

**SUMMONS**  
**(CITACION JUDICIAL)**

**SUM-100**

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**  
U.F. Union International Food, Inc.

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

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**  
David Navarrette, an individual

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

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

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

*Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)) o poniéndose en contacto con la corte o el colegio de abogados locales.*

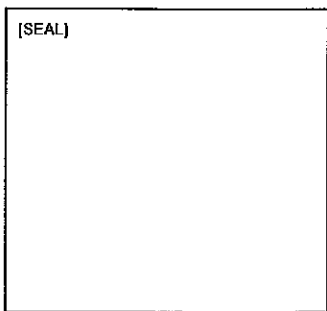
The name and address of the court is:  
*(El nombre y dirección de la corte es):*  
Los Angeles Superior Court  
415 West Ocean Blvd.  
415 West Ocean Blvd.  
Long Beach, CA 90802  
Long Beach Courthouse

CASE NUMBER:  
*(Número del Caso):*

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
*(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):*  
John H. Gomez (171485) 619-237-3490 619-237-3496  
The Gomez Law Firm  
625 Broadway, Suite 1200

DATE: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy  
*(Fecha)* *(Secretario)* *(Adjunto)*

*(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)*  
*(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).*



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

1.  as an individual defendant.
2.  as the person sued under the fictitious name of *(specify)*:
3.  on behalf of *(specify)*:  
under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other *(specify)*:
4.  by personal delivery on *(date)*:



1 with its headquarters and principal place of business in California.

2 5. The venue of this action is proper in Los Angeles County because Defendant transacts  
3 business in Los Angeles County, Plaintiff resides in Los Angeles County, and a substantial portion of  
4 the events giving rise to Plaintiff's claims occurred in Los Angeles County.

5 **FACTUAL ALLEGATIONS**

6 6. Plaintiff hereby incorporates paragraphs 1 through 5 above.

7 7. In March of 2009, health officials in California, Nevada, Oregon, and Washington  
8 discovered that over 40 persons had become contaminated with a very rare strain of salmonella named  
9 Salmonella Rissen. A collective epidemiological investigation by the state health departments  
10 revealed that this strain of salmonella had originated from spices (particularly white and black pepper)  
11 manufactured by Defendant and distributed to restaurants in California and neighboring states.

12 8. On or about March 20, 2009, Plaintiff consumed food at a restaurant. Within 48 hours,  
13 Plaintiff became violently ill and experienced severe dehydration, diarrhea, fever, and abdomen pain.  
14 He sought medical treatment on March 23 and provided a stool sample.

15 9. Ultimately, Plaintiff would learn from health officials that his stool sample tested  
16 positive for the strain of Salmonella Rissen that matched an identical genetic strain of Salmonella  
17 Rissen found in Defendant's spices – thus confirming that Plaintiff had become ill from consuming the  
18 contaminated spices.

19 **FIRST CAUSE OF ACTION – STRICT PRODUCTS LIABILITY AND BREACH OF**  
20 **IMPLIED AND EXPRESS WARRANTY**

21 10. Plaintiff hereby incorporates paragraphs 1 through 9.

22 11. On or about March 20, 2009 and thereafter, Plaintiff was injured by the consumption of  
23 spices manufactured and distributed by Defendant.

24 12. Defendant knew the spices would be purchased and used without inspection for defects.  
25 The spices were defective when they left Defendant's control. The spices at the time of injury were  
26 being used in the manner intended by Defendant. The spices at the time of injury were being used in a  
27 manner that was reasonably foreseeable by Defendant as involving a substantial danger not readily  
28 apparent. Adequate warnings of the danger were not given.



