

**CONFIRMATION FOR
COURT FILING**

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ONE LEGAL CONFIRMATION FOR ORDER NO.: 7749649		DATE:
Customer: Gordon & Holmes	Attorney: Frederic L Gordon	
Customer No.: 0077596	Attorney e-mail: fgordon@gordonandholmes.com	
Address: 223 West Date Stree San Diego, CA 92101	Contact: Krystle M Beal	
	Contact e-mail: kbeal@gordonandholmes.com	
	Contact Phone: (619) 696-0444	
	Contact Fax:	
	Law Firm File No.: Echard	

CASE INFORMATION:
Case Number:
County: Orange
Court: Central District of California - District - Santa Ana
Case Short Title: Karen Echard vs. Costco Wholesale et al

DOCUMENTS RECEIVED:	No. Docs: 2	No. Pgs: 15
Complaint		

Confirmation Report. DO NOT PAY. An Invoice will be sent later.

Notes:	Services:	Summary of Charges:
ETA for caption pages tomorrow by 5:00 PM Order Status: In Transit		
Services will be invoiced later.	DO NOT PAY NOW.	Total: 0.00

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Customer Support | Phone: 1-800-938-8815

UNITED STATES DISTRICT COURT

for the

Central District of California

KAREN ECHARD,

Plaintiff(s)

v.

COSTCO WHOLESALE CORP., TOWNSEND
FARMS, INC., PURELY POMEGRANATE, INC.,
FALLON TRADING CO., INC., UNITED JUICE
CORP., and Does 1-10, inclusive,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Frederic L. Gordon
GORDON & HOLMES
223 West Date St.
San Diego, CA 92101

Attorneys for Plaintiff

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Attention:
New Civil Actions

Pursuant to Local Rule 3-2, you are required to e-mail a conformed, "Filed"-stamped copy of your entire initial filing to the Court in PDF format by close of business the following business day. E-mails should be directed to the division indicated below:

- ☐ **CivilIntakeCourtDocs-LA@cacd.uscourts.gov**
(for Western Division case numbers CV ## - #####)
- ☐ **CivilIntakeCourtDocs-RS@cacd.uscourts.gov**
(for Eastern Division case numbers EDCV ## - #####)
- ☐ **CivilIntakeCourtDocs-SA@cacd.uscourts.gov**
(for Southern Division case numbers SACV## - #####)

**SUBJECT LINE OF E-MAIL MUST INCLUDE BOTH
DOCUMENT TYPE (complaint, notice of removal, etc.) AND CASE NUMBER.**

For example: Complaint CV04-01234-ABC (SHx)

All documents in the initial filing must be e-mailed to the Court in PDF format. Certain documents must be included in the same PDF file as the Complaint / Notice of Removal, while other documents must be sent as separate PDF files, as follows:

- Complaint / Notice of Removal, Summons, and all pages of the Civil Cover Sheet (CV-71) as one PDF attachment.
- Certification and Notice of Interested Parties (CV-30) as a separate PDF attachment.
- AO-120 or AO-121 (for Patent, Trademark, Copyright cases only) as a separate PDF attachment.
- Any other documents filed in paper format simultaneously with the Complaint / Notice of Removal as separate PDF attachments.

Subsequent documents e-mailed to any of the above addresses will not be accepted. Pursuant to Local Rule 5-4.1, all documents in civil cases must be filed electronically using the Court's CM/ECF System, unless exempted by Local Rule 5-4.2.

The **ECF Helpdesk** can be reached at 213-894-0242 during business hours:
Monday through Friday, 8:00 a.m. to 5:00 p.m. (Pacific Time).
E-mail questions to: ecf-helpdesk@cacd.uscourts.gov

FILED

2014 JUL -8 PM 2: 25
CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SOUTHERN DIVISION

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3 GORDON & HOLMES
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13 Solana Beach, CA 92075
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21 Seattle, WA 98101
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24 Email: bmarder@marlerclark.com

25 Attorneys for Plaintiff KAREN ECHARD

26 UNITED STATES DISTRICT COURT
27 CENTRAL DISTRICT OF CALIFORNIA
28 SOUTHERN DIVISION

19 KAREN ECHARD,
20 Plaintiff,
21 v.

22 COSTCO WHOLESALE CO., INC. a
23 Washington corporation doing business in
24 California, TOWNSEND FARMS, INC., an
25 Oregon corporation doing business in
26 California, PURELY POMEGRANATE,
27 INC., a California corporation, FALLON
28 TRADING CO., INC., a Pennsylvania
corporation doing business in California,
UNITED JUICE CORP., a New Jersey
corporation doing business in California, and
Does 1-10, inclusive,

Defendants.

Case No.: CV14-05281 JAK (VBKx)

COMPLAINT

IMAGED FILE

Trial Date: None set

Judge:

Dept.:

Trial Date:

DEMAND FOR JURY TRIAL

FILED

2014 JUL -8 PM 2: 25

CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SAN DIEGO, CALIF.

BY _____

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14 Attorneys for Plaintiff KAREN ECHARD

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16 CENTRAL DISTRICT OF CALIFORNIA
17 SOUTHERN DIVISION
18

19 KAREN ECHARD,

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corporation doing business in California, and
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28 Defendants.

Case No.: CV14-05281 JAK (VBKx)

COMPLAINT

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Trial Date: None set

Judge:

Dept.:

Trial Date:

DEMAND FOR JURY TRIAL

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) Karen Echard,	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) Costco Wholesale Corp., Townsend Farms, Inc., Purely Pomegranate, Inc., Fallon Trading Co., Inc., United Juice Corp., and Does 1-10, inclusive.
(b) County of Residence of First Listed Plaintiff <u>Osceola County, FL</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant <u>King County, WA</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. William Marler, Marler Clark 1301 Second Ave #2800 Seattle WA 98101, 206-346-1888 Frederic Gordon, Gordon & Holmes 223 W Date St San Diego CA 92101 619-696-0444 Richard Waite, Keeney, Waite & Stevens, 427 S Cedros Ave #101, Solana Beach, CA, 92075, 858-523-2130	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Dave Ernst, DWT, 1300 Fifth Ave #2400, Portland, OR 97201, 503-778-5385 Rodney Eshelman, CBM, 44 Montgomery St #400, SF, CA 94104, 415-989-5900 CJ Pearl Willis DePasquale 725 W Town&Country #550 Orange CA 92668 7145446000 James Kloss, Lewis Brisbois, 2929 N Central Ave #1700, Phx, AZ 85012 602-385-7850

II. BASIS OF JURISDICTION (Place an X in one box only.) <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> 1. U.S. Government Plaintiff </div> <div style="width: 48%;"> <input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> 2. U.S. Government Defendant </div> <div style="width: 48%;"> <input checked="" type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III) </div> </div>	III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%; border: none;"> <tr> <td style="width: 33%;">Citizen of This State</td> <td style="width: 10%;">PTF <input type="checkbox"/> 1</td> <td style="width: 10%;">DEF <input type="checkbox"/> 1</td> <td style="width: 33%;">Incorporated or Principal Place of Business in this State</td> <td style="width: 10%;">PTF <input type="checkbox"/> 4</td> <td style="width: 10%;">DEF <input checked="" type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input checked="" type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input checked="" type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify)	<input type="checkbox"/> 6. Multi-District Litigation
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V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No ☐ MONEY DEMANDED IN COMPLAINT: \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 The United States District Court for the District of California has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1441(b) and 1332(a). KAREN ECHARD purchased and consumed the Product in April 2013. She became ill on May 21, 2013. She tested positive for HAV, sought medical care in May 2013 and continues medical treatment.

VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395f)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
				<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
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<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FILED

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY(S)
OR OF PARTY APPEARING IN PRO PER
William Marler, Marler Clark, 1301 Second Avenue, Suite 2800,
Seattle, WA 98101, 206-346-1888;
Frederic Gordon, Gordon & Holmes, 223 West Date Street, San
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Richard Waite, Keeney, Waite & Stevens, 427 South Cedros
Avenue, Suite 101, Solana Beach, CA 92075, 858-523-2130

2014 JUL -8 PM 2:22
CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
BY _____

ATTORNEY(S) FOR: Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Karen Echard,

CASE NUMBER:

Plaintiff(s).

CV14-05281 JAK (VBKx)

v.

Costco Wholesale Corp., Townsend Farms, Inc.,
Purely Pomegranate, Inc., Fallon Trading Co.,
Inc., United Juice Corp., and Does 1-10, inclusive,

Defendant(s)

CERTIFICATION AND NOTICE
OF INTERESTED PARTIES
(Local Rule 7.1-1)

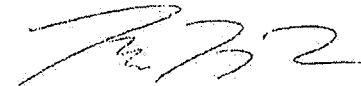
TO: THE COURT AND ALL PARTIES OF RECORD:

The undersigned, counsel of record for Karen Echard, Plaintiff
or party appearing in pro per, certifies that the following listed party (or parties) may have a pecuniary interest in
the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification
or recusal.

(List the names of all such parties and identify their connection and interest. Use additional sheet if necessary.)

PARTY	CONNECTION / INTEREST
Karen Echard, Plaintiff	Plaintiff, Injured Party
Costco Wholesale Corporation	Defendant
Townsend Farms, Inc.	Defendant
Purely Pomegranate, Inc.	Defendant
Fallon Trading Co., Inc.	Defendant
United Juice Corp.	Defendant

July 7, 2014
Date


Signature

Attorney of record for (or name of party appearing in pro per):

Plaintiff