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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF LOS ANGELES**

14 ROGELIO CAMPOS, SR., Individually, and  
15 as Successor-In-Interest of  
16 LUCILLE CAMPOS, Deceased

17 Plaintiff,

18 vs.

19 L'ORÉAL USA, INC., a Delaware  
20 Corporation doing business in California,

21 L'ORÉAL USA PRODUCTS, INC., a  
22 Delaware Corporation doing business in  
23 California,

24 WELLA OPERATIONS US, LLC, a  
25 Delaware Corporation doing business in  
26 California,

26 COTY, INC., a Delaware Corporation doing  
27 business in California,

28 JOICO, a California Corporation doing

Case No.: 25STCV08790

Department: \_\_\_\_\_

Judge: \_\_\_\_\_

**COMPLAINT FOR DAMAGES &  
DEMAND FOR JURY TRIAL:**

1. **Strict Liability – Failure to Warn**
2. **Strict Liability – Design Defect – Risk-Utility Test**
3. **Strict Liability – Design Defect – Consumer Expectations Test**
4. **Negligent Failure to Warn**
5. **Deceit by Concealment**
6. **Violations of California Unfair Competition Law (UCL)**
7. **Wrongful Death**
8. **Survival**

1 business in California,  
2 HENKEL, a German Corporation doing  
3 Business in California,  
4 JOHN PAUL MITCHELL SYSTEMS, a  
5 California Corporation doing business in  
6 California,  
7 PRAVANA, a California Corporation doing  
8 business in California,  
9 SCHWARZKOPF, a German Corporation  
10 doing business in California,  
11 GOLDWELL NEW YORK, a foreign  
12 company doing business in California,  
13 COSMOPROF SERVICES USA, LLC, a  
14 California company doing business in  
15 California,  
16 SALLY BEAUTY HOLDINGS, INC., a  
17 Texas Corporation doing business in  
18 California,  
19 GOLDWELL, a foreign company doing  
20 business in California,  
21 KAO CORPORATION, a foreign  
22 Corporation doing business in California, and  
23 JOHN DOE CORPORATIONS 1-100,  
24 inclusive,  
25  
26 Defendants.

1 Plaintiff ROGELIO CAMPOS, SR. herein (referred to as “Plaintiff”), by and through  
2 counsel, for his causes of action against the Defendants, files the herein Complaint and alleges as  
3 follows:

4 **I. PARTIES**

5 1. Plaintiff ROGELIO CAMPOS, SR. is a competent individual, over the age of 18,  
6 a Citizen of the United States, and a resident of Los Angeles County in the state of California.  
7 Plaintiff is the surviving spouse, heir, and successor-in interest of Decedent LUCILLE CAMPOS.  
8 As successor-in-interest, ROGELIO CAMPOS, SR. has standing in a representative capacity as  
9 the heir to bring actions on behalf of the heir for survival and wrongful death pursuant to the laws  
10 of the State of California. Decedent LUCILLE CAMPOS was a licensed cosmetologist from  
11 1972 until her retirement in June 2012.

12 2. All claims in this action are a direct and proximate result of the negligent, willful,  
13 and wrongful acts and/or omissions of Defendants and/or their corporate predecessors in  
14 connection with the design, development, manufacture, testing, packaging, promoting, marketing,  
15 distribution, labeling, and/or sale of the products by L’ORÉAL USA, INC.; L’ORÉAL USA  
16 PRODUCTS, INC.; COTY, INC.; WELLA OPERATIONS US, LLC; JOICO; HENKEL; JOHN  
17 PAUL MITCHELL SYSTEMS; PAUL MITCHELL; PRAVANA, HENKEL,  
18 SCHWARZKOPF; GOLDWELL NEW YORK; COSMOPROF SERVICES USA, LLC; SALLY  
19 BEAUTY HOLDINGS, INC.; GOLDWELL; KAO CORPORATION; and JOHN DOE  
20 CORPORATIONS 1-100; known as Chromasilk, Paul Mitchell, Joico, Wella, Color Gel, Color  
21 Charm, So Color, Color XG, The Color (hereinafter “the PRODUCTS”). Plaintiff in this action  
22 seeks recovery for damages as a result of developing bladder cancer in Decedent, LUCILLE  
23 CAMPOS, which was directly and proximately caused by such wrongful conduct by Defendants,  
24 the unreasonably dangerous and defective nature of hair dyes, and the attendant effects of  
25 developing bladder cancer. All of the claims in this action involve common legal, common  
26 factual, and common medical issues.

27 3. Plaintiff is informed and believes, and based thereon alleges, that at all times  
28 relevant Defendant L’ORÉAL USA, INC., is a corporation doing business in and authorized to

1 do business in the state of California, and was incorporated in Delaware. L'ORÉAL USA, INC.,  
2 is a subsidiary of the French cosmetics giant L'Oréal S.A., the world's largest cosmetic company.

3 4. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
4 times Defendant L'ORÉAL USA, INC., maintains an office and principal place of business and  
5 headquarters located at 10 Hudson Yards, New York, New York 10001, and process may be  
6 served upon its registered agent, Corporation Service Company which does business in California  
7 as CSC- Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Suite 150, Sacramento,  
8 California 95833.

9 5. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
10 times Defendant L'ORÉAL USA, INC., is engaged in the manufacturing, packaging, advertising,  
11 and distributing of many consumer products, including the Cosmetic Products at issue here,  
12 throughout the United States. In addition to manufacturing and distributing products using the  
13 "L'Oréal" brand, L'Oréal also manufactures and distributes products using the "Redken" and  
14 "Matrix" brand, including Cosmetic Products at issue here, throughout the United States.

15 6. Plaintiff is informed and believes, and based thereon alleges, that at all times  
16 relevant Defendant L'ORÉAL USA PRODUCTS, INC., is a corporation doing business in and  
17 authorized to do business in the state of California, with its principal place of business and  
18 headquarters at 10 Hudson Yards, New York, New York 10001, and process may be served upon  
19 its registered agent, Corporation Service Company, 80 State Street, Albany, New York 12207.

20 7. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
21 times Defendant L'ORÉAL USA PRODUCTS, INC., is engaged in the manufacturing, packaging,  
22 advertising, and distributing of many consumer products, including the Cosmetic Products at  
23 issue here, throughout the United States. In addition to manufacturing and distributing products  
24 using the "L'Oréal" brand, L'Oréal also manufactures and distributes products using the "Redken"  
25 and "Matrix" brand, including Cosmetic Products at issue here, throughout the United States.

26 8. Plaintiff is informed and believes, and based thereon alleges, that at all times  
27 relevant MATRIX PROFESSIONAL HAIR is part of L'ORÉAL USA, INC.'s Professional  
28 Products Division. MATRIX was founded in 1980 and acquired by L'ORÉAL USA, INC. in

1 2000.

2 9. Plaintiff is informed and believes, and based thereon alleges, that at all times  
3 relevant REDKEN is part of L'ORÉAL USA, INC.'s Professional Products Division. REDKEN  
4 was founded in 1960 and acquired by L'ORÉAL USA, INC. in 1993.

5 10. Plaintiff is informed and believes, and based thereon alleges, that at all times  
6 relevant Defendant WELLA OPERATIONS US, LLC, is a Delaware corporation doing business  
7 in and authorized to do business in the state of California, with its principal place of business and  
8 headquarters at 4500 Park Granada, Suite 100, Calabasas, CA 91302, and process may be served  
9 upon its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington,  
10 Delaware 19808.

11 11. Plaintiff is informed and believes, and based thereon alleges, that at all times  
12 relevant Defendant COTY, INC., is a corporation doing business in and authorized to do business  
13 in the state of California, and was incorporated in Delaware. COTY, INC., is an American  
14 multinational beauty company founded in 1904 by Francois Coty.

15 12. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
16 times Defendant COTY, INC., maintains an office and principal place of business and  
17 headquarters located at 350 Fifth Avenue, New York, New York 10118, and process may be  
18 served upon its registered agent, Corporation Service Company which does business in California  
19 as CSC- Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Suite 150, Sacramento,  
20 California 95833.

21 13. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
22 times Defendant COTY, INC., is engaged in the manufacturing, packaging, advertising, and  
23 distributing of many consumer products, including the Cosmetic Products at issue here,  
24 throughout the United States. In addition to manufacturing and distributing products using the  
25 "Coty" brand, Coty also manufactures and distributes products using the "Wella" and "Clairol"  
26 brand, including Cosmetic Products at issue here, throughout the United States.

27 14. Plaintiff is informed and believes, and based thereon alleges, that at all times  
28 relevant Defendant WELLA is part of COTY, INC.'s Professional Products Division. WELLA

1 was founded in 1880 and acquired by COTY, INC., in 2015. In 2020, COTY, INC., sold a stake  
2 in the WELLA brand to the private equity firm, KKR & CO., INC., while retaining percentages  
3 of the stake. In 2021, COTY, INC., sold additional percentages of stakes in WELLA to KKR &  
4 CO., INC., while continuing to retain percentages of the stake in WELLA. In 2023 COTY, INC.,  
5 sold a stake in WELLA to the investment firm of IGF WEALTH MANAGEMENT with COTY  
6 retaining percentages in WELLA.

7 15. Plaintiff is informed and believes, and based thereon alleges, that at all times  
8 relevant CLAIROL is part of the personal care-product division of WELLA that specializes in  
9 hair coloring and hair care. WELLA is part of COTY, INC.'s Professional Products Division.  
10 CLAIROL was founded in 1931 and acquired by COTY, INC., in 2016. In 2020, COTY, INC.,  
11 sold a stake in the CLAIROL brand to the private equity firm, KKR & CO., INC., while retaining  
12 percentages of the stake.

13 16. Plaintiff is informed and believes, and based thereon alleges, that at all times  
14 relevant KOHLBERG KRAVIS ROBERTS & CO., a/k/a KKR & CO., INC., is a corporation  
15 doing business in and authorized to do business in the state of California, and was incorporated  
16 in Delaware. KOHLBERG KRAVIS ROBERTS & CO., a/k/a KKR & CO., INC., is a global  
17 investment company that acquired the majority stake in WELLA and CLAIROL in 2020.

18 17. Plaintiff is informed and believes, and based thereon alleges, that at all times  
19 relevant Defendant JOHN PAUL MITCHELL SYSTEMS (hereinafter referred to as "JPMS"), is  
20 a corporation doing business in and authorized to do business in the state of California, and was  
21 incorporated in California. JPMS, was founded in 1980 and is a manufacturer of hair care  
22 producing and styling tools through several brands, including Paul Mitchell.

23 18. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
24 times Defendant JPMS, maintains an office and principal place of business and headquarters  
25 located at 20705 Centre Pointe Parkway, Santa Clarita, California 91350, and process may be  
26 served upon its registered agent, CT Corporation System, 330 North Brand Boulevard, Suite 700,  
27 Glendale, California 91203.

28 19. Plaintiff is informed and believes, and based thereon alleges, that at all relevant

1 times Defendant JPMS, is engaged in the manufacturing, packaging, advertising, and distributing  
2 of many consumer products, including the Cosmetic Products at issue here, throughout the United  
3 States. In addition, JPMS manufactures and distributes products using the “Paul Mitchell” brand,  
4 including Cosmetic Products at issue here, throughout the United States.

5 20. Plaintiff is informed and believes, and based thereon alleges, that at all times  
6 relevant Defendant PRAVANA was founded by Steve Goddard in 2004, and in 2017 was  
7 acquired by HENKEL a/k/a HENKEL AG & Co. KGaA (hereinafter referred to as “HENKEL”).  
8 The acquisition comprised of leading hair professional brands such as PRAVANA.

9 21. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
10 times Defendant PRAVANA maintains an office and principal place of business and headquarters  
11 located at 5800 Bristol Parkway, Suite 7, Culver City, California 90230. PRAVANA, as a  
12 division of HENKEL, may be served through its parent company, HENKEL, upon its registered  
13 agent, Corporation Service Company which does business in California as CSC- Lawyers  
14 Incorporating Service, 2710 Gateway Oaks Drive, Suite 150, Sacramento, California 95833.

15 22. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
16 times Defendant HENKEL maintains an office and principal place of business and headquarters  
17 located at One Henkel Way, Rocky Hill, Connecticut 06067, and process may be served upon its  
18 registered agent, Corporation Service Company which does business in California as CSC-  
19 Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Suite 150, Sacramento, California  
20 95833.

21 23. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
22 times Defendants PRAVANA and HENKEL are engaged in the manufacturing, packaging,  
23 advertising, and distributing of many consumer products, including the Cosmetic Products at  
24 issue here, throughout the United States.

25 24. Plaintiff is informed and believes, and based thereon alleges, that at all times  
26 relevant Defendant SCHWARZKOPF, INC. (hereinafter referred to as “SCHWARZKOPF”),  
27 was founded by Hans Schwarzkopf in 1898 and in 2015 was acquired by HENKEL.

28 25. Plaintiff is informed and believes, and based thereon alleges, that at all relevant

1 times Defendant SCHWARZKOPF maintains an office and principal place of business and  
2 headquarters located at 5800 Bristol Parkway, Culver City, California 90230. SCHWARZKOPF,  
3 as a division of HENKEL, may be served through its parent company, HENKEL, upon its  
4 registered agent, Corporation Service Company which does business in California as CSC-  
5 Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Suite 150, Sacramento, California  
6 95833.

7 26. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
8 times Defendants SCHWARZKOPF and HENKEL are engaged in the manufacturing, packaging,  
9 advertising, and distributing of many consumer products, including the Cosmetic Products at  
10 issue here, throughout the United States.

11 27. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
12 times GOLDWELL NEW YORK was founded by Hans and Steven Neumaier in 1976 and was  
13 acquired by COSMOPROF SERVICES USA, LLC (hereinafter referred to as “COSMOPROF”)  
14 in 2005. On September 1, 2023, COSMOPROF was acquired by parent company SALLY  
15 BEAUTY HOLDINGS, INC (hereinafter referred to as “SALLY BEAUTY”). SALLY BEAUTY  
16 maintains an office and a principal place of business at its headquarters located at 3001 Colorado  
17 Boulevard, Denton, Texas 76210.

18 28. Plaintiff is informed and believes, and based thereon alleges, that at all times  
19 relevant Defendant GOLDWELL NEW YORK maintains an office and principal place of  
20 business and headquarters located at 2117 Brighton Henrietta Town Line Road, Rochester, New  
21 York 14623. GOLDWELL NEW YORK, as a division of COSMOPROF, may be served through  
22 Denise Paulonis, Chief Executive Officer, of its parent company, SALLY BEAUTY, at its  
23 headquarters located at 3001 Colorado Boulevard, Denton, Texas 76210.

24 29. Plaintiff is informed and believes, and based thereon alleges, that at all times  
25 relevant Defendant COSMOPROF maintains an office and principal place of business and  
26 headquarters at 4823 Promenade Parkway, Bessemer, Alabama 35022. COSMOPROF, as a  
27 division of SALLY BEAUTY, may be served through Denise Paulonis, Chief Executive Officer,  
28 of its parent company, SALLY BEAUTY, at its headquarters located at 3001 Colorado Boulevard,



1 Denton, Texas 76210.

2 30. Plaintiff is informed and believes, and based thereon alleges, that at all times  
3 relevant Defendant SALLY BEAUTY maintains an office and principal place of business and  
4 headquarters at 3001 Colorado Boulevard, Denton, Texas 76210.  
5 SALLY BEAUTY may be served through Denise Paulonis, Chief Executive Officer, at 3001  
6 Colorado Boulevard, Denton, Texas 76210.

7 31. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
8 times Defendants GOLDWELL NEW YORK, COSMOPROF, and SALLY BEAUTY are  
9 engaged in the manufacturing, packaging, advertising, and distributing of many consumer  
10 products, including the Cosmetic Products at issue here, throughout the United States.

11 32. Plaintiff is informed and believes, and based thereon alleges, that at all times  
12 relevant Defendant GOLDWELL was founded by Hans Erich Dotter in 1948. In 1989  
13 GOLDWELL sold a 75% stake of its company to KAO CORPORATION. In 1994 KAO  
14 CORPORATION acquired the remaining 25% stake in GOLDWELL. GOLDWELL, as a  
15 division of KAO CORPORATION, may be served through Karen B. Frank, Key Principal, of its  
16 parent company, KAO CORPORATION, at its United States headquarters located at 2535 Spring  
17 Grove Avenue, Cincinnati, Ohio 45214.

18 33. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
19 times Defendant KAO CORPORATION maintains an office and principal place of business and  
20 headquarters located at 2535 Spring Grove Avenue, Cincinnati, Ohio 45214. KOA  
21 CORPORATION may be served through Karen B. Frank, Key Principal, at its United States  
22 headquarters located at 2535 Spring Grove Avenue, Cincinnati, Ohio 45214.

23 34. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
24 times Defendants GOLDWELL and KAO CORPORATION are engaged in the manufacturing,  
25 packaging, advertising, and distributing of many consumer products, including the Cosmetic  
26 Products at issue here, throughout the United States.

27 35. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
28 times, the true names or capacities, whether individual, corporate, or otherwise, of JOHN DOE

1 CORPORATIONS 1-100, inclusive, are unknown to the Plaintiff at the time of original filing of  
2 the underlying complaint in this action and, therefore, sues said Defendants by such fictitious  
3 names. Plaintiff prays leave to amend this Complaint to show their true names and capacities  
4 and/or bases for liability when the same have been finally determined.

5 36. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
6 times, the true names or capacities, whether individual, corporate, or otherwise, of JOHN DOE  
7 CORPORATIONS 1-100, inclusive, remain unknown to Plaintiff and, therefore Plaintiff sues  
8 said Defendants by such fictitious names. Plaintiff is informed and believes and based thereon  
9 alleges that each of the Defendants designated herein by fictitious names in some manner legally  
10 responsible for the events and happenings herein referred to and caused damages proximately and  
11 foreseeably to Plaintiff as alleged herein.

12 37. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
13 times, the true names or capacities, whether individual, corporate, or otherwise, of JOHN DOE  
14 CORPORATIONS 1-100, inclusive, and Other Defendants named by Plaintiff are collectively  
15 referred to herein as “Defendants” and all acts and omissions of Defendants as alleged herein  
16 were undertaken by each of the Defendants or said Defendants’ agents, servants, employees,  
17 and/or owners, acting in the course and scope of its respective agencies, services, employments  
18 and/or ownerships.

19 38. Plaintiff is informed and believes, and based thereon alleges, that at all times  
20 relevant to this action, all Defendants were engaged in the research, development, manufacture,  
21 design, testing, sale, and marketing of the PRODUCTS, and introduced such products into  
22 interstate commerce with knowledge and intent that such products be sold in the State of  
23 California.

24 39. Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
25 times material hereto, Defendants developed, tested, assembled, manufactured, packaged, labeled,  
26 prepared, distributed, marketed, supplied, and/or sold the defective products, including but not  
27 limited to the following:

28 a. Pravana

1           b.     Paul Mitchell

2           c.     Joico

3           d.     Wella

4           e.     Goldwell

5           f.     Schwarzkopf

6           g.     L'Oreal

7           40.    Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
8 times material hereto, Defendants marketed these products to the general public and sold both to  
9 retail outlets and distributors throughout the world.

10          41.    Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
11 times material hereto, Defendants have engaged in substantial, continuous economic activity in  
12 California, including marketing, distribution, and sale of billions of dollars in products to the  
13 public in California, including but not limited to the aforementioned products, that said activity  
14 by Defendants is substantially connected to the Plaintiff's claims as alleged herein.

15          42.    Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
16 times material hereto, Defendants' defective hair products were placed into the stream of  
17 interstate commerce and which Decedent was exposed from approximately 1972 to  
18 approximately June of 2012.

19          43.    Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
20 times material hereto, Decedent worked in a salon as a professional hair dresser/cosmetologist for  
21 approximately 40 years thus exposing Decedent to said PRODUCTS from approximately 1972  
22 until she retired in June of 2012.

23          44.    Plaintiff is informed and believes, and based thereon alleges, that at all relevant  
24 times material hereto, Decedent worked in a salon as a professional hair dresser/cosmetologist  
25 working with and/or around said PRODUCTS through her normal day to day duties as a  
26 professional hair dresser/cosmetologist. In her capacity as a professional hair  
27 dresser/cosmetologist, Decedent worked coloring hair at least two to three times a day for five  
28 days a week that exposed her to said PRODUCTS on a daily basis from approximately 1972

1 through June of 2012.

2 45. Upon information and belief, beginning in approximately 1972, Decedent, while  
3 a citizen in the state of California, was exposed to PRODUCTS purchased by or through the salon  
4 where she was employed, Michael Joseph Furie Salon. Prior to her death, Decedent was further  
5 exposed by mixing, applying, cleaning, inhaling, and removing hair color PRODUCTS and any  
6 residue from bowls, brushes, towels, sinks, and table tops, on a daily basis throughout her time  
7 spent in hair salons and while employed in hair salons from approximately 1972 through  
8 approximately 2012 in the state of California.

9 46. Plaintiff is informed and believes, and based thereon alleges, that in August of  
10 2022 Decedent was diagnosed with bladder cancer resulting in her subsequent death on January  
11 11, 2025, and suffered effects and sequelae therefrom, caused by her regular and prolonged use  
12 and exposure to chemicals in the PRODUCTS while a citizen and resident of the state of  
13 California, which was a direct and proximate result of the unreasonably dangerous and defective  
14 nature of the Defendants' hair color PRODUCTS and the chemicals contained therein, and  
15 Defendants' wrongful and negligent conduct in the research, development, testing, manufacture,  
16 production, formulation, processing, packaging, promotion, distribution, marketing and sale of  
17 the PRODUCTS.

18 47. Upon information and belief, as a direct and proximate result of the injuries alleged  
19 herein, Plaintiff has incurred medical expenses and other special damages which survive the death  
20 of the Decedent. Prior to her death, Decedent endured pain and suffering, loss of enjoyment of  
21 life, and death. Plaintiff has otherwise been damaged in a personal and pecuniary nature.

22 48. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
23 times, all allegations concerning Defendants includes Defendants' parent companies, subsidiaries,  
24 affiliates, divisions, franchises, partners, joint ventures, organizational units of any kind,  
25 predecessors, successors and assigns, and their officers, directors, employees, agents,  
26 representatives, and any and all other persons acting on behalf of Defendants.

27 49. Plaintiff is informed and believes, and based thereon alleges that, all claims in this  
28 action are a direct and proximate result of Defendants' and/or their corporate predecessors

1 negligent, willful, and wrongful conduct by Defendants' design, development, manufacture,  
2 testing, packaging, promoting, marketing, distribution, labeling and/or sale of the PRODUCTS.

### 3 **JURISDICTION AND VENUE**

4 50. This Court has subject matter jurisdiction over this action pursuant to Article 6,  
5 Section 10 of the Constitution of the State of California.

6 51. This Court has personal jurisdiction over Defendants because they are authorized  
7 to do business and they do conduct business in California, have specifically marketed, advertised,  
8 and made substantial sales in California, and have sufficient minimum contacts with this state  
9 and/or sufficiently avails themselves of the markets of this state through their promotion, sales,  
10 and marketing within this state to render the exercise of jurisdiction by this Court permissible.

11 52. Venue is proper in this Court because Plaintiff is a citizen of the state of California  
12 and the county of Los Angeles in the state of California. PRODUCTS were purchased in the state  
13 of California and the county of Los Angeles, Decedent used the products and was exposed to the  
14 PRODUCTS in the state of California in the county of Los Angeles.

15 53. Defendants' PRODUCTS were all sold either directly or indirectly, to members of  
16 the general public within the state of California.

17 54. At all relevant times, Defendants expected or should have expected that their acts  
18 and omissions would have consequences within the United States and the state of California.

## 19 **II. FACTUAL ALLEGATIONS**

### 20 **A. Products at Issue**

21 55. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
22 herein.

23 56. There are at least ten products at issue in this case manufactured and marketed by  
24 Defendants during this time period.

25 57. Upon information and belief, at all relevant times alleged herein, Defendants  
26 advertised and marketed the PRODUCTS as safe for use.

27 58. Decedent was exposed to the PRODUCTS while spending time in a salon and  
28 while working in a salon. This was an intended and foreseeable use of the PRODUCTS based on

1 the advertising, marketing, and labeling of the PRODUCTS.

2 **B. FDA Regulation of Cosmetics**

3 59. Cosmetics marketed in the United States must comply with the Federal Food, Drug,  
4 and Cosmetic Act (FD&C Act), and Fair Packaging and Labeling Act (FP&L Act). The FD&C  
5 Act defines cosmetics as articles intended to be applied to the human body for cleansing,  
6 beautifying, promoting attractiveness, or altering appearance without affecting the body's  
7 structure or functions. Hair Dyes are included in this definition.

8 60. The label statements required under the authority of the FD&C Act must appear  
9 on the inside as well as the outside container or wrapper. The labeling requirements are codified  
10 at 21 CFR 701 and 740. Cosmetics not labeled in accordance with the requirements may be  
11 considered misbranded and may be subject to regulatory action.

12 61. Cosmetics must bear warning labels prescribed by (21 CFR 740). The warning  
13 label on a cosmetic must be appropriate and contain adequate directions for safe use. The warning  
14 label on a cosmetic must be prominent and conspicuous. Specifically, 21 CFR §740.1(a)  
15 establishes warning statements for cosmetics such as hair dye. The Code states "The label of a  
16 cosmetic product **shall** bear a warning statement whenever necessary or appropriate to prevent a  
17 health hazard that **may be** associated with the product."

18 62. The cosmetic industry is self-regulated by manufacturers of cosmetic products.  
19 The FD&C Act does not require cosmetics, including hair dyes, to be approved by the FDA before  
20 they go on the market. The FD&C Act does not require specific tests to ensure the safety of  
21 cosmetic ingredients or final products. Also, the FD&C Act does not require cosmetic companies  
22 to share their safety information with the FDA. Therefore, the manufacturers of cosmetics are  
23 solely and legally responsible for ensuring the safety of their products to the public and making  
24 sure they are properly labeled.

25 **C. Hair Dyes**

26 63. Hair dye usage is very common in the United States with 75% of women and 38%  
27 of men regularly coloring their hair every 6-8 weeks. US hair dye sales total \$2 billion dollars  
28 per year with world-wide sales of \$12 billion dollars per year. 64% of people colored their hair

1 black, 16% brown, and 20% preferred another color. 33% of people in the US preferred to have  
2 their hair colored in a salon.

3 64. Hair dyes use chemicals to change hair color. The three main types of hair dye  
4 are: permanent, semi-permanent, and temporary. Permanent hair dyes cause lasting chemical  
5 changes in the hair shaft, and last until the hair is replaced by new growth. Permanent hair dyes  
6 make up about 80% of the market and use colorless dye intermediates and dye couplers. When  
7 mixed with hydrogen peroxide the intermediates and couplers react with each other to form  
8 pigment molecules. Darker colors are formed by using higher concentrations of intermediates.  
9 Semi-permanent hair dyes do not penetrate into the hair shaft, and typically last for about 10  
10 washings. Temporary hair dyes cover the surface of the hair and do not penetrate into the hair  
11 shaft. They generally last for 1 to 2 washings.

12 65. Hundreds of chemicals are used to make hair dyes, many are carcinogenic.

13 66. People that are exposed to hair dyes frequently as part of their occupation such as  
14 hairdressers, cosmetologists, hair colorists, barbers, and salon workers have higher lifetime  
15 exposures to these carcinogenic chemicals than people who have their hair dyed in a salon or who  
16 dye it at home.

17 67. In 2010, the International Agency for Research on Cancer (IARC) completed its  
18 comprehensive review and found that based on excessive risk of bladder cancer from occupational  
19 exposure to hair dyes the hairdressing occupation was listed as a Group 2A “probably  
20 carcinogenic to humans”.

#### 21 **D. Studies on Bladder Cancer/Occupational Exposure**

22 68. In the United States there are approximately 83,000 bladder cancer diagnoses per  
23 year, and approximately 16,000 deaths. Bladder cancer is the ninth most common cancer in the  
24 United States.

25 69. Most bladder cancer tumors form after an individual is exposed to carcinogens that  
26 enter the body through inhalation, dermal contact, or ingestion. The two most frequent routes of  
27 exposure are through cigarette smoke and occupation. It is estimated that 5 percent of all bladder  
28 cancer diagnoses result from occupational exposure.

1           70.     In 1975, a peer-reviewed study published by Bruce Ames found that nearly 90%  
2 of commercially available hair dyes were mutagenic indicating a potential to cause DNA damage  
3 which could lead to cancer development. Safety concerns were raised in this study due to the  
4 presence of mutagenic hair dye intermediates called aromatic amines. In response to the Ames  
5 study, manufacturers supposedly changed the components in permanent hair dye products in an  
6 effort to eliminate carcinogenic chemicals. Manufacturers represented to the FDA and the public  
7 that now hair dyes were safe for use. Carcinogenic aromatic amines supposedly removed by  
8 manufacturers at this time were 4-aminobiphenyl, o-toluidine, benzidine, and 2-naphthylamine,  
9 among many others. However, studies conducted since the 1970s conclusively prove that  
10 manufactures failed to remove carcinogenic aromatic amines from its hair dye products.

11           71.     In 1994, a meta-analysis was conducted entitled *Epidemiological Evidence on*  
12 *Hair Dyes and the Risk of Cancer in Humans*. This meta-analysis consisted of 7 cohort studies  
13 and 11 case control studies which included data on occupational exposure to hair dyes by  
14 hairdressers, barbers, and beauticians and their subsequent bladder cancer risk. The study found  
15 that **“The association between past occupational exposure to hair colourants and bladder**  
16 **cancer risk is reasonably consistent on epidemiological data and plausible on biological**  
17 **grounds...the general evidence from case control studies is in agreement with that from**  
18 **cohort investigations, and is compatible with a moderately increased bladder cancer risk**  
19 **among hairdressers and barbers.”**

20           72.     In 2001, a study entitled *Use of Permanent Hair Dyes and Bladder-Cancer Risk*  
21 *Case Control Study* was published by Gago-Dominguez among others. The study found that  
22 individuals that used hair dye once per month more than doubled their risk for bladder cancer,  
23 and among those that used hair dyes for once a month for 15 or more years tripled their risk. **The**  
24 **study further found that occupational exposures of hairdressers and barbers that were**  
25 **likely exposed to hair dyes for 10 or more years increased their risk of bladder cancer**  
26 **fivefold.** The study concluded that long-term use of permanent hair dyes is a risk factor for  
27 bladder cancer and estimated 19% of bladder cancer diagnoses in women in Los Angeles County  
28 could be attributed to permanent hair dye usage.



1           73. In 2003, the FDA published a peer-reviewed study entitled, *Identification of*  
2 *Aminobiphenyl Derivatives in Commercial Hair Dyes*. **This study found up to 12.8 ppb of 4-**  
3 **Aminobiphenyl (4-ABP), a known bladder carcinogen, in 8 out of 11 tested commercial**  
4 **hair dyes.**

5           74. In 2008, a study entitled *A Meta-Analysis on the Association Between Bladder*  
6 *Cancer and Occupation*, was published. The study found that hairdressers had a statistically  
7 significant 23% increased risk of bladder cancer, (1.23 RR, 95%, CI 1.11-1.37). The scientists  
8 stated “*Although the relative risk of bladder cancer associated with these occupations is small,*  
9 *the public health impact may be significant, considering the substantial number of people who*  
10 *were and are employed in these occupations.*”

11           75. In 2008, a study was published entitled *Elevated Bladder Cancer Risk Due to*  
12 *Colorants-A Statewide Case-Control Study in North Rhine-Westphalia, Germany*. The study’s  
13 questionnaire asked about occupation for more than 6 months and for exposures to several  
14 occupational and nonoccupational bladder carcinogens, and was limited to diagnoses of bladder  
15 cancer after 1988. The study concluded that individuals exposed to hair colorants showed a nearly  
16 fivefold elevated bladder cancer risk (OR 4.9% for hairdressers). The scientists stated, “**The**  
17 **results of this epidemiological study confirm the hypothesis that individuals exposed to**  
18 **colorants show an elevated bladder cancer risk.**”

19           76. In 2008, a second study was published that found 4-ABP, and known bladder  
20 carcinogen, in hair dyes. **The study found 4-ABP in 28 of 54 commercial hair dyes. In**  
21 **addition, this study found the presence of a second known bladder carcinogen, Ortho-**  
22 **Toluidine in 34 of 54 commercial hair dyes tested.** *Determination of aromatic amines in hair*  
23 *dye and henna samples by ion-pair extraction and gas chromatography-mass spectrometry,*  
24 *Akyuz (2008).*

25           77. In 2009, Harling and others published *Bladder Cancer Among Hairdressers: A*  
26 *Meta-Analysis*. 42 studies were included and this meta-analysis and statistically significant  
27 increased risks for bladder cancer were found for all but one analysis. The risk increased with  
28 duration of employment from 1.30 (95% CI 1.15 to 1.48) for ‘ever registered as hairdressers’ to

1 1.70 (95% CI 1.01 to 2.88) for ‘job held greater than or equal to 10 years’. The study concluded  
2 by stating “**The results of the present meta-analysis on 42 studies suggest that there is robust**  
3 **evidence for an increased risk of bladder cancer among hairdressers, in particular for**  
4 **hairdressers in a job held greater than or equal to 10 years . . . This corroborates the**  
5 **interpretation that there is a causal association between bladder cancer and job held as a**  
6 **hairdresser.”**

7 78. In 2014, a third study was published that found known bladder carcinogens  
8 **present in hair dyes.** The study entitled *Exposure of Hairdressers to ortho-toluidine (known*  
9 *bladder carcinogen) and meta-toluidine in hair dyes*, included a questionnaire that asked if the  
10 subjects were currently employed as a hairdresser in last 4 months, other jobs/hobbies, lifestyle,  
11 treatments per week of permanent/semi hair dye, type of gloves used, frequency of glove use  
12 (90%), and frequency they changed gloves. Other occupational exposures were ruled out by  
13 asking about other jobs held within the past 6 months that would expose hairdressers to dyes.  
14 Blood samples were taken, and hemoglobin (Hb) adducts were analyzed for the presence of ortho-  
15 toluidine. **The study found that hairdressers using permanent hair dyes and waving**  
16 **products were exposed to ortho-toluidine and the amount of ortho- toluidine in blood**  
17 **increased with increasing number of weekly hair dye treatments.** The study also stated that  
18 the analyses of Hb adducts in exposed hairdressers is the best method for monitoring long-term  
19 exposure to aromatic amines because of the lifetime of Hb is about 4 months, and because of the  
20 close relationship with DNA adducts.

21 79. The most recent global meta-analysis, published in 2015 in JAMA Oncology,  
22 looked at all types of occupations and risk for bladder cancer, and reported on those occupation  
23 classes that were associated with increased bladder cancer risk. (Cumberbatch et al. 2015) The  
24 authors conducted a systematic review search for studies through May 2014. Eligible studies  
25 focused primarily on bladder cancer and provided confidence intervals (or data for calculating  
26 them). There were 217 reports available and eligible for meta-analyses; of these, 42 (of 61)  
27 occupational classes showed elevated relative risks for bladder cancer incidence and 16 (of 40)  
28 occupational classes showed increased bladder cancer mortality risk. Reduced risk of bladder

1 cancer incidence and mortality were reported for only 6 and 2 occupational classes, respectively.  
2 The number of studies that reported on hairdressing occupation was not given, but the data tables  
3 indicated that 47 “comparisons” were used in determining relative risk for bladder cancer with  
4 hairdressing occupation. The authors summarized data over the studies as Standard Incidence  
5 Ratios (SIR) or Standard Mortality Ratios (SMR). Overall, the risk for bladder cancer among  
6 hairdressers was increased by 32% (SIR 1.32, 95% CI 1.24-1.4). The risk for bladder cancer  
7 mortality increased by 16% (SIR 1.16, 95% CI 1.01-1.34). **The study also found that the risk**  
8 **of bladder cancer was highest in occupations in which workers were exposed to aromatic**  
9 **amines (rubber, plastic, and dye workers, hairdressers, and painters).** The scientists listed  
10 the aromatic amines of 4-ABP and Ortho-Toluidine as “definitive bladder carcinogens”, that the  
11 main carcinogen for hairdressers is 4-amino-biphenyl (4-ABP), and that historical reports showed  
12 that **16%-19% of workers exposed to 4-ABP contract bladder cancer.**

13 **E. 4-Aminobiphenyl and Ortho-Toluidine are Human Carcinogens**

14 80. Chemical agents are classified according to their surety of cancer risk. There are  
15 two institutions that identify, evaluate, and classify human carcinogens. The first is the  
16 International Agency for the Research of Cancer (IARC). The second is the National Toxicology  
17 Program (NTP).

18 81. IARC is part of the World Health Organization (WHO) that conducts and  
19 coordinates research into causes of cancer. It also collects and publishes surveillance data  
20 regarding the occurrence of cancer worldwide. Its published “Monographs” identify carcinogenic  
21 hazards and evaluate environmental causes of cancer in humans.

22 82. The National Toxicology Program (NTP) is program within the Department of  
23 Health and Human Services (DHHS) headquartered at the National Institute of Environmental  
24 Health Sciences (NIEHS) of the National Institutes of Health (NIH). NTP evaluates chemicals of  
25 concern for their potential to cause cancer in humans. As part of their cancer evaluation work,  
26 NTP publishes their Report on Carcinogens (RoC). RoC is a document that identifies chemicals  
27 that may pose a carcinogenicity hazard to human health. The NTP RoC classifies chemicals as  
28 either "known to be a human carcinogen" or "reasonably anticipated to be a human carcinogen."

1 83. IARC classified 4-Aminobiphenyl and Ortho-Toluidine as carcinogenic to humans  
2 (Group 1). IARC stated that both 4-ABP and O-T have been found in hair dyes.

3 84. The NTP (RoC) classified 4-Aminobiphenyl and Ortho-Toluidine as “known to be  
4 a human carcinogen”. The NTP also stated that 4-ABP and O-T have been found in hair dyes.

5 **F. Biological Mechanism of Action by 4-Aminobiphenyl and Ortho-Toluidine**

6 85. 4-ABP and o-toluidine have been found in DNA adducts of the bladder and  
7 mammary glands in exposed humans which are biological markers that allow for identification  
8 of agents responsible for initiation of carcinogenic processes also reflecting exposure, biological  
9 effective dose, and local metabolic processes involved in formation of reactive species capable of  
10 binding to DNA and other macromolecules. Gorlewska-Roberts (2002), *Carcinogen-DNA*  
11 *Adducts in Human Breast Epithelial Cells*.

12 86. According to IARC and the NTP, 4-ABP causes cancer through a mechanism  
13 involving metabolic activation in the liver, where it is converted into a reactive N-hydroxy  
14 derivative which then forms DNA adducts, primarily by generating a highly reactive aryl  
15 nitrenium ion, ultimately leading to DNA damage and contributing to the development of bladder  
16 cancer, particularly in humans; this process is considered the primary mechanism of action for 4-  
17 ABP. While the metabolism occurs primarily in the liver, the reactive metabolites are transported  
18 to the bladder, where they can readily bind to DNA due to the acidic urine environment, leading  
19 to bladder cancer development.

20 87. According to IARC and NTP, ortho-toluidine's primary mechanism of action  
21 is through its metabolic activation to a highly reactive electrophilic metabolite, N-hydroxy-ortho-  
22 toluidine, which can directly bind to DNA, causing DNA adducts and ultimately leading to  
23 mutations that can contribute to bladder cancer development, particularly with prolonged  
24 exposure; this is considered the primary route of carcinogenicity associated with ortho-toluidine.  
25 The bladder is considered the primary target tissue for ortho-toluidine-induced cancer due to its  
26 high levels of metabolic enzymes and the ability of the urinary tract to concentrate the metabolite.



1 herein.

2 95. On information and belief, as a proximate result of the conduct, acts, and omissions  
3 alleged herein, Plaintiff incurred medical expenses which survive the death of the Decedent. Prior  
4 to her death, Decedent suffered special damages, medical expenses, severe and permanent pain,  
5 suffering, disability, impairment, loss of enjoyment of life, and death. Plaintiff has suffered loss  
6 of care, comfort, and economic damages and other general damages as the result of the wrongful  
7 death of Decedent LUCILLE CAMPOS.

8 **COUNT 2. STRICT LIABILITY – DESIGN DEFECT – RISK-UTILITY TEST**

9 96. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
10 herein.

11 97. On information and belief, at all relevant times alleged herein, the PRODUCTS  
12 were designed, engineered, developed, manufactured, fabricated, assembled, equipped, tested or  
13 failed to be tested, inspected or failed to be inspected, labeled, advertised, promoted, marketed,  
14 supplied, distributed, licensed, wholesaled, and sold by Defendants in the regular course of  
15 business.

16 98. On information and belief, at all relevant times alleged herein, the PRODUCTS  
17 manufactured, supplied, licensed and/or placed into the stream of commerce by Defendants herein  
18 were defective and unreasonably dangerous in that:

- 19 a. the utility of the PRODUCTS does not outweigh the danger of developing bladder  
20 cancer when the PRODUCTS are used as intended;
- 21 b. the PRODUCTS are not reasonably fit, suitable or safe for their intended purpose  
22 and the foreseeable risks far exceeded the benefits associated with the design or  
23 formulation;
- 24 c. the PRODUCTS contained inadequate warnings or instructions; and,
- 25 d. the PRODUCTS contained dangerous ingredients while feasible safer alternative  
26 designs and ingredients were available.

27 99. Plaintiff is informed and believes that, at all relevant times alleged herein,  
28 Defendants knew that the PRODUCTS were to be purchased and used without inspection for

1 defects.

2 100. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
3 times alleged herein, the PRODUCTS were and are unsafe for their intended use by reason of  
4 defects in the design so that they would not safely serve their purpose, but would instead expose  
5 the users of said PRODUCTS to serious injuries.

6 101. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
7 times alleged herein, there were practical and feasible alternative designs and formulations that  
8 would have prevented and/or significantly reduced the risk of Decedent's injuries and death,  
9 without impairing the reasonable anticipated or intended function of the PRODUCTS. These  
10 safer alternative designs and/or formulations were economically and technologically feasible, and  
11 would have prevented and/or significantly reduced the risk of Decedent's injuries and death  
12 without substantially impairing utility.

13 102. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
14 times alleged herein, the PRODUCTS were substantially in the same condition as when they left  
15 the possession of Defendants.

16 103. At all pertinent times, Decedent was exposed to and/or used the PRODUCTS in  
17 the manner that was intended which were a reasonably foreseeable and normally intended uses  
18 by Defendants, as said Defendants gave no warnings in opposition, but rather, promoted the use  
19 of the PRODUCTS.

20 104. At all relevant times alleged herein, the design and/or formulation of the  
21 PRODUCTS was a substantial factor in causing harm and death to Decedent.

22 105. As a legal and proximate result of the aforementioned defects in the design and/or  
23 formulation of the PRODUCTS, Decedent sustained the injuries and damages as alleged herein.

24 106. On information and belief, as a proximate result of the conduct, acts, and omissions  
25 alleged herein, Plaintiff has incurred medical expenses which survive Decedent, Plaintiff has  
26 suffered and will suffer other special damages, and other general damages.





1 injuries, damages, and death as herein alleged, and the failure of the PRODUCTS to perform  
2 safely was a substantial factor in causing Decedent's harm.

3 113. On information and belief, as a proximate result of the conduct, acts, and omissions  
4 alleged herein, Plaintiff has incurred medical expenses which survive the Decedent, Plaintiff has  
5 suffered and will suffer other special damages, Plaintiff has suffered and will suffer conscious  
6 pain and suffering and other general damages.

7 114. On information and belief, at all relevant times alleged herein, Decedent's injuries  
8 occurred while the PRODUCTS were being used in an intended and reasonably foreseeable  
9 manner, and Defendants were aware of and intended that the PRODUCTS would be used in the  
10 manner in which the materials were actually used.

11 **COUNT 4. NEGLIGENT FAILURE TO WARN**

12 115. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
13 herein.

14 116. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
15 times alleged herein, Defendants were negligent in marketing, designing, manufacturing,  
16 producing, supplying, inspecting, testing, selling and/or distributing the PRODUCTS in one or  
17 more of the following respects:

- 18 a. failing to warn Decedent of the hazards associated with the use of the  
19 PRODUCTS;
- 20 b. failing to properly test their PRODUCTS to determine adequacy and effectiveness  
21 or safety measures, if any, prior to releasing the PRODUCTS for consumer use;
- 22 c. failing to properly test their PRODUCTS to determine the increased risk of bladder  
23 cancer during the normal and/or intended use of the PRODUCTS;
- 24 d. failing to inform ultimate users, such as Plaintiff, as to the safe and proper methods  
25 of handling and using the PRODUCTS;
- 26 e. failing to remove the PRODUCTS from the market when the Defendants knew or  
27 should have known the PRODUCTS were defective;
- 28 f. failing to instruct the ultimate users, such as Decedent, as to the methods for

1 reducing the type of exposure to the PRODUCTS which caused increased risk of  
2 bladder cancer;

3 g. failing to inform the public in general and the Decedent in particular of the known  
4 dangers using the PRODUCTS;

5 h. failing to advise users how to prevent or reduce exposure that caused increased  
6 risk of bladder cancer;

7 i. marketing and labeling the PRODUCTS as safe for all uses despite knowledge to  
8 the contrary; and,

9 j. failing to act as a reasonably prudent company under similar circumstances.

10 117. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
11 times alleged herein, Defendants knew, or reasonably should have known, that users, including  
12 Decedent, would not realize the dangers of using the PRODUCTS, and a reasonable manufacturer,  
13 distributor and/or seller under the same or similar circumstances would have warned of the  
14 dangers or instructed on the safe use of the PRODUCTS.

15 118. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
16 times alleged herein, each and all of these acts and omissions, taken singularly or in combination,  
17 were a proximate cause of the injuries, damages, and death sustained by Decedent.

18 119. On information and belief, at all relevant times alleged herein, Defendants knew  
19 or should have known that the PRODUCTS were unreasonably dangerous and defective when  
20 used or misused in a reasonably foreseeable manner.

21 120. On information and belief, as a direct and proximate result of the Defendants'  
22 negligence in one or more of the aforementioned ways, Decedent purchased and used, as aforesaid,  
23 the PRODUCTS that directly and proximately were a substantial factor in causing Decedent to  
24 develop bladder cancer.

25 121. On information and belief, as a proximate result of the conduct, acts, and omissions  
26 alleged herein, Plaintiff has incurred medical expenses which survive the Decedent, Plaintiff has  
27 suffered and will suffer other special damages, and other general damages.

1 **COUNT 5. DECEIT BY CONCEALMENT**

2 122. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
3 herein.

4 123. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
5 times alleged herein, Defendants from the time that the PRODUCTS were first tested, studied,  
6 researched, evaluated, endorsed, manufactured, marketed and distributed, and up to the present,  
7 willfully deceived the Decedent and the public in general, by concealing from the, the true facts  
8 concerning the PRODUCTS, which the said Defendants had a duty to disclose.

9 124. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
10 times alleged herein, Defendants conducted a sales and marketing campaign to promote the sale  
11 of the PRODUCTS and willfully deceived the Decedent, and the public in general as to the health  
12 risks and consequences of the use of the PRODUCTS, which included but not limited to, the  
13 following false, deceptive, misleading, and untruthful advertisements, public statements,  
14 marketing campaigns, and promotions:

- 15 a. failing to disclose or warn Decedent of the hazards associated with the use of the  
16 PRODUCTS;
- 17 b. failing to properly test their PRODUCTS to determine adequacy and effectiveness  
18 or safety measures, if any, prior to releasing the PRODUCTS for consumer use;
- 19 c. failing to properly test their PRODUCTS to determine the increased risk of bladder  
20 cancer during the normal and/or intended use of the PRODUCTS;
- 21 d. failing to inform ultimate users, such as Decedent, as to the safe and proper  
22 methods of handling and using the PRODUCTS;
- 23 e. failing to remove the PRODUCTS from the market when the Defendants knew or  
24 should have known the PRODUCTS were defective;
- 25 f. failing to instruct the ultimate users, such as Decedent, as to the methods for  
26 reducing the type of exposure to the PRODUCTS which caused increased risk of  
27 bladder cancer;
- 28 g. failing to disclose to the public in general and the Decedent in particular the known

1 dangers of using the PRODUCTS;

2 h. failing to advise users how to prevent or reduce exposure that caused increased  
3 risk for bladder cancer;

4 i. marketing and labelling the PRODUCTS as safe for all uses despite knowledge to  
5 the contrary; and,

6 j. failing to act like a reasonably prudent company under similar circumstances.

7 125. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
8 times alleged herein, Defendants were aware of the foregoing, and that the PRODUCTS were not  
9 safe, fit, and effective for use as intended. Furthermore, said Defendants were aware that the use  
10 of the PRODUCTS was hazardous to health, and that the PRODUCTS carry a significant  
11 propensity to cause serious injuries to users including, but not limited to, the injuries suffered by  
12 Decedent as alleged herein.

13 126. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
14 times alleged herein, that Defendants intentionally concealed and suppressed the true facts  
15 concerning the PRODUCTS with the intent to defraud the Decedent, other consumers, and the  
16 public in general, in that said Defendants knew that Decedent would not have used the  
17 PRODUCTS if she had known the true facts concerning the risks and dangers of the PRODUCTS.

18 127. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
19 times alleged herein, that as a result of the foregoing fraudulent and deceitful conduct by  
20 Defendants, Decedent suffered injuries, damages, and death as alleged herein.

21 128. On information and belief, as a proximate result of the conduct, acts, and omissions  
22 alleged herein, Plaintiff has incurred medical expenses which survive the Decedent, Plaintiff has  
23 suffered and will suffer other special damages, Plaintiff has suffered and will suffer conscious  
24 pain and suffering and other general damages.

25 **COUNT 6. VIOLATIONS OF CALIFORNIA UNFAIR COMPETITION LAW**

26 130. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
27 herein.

28 131. This Count 6 is a cause of action for the violation of the Unfair Competition Law

1 (“UCL”), Cal. Bus. & Prof. Code § 17200, et seq.

2 129. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
3 times alleged herein, Defendants from the time that the PRODUCTS were first tested, studied,  
4 researched, evaluated, endorsed, manufactured, marketed and distributed, and up to the present,  
5 willfully deceived the Decedent and the public in general, by concealing from the, the true facts  
6 concerning the PRODUCTS, which the said Defendants had a duty to disclose.

7 130. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
8 times alleged herein, Defendants conducted a sales and marketing campaign to promote the sale  
9 of the PRODUCTS and willfully deceived the Decedent, and the public in general as to the health  
10 risks and consequences of the use of the PRODUCTS, which included but not limited to, the  
11 following false, deceptive, misleading, and untruthful advertisements, public statements,  
12 marketing campaigns, and promotions:

- 13 a. failing to disclose or warn Decedent of the hazards associated with the use of the  
14 PRODUCTS;
- 15 b. failing to properly test their PRODUCTS to determine adequacy and effectiveness  
16 or safety measures, if any, prior to releasing the PRODUCTS for consumer use;
- 17 c. failing to properly test their PRODUCTS to determine the increased risk of bladder  
18 cancer during the normal and/or intended use of the PRODUCTS;
- 19 d. failing to inform ultimate users, such as Decedent, as to the safe and proper  
20 methods of handling and using the PRODUCTS;
- 21 e. failing to remove the PRODUCTS from the market when the Defendants knew or  
22 should have known the PRODUCTS were defective;
- 23 f. failing to instruct the ultimate users, such as Decedent, as to the methods for  
24 reducing the type of exposure to the PRODUCTS which caused increased risk of  
25 bladder cancer;
- 26 g. failing to disclose to the public in general and the Decedent in particular the known  
27 dangers of using the PRODUCTS;
- 28 h. failing to advise users how to prevent or reduce exposure that caused increased

1 risk for bladder cancer;

2 i. marketing and labelling the PRODUCTS as safe for all uses despite knowledge to  
3 the contrary; and,

4 j. failing to act like a reasonably prudent company under similar circumstances.

5 131. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
6 times alleged herein, Defendants were aware of the foregoing, and that the PRODUCTS were not  
7 safe, fit, and effective for use as intended. Furthermore, said Defendants were aware that the use  
8 of the PRODUCTS was hazardous to health, and that the PRODUCTS carry a significant  
9 propensity to cause serious injuries to users including, but not limited to, the injuries suffered by  
10 Decedent as alleged herein.

11 132. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
12 times alleged herein, that Defendants intentionally concealed and suppressed the true facts  
13 concerning the PRODUCTS with the intent to defraud the Decedent, other consumers, and the  
14 public in general, in that said Defendants knew that Decedent would not have used the  
15 PRODUCTS if he had known the true facts concerning the risks and dangers of the PRODUCTS.

16 132. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
17 times alleged herein, that as a result of the foregoing fraudulent and deceitful conduct by  
18 Defendants, Decedent suffered injuries, damages, and death as alleged herein

19 133. The foregoing fraudulent and deceitful conduct by Defendants amounts to  
20 unlawful, unfair, and fraudulent practices in violation of the UCL.

21 134. Defendants' acts, omissions, and practices described above constitute "unfair"  
22 practices because they are contrary to California's legislatively declared policy condemning  
23 deceptive advertising and marketing of goods and services. Defendants falsely represented the  
24 nature, quality, condition, ingredients, health hazards, and dangers posed by the PRODUCTS.

25 135. Defendants' conduct constitutes unfair methods of competition and business  
26 practices.

27 136. Defendant's acts, omissions, and practices described above are contrary to  
28 California public policy and constitute immoral, unethical, and unscrupulous practices that caused

1 substantial injury to the Decedent.

2 137. All of Defendants' unlawful and unfair conduct, failures to disclose, and  
3 fraudulent practices and misrepresentations alleged herein occurred in the course of Defendants'  
4 respective businesses and were part of a generalized course of conduct.

5 138. Defendants' unlawful, unfair, and fraudulent conduct alleged herein was designed  
6 to and did induce Decedent to purchase the PRODUCTS.

7 139. Decedent would not have purchased the PRODUCTS but for Defendants'  
8 unlawful, unfair, and fraudulent business conduct.

9 140. As a direct and proximate result of Defendants' unlawful, unfair, and fraudulent  
10 business conduct, Decedent suffered concrete and particularized injuries, including monetary loss  
11 in the form of paying for the PRODUCTS.

12 141. Plaintiff is entitled to appropriate relief, including restitution, declaratory relief,  
13 and a permanent injunction prohibiting Defendants from engaging in the aforementioned  
14 practices that violate the UCL. Plaintiff further seeks reasonable attorneys' fees and costs under  
15 applicable law including California Code of Civil Procedure 1021.5.

16 **COUNT 7. WRONGFUL DEATH**

17 142. Plaintiff hereby incorporates each of the preceding paragraphs as if fully set forth  
18 herein.

19 143. Plaintiff is the surviving heir of Decedent, as identified above, who used the  
20 PRODUCTS and was injured and died as a result. Said Decedent purchased, was supplied with,  
21 received, applied, used and consumed said PRODUCTS as tested, studied, researched, evaluated,  
22 endorsed, designed, formulated, compounded, manufactured, produced, processed, assembled,  
23 inspected, distributed, marketed, labeled, promoted, packaged, advertised for sale, sold or  
24 otherwise placed in the stream of interstate commerce by Defendants, which contained the  
25 carcinogenic aromatic amines as tested, studied, researched, evaluated, endorsed, designed,  
26 formulated, compounded, manufactured, produced, processed, assembled, inspected, distributed,  
27 marketed, labeled, promoted, packaged, advertised for sale, sold or otherwise placed in the stream  
28 of interstate commerce by Defendants.





1 PRODUCTS until Plaintiff was made aware that the bladder cancer could be caused by use of  
2 and exposure to the PRODUCTS. Consequently, the discovery rule applies to this case and the  
3 statute of limitations has been tolled until the day that Plaintiff knew or had reason to know that  
4 bladder cancer was linked to the use of and exposure to the PRODUCTS.

5 154. Furthermore, the running of any statute of limitations has been equitably tolled by  
6 reason of Defendants' fraudulent concealment and conduct. Through their affirmative  
7 misrepresentations and omissions, Defendants actively concealed from Plaintiff the true risks  
8 associated with the chemicals contained within the PRODUCTS.

9 155. As a result of Defendants' actions, Plaintiff was unaware, and could not reasonably  
10 know, or could not have reasonably learned through reasonable diligence, that Plaintiff had been  
11 exposed to the risks alleged herein and that those risks were the direct and proximate result of  
12 Defendants' acts and omissions.

13 156. Furthermore, Defendants are estopped from relying on any statute of limitations  
14 because of their concealment of the truth, quality and nature of the PRODUCTS. Defendants  
15 were under a duty to disclose the true character, quality and nature of PRODUCTS because this  
16 was non-public information which the Defendants had and continue to have in their exclusive  
17 control, and because the Defendants knew that this information was not available to Plaintiff.

18 157. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
19 times alleged herein, Defendants had the ability to and did spend enormous amounts of money in  
20 furtherance of their purpose of marketing and promoting profitable PRODUCTS, notwithstanding  
21 the known or reasonably known risks. Plaintiff and medical professionals could not have afforded  
22 and could not have possibly conducted studies to determine the nature, extent and identity of  
23 related health risks, and were forced to rely on Defendants' representations.

24 158. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
25 times alleged herein, in representations to the Plaintiff and the public in general, Defendants also  
26 fraudulently concealed and intentionally omitted the following material information:

- 27 a. that the PRODUCTS were not as safe as other products available;  
28 b. that the PRODUCTS were dangerous; and,

1 c. that the PRODUCTS were defectively and negligently designed and had defective,  
2 inadequate, and insufficient warnings and instructions.

3 159. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
4 times alleged herein, Defendants were under a duty to disclose to Plaintiff, and the public in  
5 general, the defective nature of the PRODUCTS.

6 160. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
7 times alleged herein, Defendants made the misrepresentations and actively concealed information  
8 concerning the safety and efficacy of the PRODUCTS with the intention and specific desire to  
9 induce the consumers, including the Plaintiff, to rely on such misrepresentations in selecting,  
10 purchasing and using the PRODUCTS.

11 161. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
12 times alleged herein, Defendants made these misrepresentations and actively concealed  
13 information concerning the safety and efficacy of the PRODUCTS in the labeling, advertising,  
14 promotional material or other marketing efforts.

15 162. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
16 times alleged herein, these representations, and others made by Defendants, were false when made  
17 and/or were made with the pretense of actual knowledge when such knowledge did not actually  
18 exist, and were made recklessly and without regard to the true facts.

19 163. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
20 times alleged herein, the misrepresentations and active concealments by Defendants were  
21 perpetuated directly and indirectly by Defendants, their sales representative, employees,  
22 distributors, agents, marketers and detail persons.

23 164. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
24 times alleged herein, the representations were made, Plaintiff did not know the truth about the  
25 dangers and serious health and/or safety risks inherent in the use of the PRODUCTS. Plaintiff  
26 did not discover the true facts about the dangers and serious health and/or safety risks, nor did  
27 Plaintiff discover the false representations of Defendants, nor would Plaintiff with reasonable  
28 diligence have discovered the true facts or Defendants' misrepresentations.

1           165. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
2 times alleged herein, Defendants knew that Plaintiff, and the public in general, had no way to  
3 determine the truth behind Defendants' concealment and omissions, and that these included  
4 material omissions of facts surrounding the PRODUCTS, as set forth herein.

5           166. Had Plaintiff known the true facts about the dangers and serious health and/or  
6 safety risks of the PRODUCTS, Plaintiff would not have purchased, used, been exposed to, or  
7 relied on Defendants' PRODUCTS.

8           167. Defendants had a duty when disseminating information to the public to  
9 disseminate truthful information and a parallel duty not to deceive the public, including Plaintiff.

10           168. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
11 times alleged herein, the information distributed to the public and Plaintiff by Defendants  
12 included, but was not limited to, reports, press releases, advertising campaigns, television  
13 commercials, print advertisements, billboards, and other commercial media containing material  
14 representations, which were false and misleading, and contained omissions and concealment of  
15 the truth about the dangers of the use of the PRODUCTS.

16           169. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
17 times alleged herein, Defendants intentionally made material misrepresentations to the medical  
18 community and public, including Plaintiff, regarding the safety of the PRODUCTS, specifically  
19 that the PRODUCTS did not have dangerous and/or serious adverse health safety concerns, and  
20 that the PRODUCTS were as safe as other products.

21           170. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
22 times alleged herein, Defendants' intent and purpose in making these misrepresentations was to  
23 deceive the Plaintiff; to gain the confidence of the public, the medical community, and Plaintiff,  
24 to falsely assure them of the quality and fitness for use of the PRODUCTS; and induce Plaintiff  
25 and the public to use the PRODUCTS.

26           171. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
27 times alleged herein, Defendants recklessly and/or intentionally falsely represented the dangerous  
28 and serious health and safety concerns inherent in the use of the PRODUCTS to the public at

1 large, for the purpose of influencing the sales of PRODUCTS known to be dangerous and  
2 defective, and/or not as safe as other alternatives.

3 172. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
4 times alleged herein, at all times relevant to this action, Defendants knew that the PRODUCTS  
5 were not safe for consumers.

6 173. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
7 times alleged herein, the misrepresentations and active concealment by Defendants constitute a  
8 continuing tort. Indeed, Defendants continue to misrepresent the potential risks and serious side  
9 effects associated with the use of the PRODUCTS.

10 174. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
11 times alleged herein, as a result of the Defendants' advertising and marketing efforts, and  
12 representations, the PRODUCTS are and continue to be pervasively manufactured and used in  
13 California and throughout the United States.

14 175. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
15 times alleged herein, the acts, conduct, and omission of Defendants, and each of them, as alleged  
16 throughout this Complaint were fraudulent, willful and malicious and were done with a conscious  
17 disregard for the rights of the Plaintiff and other users of the PRODUCTS and for the primary  
18 purpose of increasing Defendants' profits from the sale and distribution of the PRODUCTS.  
19 Defendants' outrageous and unconscionable conduct warrants an award of exemplary and  
20 punitive damages against each Defendant in an amount appropriate to punish and make an  
21 example of each Defendant.

22 176. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
23 times alleged herein, prior to the manufacturing, sale and distribution of the PRODUCTS,  
24 Defendants, and each of them, knew that the PRODUCTS were in a defective condition as  
25 previously alleged herein and knew that those who used the PRODUCTS would experience and  
26 did experience severe injuries. Further, Defendants and each of them through their officers,  
27 directors, managers, and agents, had knowledge that the PRODUCTS presented a substantial and  
28 unreasonable risk of harm to the public, including Plaintiff and, as such, consumers of the

1 PRODUCTS were unreasonably subjected to risk of injury.

2 177. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
3 times alleged herein, despite such knowledge, Defendants, and each of them, acting through its  
4 officers, directors and managing agents for the purpose of enhancing Defendants' profits,  
5 knowingly and deliberately failed to remedy the known defects in the PRODUCTS and failed to  
6 warn the public, including the Plaintiff, of the extreme risk of injury occasioned by said defects  
7 inherent in the PRODUCTS. Defendants and their individual agents, officers, and directors,  
8 intentionally proceeded with the manufacturing, sale, distribution and marketing of the  
9 PRODUCTS knowing that the public, including Plaintiff, would be exposed to serious danger in  
10 order to advance Defendants' own pecuniary interest and monetary profits.

11 178. Plaintiff is informed and believes, and based thereon alleges that, at all relevant  
12 times alleged herein, Defendants' conduct was despicable, and so contemptible that it would be  
13 looked down upon and despised by ordinary decent people, and was carried on by Defendants  
14 with willful and conscious disregard for safety, entitling Plaintiffs to exemplary damages under  
15 California Civil Code §3294.

16 179. Plaintiff filed this lawsuit within the applicable limitations period of first  
17 suspecting that the PRODUCTS were the cause of any appreciable harm sustained by Plaintiff,  
18 within the applicable limitations period of first suspecting or having reason to suspect any  
19 wrongdoing, and within the applicable limitations period of first discovering the injuries. Plaintiff  
20 could not, by the exercise of reasonable diligence, have discovered any wrongdoing and could  
21 not have discovered the causes of the injuries at an earlier time because the injuries occurred  
22 without initial perceptible trauma or harm and, when the injuries were discovered, the causes were  
23 not immediately known. Plaintiff did not suspect, nor did he have reason to suspect, that  
24 wrongdoing had caused the injuries until recently. Plaintiff filed the original action within two  
25 years of discovering the causes of action and identities of Defendants.

26 180. Plaintiff had no knowledge of the defects in the PRODUCTS or of the wrongful  
27 conduct of Defendants as set forth herein, nor did Plaintiff have access to information regarding  
28 other injuries and complaints in the possession of Defendants. Additionally, Plaintiff was

1 prevented from discovering this information sooner because Defendants herein misrepresented  
2 and continue to misrepresent to the public that the PRODUCTS are safe and free from defects,  
3 and Defendants fraudulently concealed information to allow Plaintiff to discover a potential cause  
4 of action sooner.

5 181. Plaintiff has reviewed his potential legal claims and causes of action against the  
6 Defendants and intentionally chooses only to pursue claims based on state-law. Any reference to  
7 any federal agency, regulation or rule is stated solely as background information and does not  
8 raise a federal question. Plaintiff chooses to only pursue claims based on state law and is not  
9 making any claims that raise federal questions.

10 **RELIEF REQUESTED**

11 WHEREFORE, Plaintiff prays for judgment against Defendants jointly and severally, and  
12 as appropriate to each cause of action alleged and the standing of Plaintiff as follows:

- 13 a. Past and future general damages, the exact amount of which has yet to be  
14 ascertained, in an amount which will conform to proof at time of trial;
- 15 b. Past and future economic and special damages according to proof at the time of  
16 trial;
- 17 c. Past and future medical expenses according to proof at the time of trial;
- 18 d. Past and future pain and suffering damages expenses according to proof at the time  
19 of trial;
- 20 e. Punitive or exemplary damages according to proof at the time of trial;
- 21 f. Damages recoverable for the wrongful death of LUCILLE CAMPOS;
- 22 g. Attorney's fees;
- 23 h. For costs of suit incurred herein;
- 24 i. For prejudgment interest as provided by law; and,
- 25 j. For such other and further relief as the Court may deem just and proper.
- 26  
27  
28

1 Dated: March 25, 2025

2 /s/ Andrew Parker Felix  
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18 **DEMAND FOR JURY TRIAL**

19 Plaintiff hereby demands a jury trial on all counts in this Complaint.

20 Dated: March 24, 2025

21 /s/ Andrew Parker Felix  
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