

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 W Broadway
 MAILING ADDRESS: 330 W Broadway
 CITY AND ZIP CODE: San Diego, CA 92101-3827
 BRANCH NAME: Central
 TELEPHONE NUMBER: (619) 450-7066

PLAINTIFF(S) / PETITIONER(S): People of The State Of california

DEFENDANT(S) / RESPONDENT(S): WSC Investment Partners LLC et.al.

PEOPLE OF THE STATE OF CALIFORNIA VS WSC INVESTMENT PARTNERS LLC [IMAGED]

**NOTICE OF CASE ASSIGNMENT
and CASE MANAGEMENT CONFERENCE**

CASE NUMBER:
37-2017-00036155-CU-MC-CTL

CASE ASSIGNMENT

Judge: Kenneth J Medel

Department: C-66

COMPLAINT/PETITION FILED: 09/28/2017

TYPE OF HEARING SCHEDULED	DATE	TIME	DEPT	JUDGE
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A case management statement must be completed by counsel for all parties or self-represented litigants and timely filed with the court at least 15 days prior to the initial case management conference. (San Diego Local Rules, Division II, CRC Rule 3.725).

All counsel of record or parties in pro per shall appear at the Case Management Conference, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of ADR* options.

IT IS THE DUTY OF EACH PLAINTIFF (AND CROSS-COMPLAINANT) TO SERVE A COPY OF THIS NOTICE WITH THE COMPLAINT (AND CROSS-COMPLAINT), THE ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION FORM (SDSC FORM #CIV-730), A STIPULATION TO USE ALTERNATIVE DISPUTE RESOLUTION (ADR) (SDSC FORM #CIV-359), AND OTHER DOCUMENTS AS SET OUT IN SDSC LOCAL RULE 2.1.5.

ALL COUNSEL WILL BE EXPECTED TO BE FAMILIAR WITH SUPERIOR COURT RULES WHICH HAVE BEEN PUBLISHED AS DIVISION II, AND WILL BE STRICTLY ENFORCED.

TIME STANDARDS: The following timeframes apply to general civil cases and must be adhered to unless you have requested and been granted an extension of time. General civil cases consist of all civil cases except: small claims proceedings, civil petitions, unlawful detainer proceedings, probate, guardianship, conservatorship, juvenile, parking citation appeals, and family law proceedings.

COMPLAINTS: Complaints and all other documents listed in SDSC Local Rule 2.1.5 must be served on all named defendants.

DEFENDANT'S APPEARANCE: Defendant must generally appear within 30 days of service of the complaint. (Plaintiff may stipulate to no more than 15 day extension which must be in writing and filed with the Court.) (SDSC Local Rule 2.1.6)

JURY FEES: In order to preserve the right to a jury trial, one party for each side demanding a jury trial shall pay an advance jury fee in the amount of one hundred fifty dollars (\$150) on or before the date scheduled for the initial case management conference in the action.

COURT REPORTERS: Court reporters are not provided by the Court in Civil cases. See policy regarding normal availability and unavailability of official court reporters at www.sdcourt.ca.gov.

*ALTERNATIVE DISPUTE RESOLUTION (ADR): THE COURT ENCOURAGES YOU TO CONSIDER UTILIZING VARIOUS ALTERNATIVES TO TRIAL, INCLUDING MEDIATION AND ARBITRATION, PRIOR TO THE CASE MANAGEMENT CONFERENCE. PARTIES MAY FILE THE ATTACHED STIPULATION TO USE ALTERNATIVE DISPUTE RESOLUTION (SDSC FORM #CIV-359).



Superior Court of California County of San Diego

NOTICE OF ELIGIBILITY TO eFILE AND ASSIGNMENT TO IMAGING DEPARTMENT

This case is eligible for eFiling. Should you prefer to electronically file documents, refer to General Order in re procedures regarding electronically imaged court records, electronic filing, and access to electronic court records in civil and probate cases for rules and procedures or contact the Court's eFiling vendor at www.onelegal.com for information.

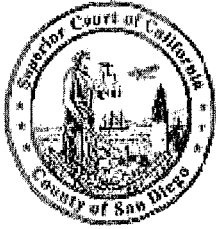
This case has been assigned to an Imaging Department and original documents attached to pleadings filed with the court will be imaged and destroyed. Original documents should not be filed with pleadings. If necessary, they should be lodged with the court under California Rules of Court, rule 3.1302(b).

On August 1, 2011 the San Diego Superior Court began the Electronic Filing and Imaging Pilot Program ("Program"). As of August 1, 2011 in all new cases assigned to an Imaging Department all filings will be imaged electronically and the electronic version of the document will be the official court file. The official court file will be electronic and accessible at one of the kiosks located in the Civil Business Office and on the Internet through the court's website.

You should be aware that the electronic copy of the filed document(s) will be the official court record pursuant to Government Code section 68150. The paper filing will be imaged and held for 30 days. After that time it will be destroyed and recycled. **Thus, you should not attach any original documents to pleadings filed with the San Diego Superior Court. Original documents filed with the court will be imaged and destroyed except those documents specified in California Rules of Court, rule 3.1806.** Any original documents necessary for a motion hearing or trial shall be lodged in advance of the hearing pursuant to California Rules of Court, rule 3.1302(b).

It is the duty of each plaintiff, cross-complainant or petitioner to serve a copy of this notice with the complaint, cross-complaint or petition on all parties in the action.

On all pleadings filed after the initial case originating filing, all parties must, to the extent it is feasible to do so, place the words "**IMAGED FILE**" in all caps immediately under the title of the pleading on all subsequent pleadings filed in the action.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION

CASE NUMBER: 37-2017-00036155-CU-MC-CTL CASE TITLE: People of the State of California vs WSC Investment Partner

NOTICE: All plaintiffs/cross-complainants in a general civil case are required to serve a copy of the following three forms on each defendant/cross-defendant, together with the complaint/cross-complaint:

- (1) this Alternative Dispute Resolution (ADR) Information form (SDSC form #CIV-730),
- (2) the Stipulation to Use Alternative Dispute Resolution (ADR) form (SDSC form #CIV-359), **and**
- (3) the Notice of Case Assignment form (SDSC form #CIV-721).

Most civil disputes are resolved without filing a lawsuit, and most civil lawsuits are resolved without a trial. The courts, community organizations, and private providers offer a variety of Alternative Dispute Resolution (ADR) processes to help people resolve disputes without a trial. The San Diego Superior Court expects that litigants will utilize some form of ADR as a mechanism for case settlement before trial, and it may be beneficial to do this early in the case.

Below is some information about the potential advantages and disadvantages of ADR, the most common types of ADR, and how to find a local ADR program or neutral. A form for agreeing to use ADR is attached (SDSC form #CIV-359).

Potential Advantages and Disadvantages of ADR

ADR may have a variety of advantages or disadvantages over a trial, depending on the type of ADR process used and the particular case:

Potential Advantages

- Saves time
- Saves money
- Gives parties more control over the dispute resolution process and outcome
- Preserves or improves relationships

Potential Disadvantages

- May take more time and money if ADR does not resolve the dispute
- Procedures to learn about the other side's case (discovery), jury trial, appeal, and other court protections may be limited or unavailable

Most Common Types of ADR

You can read more information about these ADR processes and watch videos that demonstrate them on the court's ADR webpage at <http://www.sdcourt.ca.gov/adr>.

Mediation: A neutral person called a "mediator" helps the parties communicate in an effective and constructive manner so they can try to settle their dispute. The mediator does not decide the outcome, but helps the parties to do so. Mediation is usually confidential, and may be particularly useful when parties want or need to have an ongoing relationship, such as in disputes between family members, neighbors, co-workers, or business partners, or when parties want to discuss non-legal concerns or creative resolutions that could not be ordered at a trial.

Settlement Conference: A judge or another neutral person called a "settlement officer" helps the parties to understand the strengths and weaknesses of their case and to discuss settlement. The judge or settlement officer does not make a decision in the case but helps the parties to negotiate a settlement. Settlement conferences may be particularly helpful when the parties have very different ideas about the likely outcome of a trial and would like an experienced neutral to help guide them toward a resolution.

Arbitration: A neutral person called an "arbitrator" considers arguments and evidence presented by each side and then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are usually relaxed. If the parties agree to binding arbitration, they waive their right to a trial and agree to accept the arbitrator's decision as final. With nonbinding arbitration, any party may reject the arbitrator's decision and request a trial. Arbitration may be appropriate when the parties want another person to decide the outcome of their dispute but would like to avoid the formality, time, and expense of a trial.

Other ADR Processes: There are several other types of ADR which are not offered through the court but which may be obtained privately, including neutral evaluation, conciliation, fact finding, mini-trials, and summary jury trials. Sometimes parties will try a combination of ADR processes. The important thing is to try to find the type or types of ADR that are most likely to resolve your dispute. Be sure to learn about the rules of any ADR program and the qualifications of any neutral you are considering, and about their fees.

Local ADR Programs for Civil Cases

Mediation: The San Diego Superior Court maintains a Civil Mediation Panel of approved mediators who have met certain minimum qualifications and have agreed to charge \$150 per hour for each of the first two (2) hours of mediation and their regular hourly rate thereafter in court-referred mediations.

On-line mediator search and selection: Go to the court's ADR webpage at www.sdcourt.ca.gov/adr and click on the "Mediator Search" to review individual mediator profiles containing detailed information about each mediator including their dispute resolution training, relevant experience, ADR specialty, education and employment history, mediation style, and fees and to submit an on-line Mediator Selection Form (SDSC form #CIV-005). The Civil Mediation Panel List, the Available Mediator List, individual Mediator Profiles, and Mediator Selection Form (CIV-005) can also be printed from the court's ADR webpage and are available at the Mediation Program Office or Civil Business Office at each court location.

Settlement Conference: The judge may order your case to a mandatory settlement conference, or voluntary settlement conferences may be requested from the court if the parties certify that: (1) settlement negotiations between the parties have been pursued, demands and offers have been tendered in good faith, and resolution has failed; (2) a judicially supervised settlement conference presents a substantial opportunity for settlement; and (3) the case has developed to a point where all parties are legally and factually prepared to present the issues for settlement consideration and further discovery for settlement purposes is not required. Refer to SDSC Local Rule 2.2.1 for more information. To schedule a settlement conference, contact the department to which your case is assigned.

Arbitration: The San Diego Superior Court maintains a panel of approved judicial arbitrators who have practiced law for a minimum of five years and who have a certain amount of trial and/or arbitration experience. Refer to SDSC Local Rules Division II, Chapter III and Code Civ. Proc. § 1141.10 et seq or contact the Arbitration Program Office at (619) 450-7300 for more information.

More information about court-connected ADR: Visit the court's ADR webpage at www.sdcourt.ca.gov/adr or contact the court's Mediation/Arbitration Office at (619) 450-7300.

Dispute Resolution Programs Act (DRPA) funded ADR Programs: The following community dispute resolution programs are funded under DRPA (Bus. and Prof. Code §§ 465 et seq.):

- In Central, East, and South San Diego County, contact the National Conflict Resolution Center (NCRC) at www.ncrconline.com or (619) 238-2400.
- In North San Diego County, contact North County Lifeline, Inc. at www.nclifeline.org or (760) 726-4900.

Private ADR: To find a private ADR program or neutral, search the Internet, your local telephone or business directory, or legal newspaper for dispute resolution, mediation, settlement, or arbitration services.

Legal Representation and Advice

To participate effectively in ADR, it is generally important to understand your legal rights and responsibilities and the likely outcomes if you went to trial. ADR neutrals are not allowed to represent or to give legal advice to the participants in the ADR process. If you do not already have an attorney, the California State Bar or your local County Bar Association can assist you in finding an attorney. Information about obtaining free and low cost legal assistance is also available on the California courts website at www.courtinfo.ca.gov/selfhelp/lowcost.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		<i>FOR COURT USE ONLY</i>	
STREET ADDRESS:	330 West Broadway		
MAILING ADDRESS:	330 West Broadway		
CITY, STATE, & ZIP CODE:	San Diego, CA 92101-3827		
BRANCH NAME:	Central		
PLAINTIFF(S):	People of The State Of california		
DEFENDANT(S):	WSC Investment Partners LLC et.al.		
SHORT TITLE:	PEOPLE OF THE STATE OF CALIFORNIA VS WSC INVESTMENT PARTNERS	LC [IMAGED]	
STIPULATION TO USE ALTERNATIVE DISPUTE RESOLUTION (ADR)		CASE NUMBER: 37-2017-00036155-CU-MC-CTL	

Judge: Kenneth J Medel

Department: C-66

The parties and their attorneys stipulate that the matter is at issue and the claims in this action shall be submitted to the following alternative dispute resolution (ADR) process. Selection of any of these options will not delay any case management timelines.

- | | |
|---|--|
| <input type="checkbox"/> Mediation (court-connected) | <input type="checkbox"/> Non-binding private arbitration |
| <input type="checkbox"/> Mediation (private) | <input type="checkbox"/> Binding private arbitration |
| <input type="checkbox"/> Voluntary settlement conference (private) | <input type="checkbox"/> Non-binding judicial arbitration (discovery until 15 days before trial) |
| <input type="checkbox"/> Neutral evaluation (private) | <input type="checkbox"/> Non-binding judicial arbitration (discovery until 30 days before trial) |
| <input type="checkbox"/> Other (specify e.g., private mini-trial, private Judge, etc.): _____ | |

It is also stipulated that the following shall serve as arbitrator, mediator or other neutral: (Name) _____

Alternate neutral (for court Civil Mediation Program and arbitration only): _____

Date: _____

Date: _____

Name of Plaintiff

Name of Defendant

Signature

Signature

Name of Plaintiff's Attorney

Name of Defendant's Attorney

Signature

Signature

If there are more parties and/or attorneys, please attach additional completed and fully executed sheets.

It is the duty of the parties to notify the court of any settlement pursuant to Cal. Rules of Court, rule 3.1385. Upon notification of the settlement, the court will place this matter on a 45-day dismissal calendar.

No new parties may be added without leave of court.

IT IS SO ORDERED.

Dated: 09/28/2017

JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Mara W. Elliott, City Attorney
John C. Hemmerling, Assistant City Attorney
Cheryl Shitabata, Deputy City Attorney SBN 277249
120 Third Ave Suite 700, San Diego CA 92101
TELEPHONE NO.: 619-533-5500 FAX NO.: 619-533-5504
ATTORNEY FOR (Name): People of the State of California

FOR COURT USE ONLY
RECEIVED
DIVISION
17 SEP 28 PM 1:37
CLERK SUPERIOR COURT
SAN DIEGO COUNTY, CA

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
STREET ADDRESS: 330 W Broadway
MAILING ADDRESS: 330 W Broadway
CITY AND ZIP CODE: San Diego CA 92101
BRANCH NAME: Central

CASE NAME:
People of the State of California v WSC Investment Partners, LLC et al

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000) Limited (Amount demanded is \$25,000 or less)
Complex Case Designation
 Counter Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
37-2017-00036155-CU-MC-CTL
JUDGE:
DEPT:

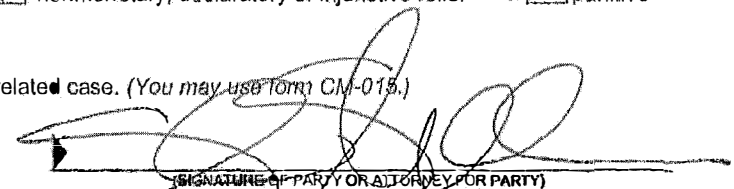
Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<input type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <input type="checkbox"/> Other PI/PD/W/D (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/W/D (23) <input type="checkbox"/> Non-PI/PD/W/D (Other) Tort <input checked="" type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input checked="" type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/W/D tort (35) <input type="checkbox"/> Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<input type="checkbox"/> Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <input type="checkbox"/> Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <input type="checkbox"/> Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<input checked="" type="checkbox"/> Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) <input type="checkbox"/> Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <input type="checkbox"/> Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a. Large number of separately represented parties
 - b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 - c. Substantial amount of documentary evidence
 - d. Large number of witnesses
 - e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 - f. Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. unllive
4. Number of causes of action (specify): One
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 9/26/2017
Cheryl Shitabata, Esq.
(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

1 MARA W. ELLIOTT, City Attorney
2 JOHN C. HEMMERLING, Assistant City Attorney
3 KATHRYN LANGE TURNER, Chief Deputy City Attorney
4 CHERYL SHITABATA, Deputy City Attorney
California State Bar No. 277249
E-mail: cshitabata@sandiego.gov

5 Office of the City Attorney
6 1200 Third Avenue, Suite 700
7 San Diego, CA 92101-4103
Telephone: (619) 533-5500
Facsimile: (619) 533-5504

Attorneys for Plaintiff

BUSINESS OFFICE
CENTRAL DIVISION
17 SEP 28 PM 1:37
CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

Exempt from fees per Gov't Code § 6103

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN DIEGO

10 THE PEOPLE OF THE STATE OF
11 CALIFORNIA,

12 Plaintiff,

13 v.

14 WSC INVESTMENT PARTNERS LLC, a
15 California limited liability company; SRM
16 INVESTMENTS LLC, a California limited
17 liability company; and A-CAL
18 CONSTRUCTION SERVICES, a sole
19 proprietorship,

Defendants.

Case No. 37-2017-00036155-CU-MC-CTL

COMPLAINT FOR INJUNCTION,
CIVIL PENALTIES, AND OTHER
EQUITABLE RELIEF

VERIFIED ANSWER REQUIRED

UNLIMITED CIVIL CASE (Amount
demanded exceeds \$10,000)

20 The People of the State of California, by and through Mara W. Elliott, City Attorney for
21 the City of San Diego, State of California, acting on information and belief, allege:

22 VENUE AND JURISDICTION

23 1. Mara W. Elliott, City Attorney for the City of San Diego, acting to protect the
24 general public from unlawful business practices, brings this suit in the public interest in the name
25 of the People of the State of California.

26 2. Pursuant to Business and Professions Code sections 17203, 17204, and 17206,
27 Plaintiff seeks to enjoin Defendants from engaging in any unlawful business practice or unfair
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1 competition as alleged in this Complaint. Plaintiff further seeks to obtain civil penalties,
2 restitution, and other remedies for the Defendants' violations of law.

3 3. Defendants at all times mentioned in this Complaint have transacted business
4 within and from the City of San Diego, State of California. The violations of law described in
5 this Complaint have been committed within and from the City of San Diego, State of California.
6 Venue of this action in the County of San Diego is mandated by California Code of Civil
7 Procedure section 393.

8 **DEFENDANTS**

9 4. Defendant WSC INVESTMENT PARTNERS LLC is, and at all times mentioned
10 herein was, a California limited liability company, doing business in the State of California and
11 within the City of San Diego with its registered principal office located at 5964 Mission Center
12 Road, Suite 602 #630, San Diego, California 92108.

13 5. SRM INVESTMENTS LLC is, and at all times mentioned herein was, a
14 California limited liability company, doing business in the State of California and within the City
15 of San Diego with its registered principal office located at 5964 Mission Center Road, Suite 602
16 #630, San Diego, California 92108 and having a previous registered principal office located at
17 5330 Carroll Canyon Road #200, San Diego, California 92121.

18 6. A-CAL CONSTRUCTION SERVICES is, and at all times mentioned herein was,
19 a sole proprietorship doing business in the State of California and within the City of San Diego
20 with its Southern California office located at 1761 Hotel Circle South #380, San Diego,
21 California, 92108, and having previously done business out of an office located at 5465 Gains
22 Street, San Diego, California 92110.

23 7. The Defendants identified in Paragraphs 4 through 6 above are referred to
24 collectively in the Complaint as "Defendants."

25 8. Whenever reference is made in this Complaint to any representation, act, or
26 transaction of any business that is a Defendant, such allegation shall mean that such business did
27 the representation, act, or transaction alleged in the complaint through its managers, members,
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1 owners, principals, officers, directors, employees, agents, and/or representatives while they were
2 acting within the actual or ostensible scope and course of their employment duties.

3 9. At all relevant times, Defendants have controlled, directed, formulated, known,
4 approved of, and/or agreed to the various acts and practices, failures to act, or omissions of each
5 of the other Defendants.

6 10. Each Defendant committed the acts, caused or directed others to commit the acts,
7 or permitted others to commit the acts alleged in this Complaint.

8 11. Except as otherwise alleged, whenever in this Complaint reference is made to any
9 act or omission of one or more of the Defendants, such shall be deemed to mean the act of each
10 and every Defendant acting individually, jointly, and severally.

11 **FIRST CAUSE OF ACTION:**
12 **VIOLATION OF BUSINESS AND PROFESSIONS CODE SECTION 17200**
13 **(UNFAIR COMPETITION)**

14 12. Plaintiff re-alleges and incorporates by reference here all allegations contained in
15 Paragraphs 1 through 11 of this Complaint as though set forth here in their entirety.

16 13. Plaintiff is informed and believes and therefore alleges that, beginning on an exact
17 date unknown to Plaintiff, but within four years prior to the filing of this Complaint, Defendants,
18 and each of them, engaged in acts or practices that constitute unfair competition in violation of
19 Business and Professions Code section 17200, when they committed one or more unlawful,
20 unfair, or fraudulent business acts, omissions, or practices. Such acts, omissions, or practices
21 engaged in by Defendants include, but are not limited to, the following:

22 A. Disposing of or causing the disposal of a hazardous or extremely hazardous
23 waste at a point that is not authorized in violation of California Health and
24 Safety Code section 25189.2(c).

25 B. Violating a permit, rule, regulation, standard, or requirement issued or adopted
26 pursuant to Chapter 6.5 of the Health and Safety Code, to wit: failing to make
27 a hazardous waste determination as required by California Code of
28 Regulations, Title 22, section 66262.11, a violation of California Health and
Safety Code section 25189.2(b).

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C. Violating a permit, rule, regulation, standard, or requirement issued or adopted pursuant to Chapter 6.5 of the Health and Safety Code, to wit: failing to abide by accumulation times as required by California Code of Regulations, Title 22, section 66262.34, a violation of California Health and Safety Code section 25189.2(b).

D. Violating any standard, order, or special order deemed to be a serious violation of Labor Code section 6432, in violation of Labor Code section 6423.

14. Unless enjoined by this Court, Defendants, and each of them, will or may continue to engage in unfair competition as alleged above.

PRAYER

Plaintiff prays for judgment against Defendants, and each of them, as follows:

1. That pursuant to Business and Professions Code sections 17203, and the Court's inherent equity powers, Defendants and their managers, members, owners, employees, agents, representatives, successors, assignees, and all natural persons, corporations, sole proprietorships, limited liability companies, or other entities acting under, by, through, on behalf of, or in concert with Defendants, be preliminarily and permanently enjoined and restrained from engaging in or performing, directly or indirectly, any acts or practices of unfair competition as set forth in Paragraphs 12 to 14 above.

2. That pursuant to Business and Professions Code section 17206, Defendants, and each of them, be assessed a civil penalty of two thousand five hundred dollars (\$2,500) for each and every violation of Business and Professions Code section 17200, as proven at trial.

3. That Plaintiff recover its costs, including its costs of investigation and prosecution, and those of other law enforcement or regulatory agencies as appropriate; and

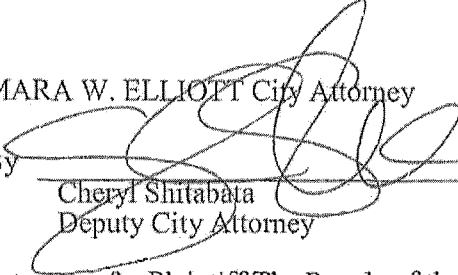
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4. That Plaintiff have such other and further relief as the nature of the case may require and the Court deems appropriate.

Dated: September 20, 2017

MARA W. ELLIOTT City Attorney

By 
Cheryl Shirabata
Deputy City Attorney

Attorneys for Plaintiff The People of the State of California