with standard court practices.

David W. Slayton, Executive Officer / Clerk of Court

Dated: 03/06/2024

By: R. Arraiga  
Deputy Clerk

03/06/2024

David W. Slayton, Executive Officer / Clerk of Court

SUPERIOR COURT OF THE STATE OF CALIFORNIA By: R. Arraiga Deputy  
FOR THE COUNTY OF LOS ANGELES**MICHAEL DOTSON v. DANONE WATERS OF AMERICA, LLC****24STCV04928****INITIAL STATUS CONFERENCE ORDER**

This Initial Status Conference Order (Complex Class Actions) supplements a Minute Order served concurrently herewith. That Minute Order sets a date and time for the Initial Status Conference (ISC) and includes many other important provisions which are **NOT** repeated in this Order. Counsel must review that Minute Order carefully to be fully informed of your obligations and the unique processes used in the Los Angeles Superior Court Complex Courtrooms.

Some provisions of this Order refer to wage-and-hour class actions and may not be applicable to other types of class actions. If they are irrelevant to your case, say so in your Joint Initial Status Conference Report.

Counsel must file a Joint ISC Report five (5) court days (**June 14, 2024**) before the ISC. The Joint ISC Report must be filed online-numbered pleading paper and must specifically answer each of the below-numbered questions. Do not use the Judicial Council Form CM-110 (Case Management Statement) for this purpose. To the extent the parties are unable to agree on the matters to be addressed in the Joint ISC Report, the positions of each party or group of parties must be set forth separately.

The Joint ISC Report must address the following:

1. Parties and Counsel: Please list all presently named class representatives and presently-named defendants, together with all counsel of record, including counsel's contact and email information.
2. Appearance by defendants: Please indicate whether defendant has filed a Notice of Appearance or Responsive Pleading to the Complaint, and, if so, indicate the filing date(s).
3. Potential Additional Parties: Does any plaintiff presently intend to add more class representatives? If so, and if known, by what date and by what name? Does any plaintiff presently intend to name more defendants? If so, and if known, by what date and by what name? Does any appearing defendant presently intend to file a cross-complaint? If so, who will be named.
4. Erroneously Named Parties: If the complaint names the wrong person or entity, why is the party improperly named? What is the proposed procedure to correct this error?
5. Adequacy of Proposed Class Representative(s): Is one or more named plaintiffs an inadequate class representative? Explain.
6. Estimated Class Size: What is the estimated class size?



7. Other Actions with Overlapping Class Definitions/Related Cases: Please list other cases with overlapping class definitions. Please identify the court, the short caption title, the docket number, and the case status.

8. Potentially Relevant Arbitration and/or Class Action Waiver Clauses: Please include a sample of any clause of this sort. The parties must summarize their views on this issue.

9. Potential Early Crucial Motions: What are the significant core issues in the case? Please identify efficient ways to resolve those issues. The vehicles may include:

- Early motions in limine
- Early motions about particular jury instructions
- Demurrers
- Motions to strike
- Motions for judgment on the pleadings, and
- Motions for summary judgment and summary adjudication.

10. Class Contact Information: Does plaintiff need class contact information from the defendant's records? If so, do the parties consent to an "opt-out" notice process (as approved in Belaire-West Landscape, Inc. V. Superior Court (2007) 149 Cal.App.4th 554, 561) to precede defense delivery of this information to plaintiff's counsel? If the parties agree on the notice process, who should pay for it? Should there be a third-party administrator?

11. Protective Orders: Parties considering an order to protect confidential information from general disclosure should begin with the model protective orders found on the Los Angeles Superior Court Website under "Civil Tools for Litigators."

12. Discovery: Do the parties agree on a plan? If not, can the parties negotiate a compromise? At minimum, please summarize each side's views on discovery. The Court generally allows discovery on matters relevant to class certification, which (depending on circumstances) may include factual issues also touching the merits. The Court generally does not permit extensive or expensive discovery relevant only to the merits (for example, detailed damages discovery) unless a persuasive showing establishes early need. If any party seeks discovery from absent class members, please estimate how many, and also state the kind of discovery you propose<sup>1</sup>.

13. Insurance Coverage: Is there insurance for indemnity or reimbursement?

14. Alternative Dispute Resolution: Please discuss ADR and state each party's position about it. If pertinent, how can the Court help identify the correct neutral and prepare the case for a successful settlement negotiation?

15. Timeline for Case Management: Please recommend dates and times for the following:

- The next status conference, if needed. The court does not schedule status conferences for most cases. Rather, the court gives deadlines for the filing of motions for class certification with non-appearance case management reviews set a few days after the filing deadlines.

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<sup>1</sup> California Rule of Court, Rule 3.768.

- A schedule for alternative dispute resolution, if it is relevant.
- A filing deadline for the motion for class certification.
- Filing deadlines and descriptions for other anticipated non-discovery motions.

16. Electronic Service of Papers and eFiling: The Court will issue an Order requiring an electronic service provider. The parties must select one and advise the court of the provider selected. Please note that electronic service is not the same as electronic filing. For information on electronic filing in the Complex Courts, please refer to <http://www.lacourt.org/division/efiling/pdf/ComplexefilingFAQs.pdf>.

17. Service of the ISC Order: Plaintiffs' counsel must serve this ISC Order on counsel for Defendant, or if counsel is unknown, on Defendant within five (5) days of service of this Order. Within five court days of service of this Order, each defendant must file a Notice of Appearance for purposes of identification of counsel and preparation of a service list.

18. Service of the Complaint: If the Complaint has not been served as of the date of this Order, Counsel for Plaintiff must serve the Complaint within five (5) days of service of this Order and file Proof of Service of the Complaint.

Except as otherwise provided in the ISC Orders, these proceedings are stayed in their entirety, including discovery under CCP §2016.090. All management stays, including stays of discovery issued by the Court, are not a stay per Code of Civil Procedure section 583.310 unless specifically ordered by the Court.

IT IS SO ORDERED.

DATED: March 6, 2024



A handwritten signature in black ink, reading "Yvette M. Palazuelos".

YVETTE M. PALAZUELOS  
Judge of the Superior Court  
Yvette M. Palazuelos / Judge

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Spring Street Courthouse, Department 9

**24STCV04928**

**MICHAEL DOTSON, vs DANONE WATERS OF AMERICA,  
LLC**

March 6, 2024

1:30 PM

Judge: Honorable Yvette M. Palazuelos  
Judicial Assistant: R. Arraiga  
Courtroom Assistant: M. Tavakoli

CSR: None  
ERM: None  
Deputy Sheriff: None

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**APPEARANCES:**

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

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**NATURE OF PROCEEDINGS:** Court Order Regarding Newly Filed Class Action;

By this order, the Court determines this case to be Complex according to Rule 3.400 of the California Rules of Court. The Clerk's Office has assigned this case to this department for all purposes.

Pursuant to Government Code Sections 70616(a) and 70616(b), a single complex fee of one thousand dollars (\$1,000.00) must be paid on behalf of all plaintiffs. For defendants, a complex fee of one thousand dollars (\$1,000.00) must be paid for each defendant, intervenor, respondent or adverse party, not to exceed, for each separate case number, a total of eighteen thousand dollars (\$18,000.00), collected from all defendants, intervenors, respondents, or adverse parties. All such fees are ordered to be paid to Los Angeles Superior Court, within ten (10) days of service of this order.

By this order, the Court stays the case, except for service of the Summons and Complaint. The stay continues at least until the Initial Status Conference. Initial Status Conference is set for 06/21/2024 at 10:00 AM in this department. At least ten (10) days prior to the Initial Status Conference, counsel for all parties must discuss the issues set forth in the Initial Status Conference Order issued this date. Counsel must file a Joint Initial Status Conference Response Statement five (5) court days before the Initial Status Conference.

The Initial Status Conference Order, served concurrently with this Minute Order, is to help the Court and the parties manage this complex case by developing an orderly schedule for briefing, discovery, and court hearings. The parties are informally encouraged to exchange documents and information as may be useful for case evaluation.

Responsive pleadings shall not be filed until further Order of the Court. Parties must file a Notice of Appearance in lieu of an Answer or other responsive pleading. The filing of a Notice of

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Spring Street Courthouse, Department 9

**24STCV04928**

**MICHAEL DOTSON, vs DANONE WATERS OF AMERICA,  
LLC**

March 6, 2024

1:30 PM

Judge: Honorable Yvette M. Palazuelos  
Judicial Assistant: R. Arraiga  
Courtroom Assistant: M. Tavakoli

CSR: None  
ERM: None  
Deputy Sheriff: None

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Appearance shall not constitute a waiver of any substantive or procedural challenge to the Complaint. Nothing in this order stays the time for filing an Affidavit of Prejudice pursuant to Code of Civil Procedure Section 170.6. Nothing in this order stays the filing of an Amended Complaint pursuant to Labor Code Section 2699.3(a)(2)(C) by a plaintiff wishing to add a Private Attorney General Act ("PAGA") claim.

For information on electronic filing in the Complex Courts, please refer to <https://www.lacourt.org/division/efiling/efiling2.aspx#civil>. See, in particular, the link therein for "Complex Civil efiling." Parties shall file all documents in conformity with the Presiding Judge's First Amended General Order of May 3, 2019, particularly including the provisions therein requiring Bookmarking with links to primary documents and citations; that Order is available on the Court's website at the link shown above.

For efficiency in communication with counsel, the complex program requires the parties in every new case to use an approved third-party cloud service that provides an electronic message board. In order to facilitate communication with counsel prior to the Initial Status Conference, the parties must sign-up with the e-service provider at least ten (10) court days in advance of the Initial Status Conference and advise the Court which provider was selected.

The court has implemented LACourtConnect to allow attorneys, self-represented litigants and parties to make audio or video appearances in Los Angeles County courtrooms. LACourtConnect technology provides a secure, safe and convenient way to attend hearings remotely. A key element of the Court's Access LACourt YOUR WAY program to provide services and access to justice, LACourtConnect is intended to enhance social distancing and change the traditional in-person courtroom appearance model. See <https://my.lacourt.org/laccwelcome> for more information.

This Complex Courtroom does not use Los Angeles Superior Court's Court Reservation ("CRS") portal to reserve motion hearing dates. Rather, counsel may secure dates by calling the Courtroom Assistant at 213-310-70xx with the "xx" being the Department number, e.g. Dept. 1 is 01 and Dept. 10 is 10.

Court reporters are not provided for hearings or trials. The parties should make their own arrangements for any hearing where a transcript is desired.

If you believe a party or witness will need an interpreter, see the court's website for information on how to make such a request in a timely manner. <https://www.lacourt.org/irud/UI/index.aspx>

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Spring Street Courthouse, Department 9

**24STCV04928**

**MICHAEL DOTSON, vs DANONE WATERS OF AMERICA,  
LLC**

March 6, 2024

1:30 PM

Judge: Honorable Yvette M. Palazuelos

Judicial Assistant: R. Arraiga

Courtroom Assistant: M. Tavakoli

CSR: None

ERM: None

Deputy Sheriff: None

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Counsel are directed to access the following link for further information on procedures in the Complex litigation Program courtrooms: <https://www.lacourt.org/division/civil/CI0042.aspx>.

The plaintiff must serve a copy of this minute order and the attached Initial Status Conference Order on all parties forthwith and file a Proof of Service in this department within seven (7) days of service.

Clerk's Certificate of Service By Electronic Service is attached.