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13 **NO FEE - GOV'T CODE §6103**

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

16 THE PEOPLE OF THE STATE OF CALIFORNIA,
17 Plaintiff,

18 vs.

19 MIGUEL ANGEL JAUREZ DOMINGUEZ aka
20 MIGUEL ANGEL DOMINGUEZ aka MIGUEL
21 JUREZ DOMINGUEZ aka MIJUEL JUAREZ aka
22 MIGUEL SUAREZ, individually and doing
23 business as OPCION NATURAL aka VITAMIN
24 ZONE aka A & L BEAUTY aka EXCELLENT
25 NUTRITION; ARACELI RAMIREZ, an individual;
26 HECTOR MANUEL BECERRA, JR. aka
27 HECTOR BECERRA, individually and doing
28 business as OPCION NATURAL; HAYLEEN
GRAMAJO JUAREZ, individually and doing
business as NEW LIFE NATURALS; MIGUEL A.
JUAREZ aka MIGUEL ANGEL JUAREZ aka
MIGUEL JUAREZ, JR. aka MIGUEL JUAREZ,
individually and doing business as NEW LIFE
NATURALS and as Trustee of THE MI QUERIDO
MEXICO TRUST DATED SEPTEMBER 23, 2010;
ROSAURA RAMIREZ JUAREZ aka ROSAURA
JUAREZ, individually and doing business as
BETTER NATURALS; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: **19STCV34117**

**COMPLAINT FOR INJUNCTION AND
CIVIL PENALTIES; [BUSINESS &
PROFESSIONS CODE § 17200, ET
SEQ.]**

[Unlimited Action]

1 PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

2 I. INTRODUCTION

3 1. This action, brought and prosecuted by Plaintiff, the People of the State
4 of California (the "People"), arises from Defendant's MIGUEL ANGEL JUAREZ DOMINGUEZ,
5 ("DOMINGUEZ") his wife ARACELI RAMIREZ ("RAMIREZ"), and their children, MIGUEL
6 ANGEL JUAREZ ("JUAREZ") and ROSURA JUAREZ (collectively "DOMINGUEZ FAMILY")
7 and HECTOR MANUEL BECERRA ("BECERRA"), (collectively "DEFENDANTS" and DOES 1
8 through 50 ongoing violations of the Unfair Competition Law ("UCL"), Business and
9 Professions Code ("B&P") § 17200, et seq., to wit: possession and sales of misbranded
10 pharmaceuticals in violation of Health and Safety Code ("H&S") § 111440 and the UCL; illegal
11 dispensing and furnishing of dangerous prescription drugs and controlled substances without
12 a license, in violation of H&S § 11352.1 and the UCL; possession for sale and sales of
13 counterfeit pharmaceuticals in violation of California Penal Code ("PC") § 350(a) and the UCL
14 ("Action").

15 One Family, Four (4) Businesses Sales of Illegal, Misbranded, Counterfeit Pharmaceuticals

16 2. Multiple investigations over more than a decade by Deputies from the Los
17 Angeles Sheriff's Department ("LASD") and private investigators revealed that the
18 DOMINGUEZ FAMILY and their agents sell illegal, dangerous and counterfeit
19 pharmaceuticals (including but not limited to, anti-seizure medications, injectable birth control,
20 blood pressure medication and steroids). Illegal injections are routinely provided by
21 Defendants, anti-biotics are dispensed out without prescriptions contributing to anti-biotic
22 resistance which reduces the efficacy of pharmaceuticals for the general public and especially
23 for immuno-compromised individuals, such as cancer patients. Despite multiple search
24 warrants, arrests and multiple convictions, DOMINGUEZ FAMILY members continue their
25 dangerous and illegal acts. This civil enforcement action is brought by the People of the State
26 of California to enjoin the DOMINGUEZ FAMILY and co-conspirators from engaging in these
27 illegal and dangerous acts, to permanently close the storefront businesses where they
28 operate, and assess significant civil penalties against them for their violations of the Unfair

1 Competition Law.

2 3. LASD investigations determined that DOMINGUEZ FAMILY MEMBERS own,
3 operate and control (3) three storefront businesses in the City of Los Angeles, and one (1)
4 business in the City of South Gate, CA. DEFENDANTS have also stored thousands of illegal
5 pharmaceuticals in the home they all share in Montebello, California. The DOMINGUEZ
6 FAMILY members that operate the businesses all share the same residence in Montebello,
7 which is owned by a trust. Miguel Angel Juarez Dominguez is the trustee of the trust, and
8 owner of Los Tres Toros. DEFENDANTS are not licensed pharmacists, and their businesses
9 are not pharmacies. On information and belief, the People allege that all four businesses are
10 run by members of the DOMINGUEZ FAMILY and their associates. The four storefront
11 businesses are:

- 12 (1) Opcion Natural, formerly A&L Beauty, aka Excellent Nutrition, located at
13 1826/1828 James M. Wood Boulevard in Los Angeles ("Opcion Natural");
- 14 (2) New Life Naturals, located at 708 Hartford Avenue in Los Angeles ("New Life
15 Naturals");
- 16 (3) Better Naturals, located at 730 S. Alvarado Street #7, Los Angeles ("Better
17 Naturals");
- 18 (4) Los Tres Toros, 12101 Garfield Avenue, South Gate, ("Los Tres Toros").

19 The Mi Querido Mexico family trust, Trustee, Miguel Angel Juarez Jr.

20 The DOMINGUEZ FAMILY members that operate the above businesses all share the same
21 residence in Montebello, which is owned by the "Mi Querido Mexico" Trust, dated September
22 23, 2010. The trustee is the son of DOMINGUEZ and RAMIREZ. On information and belief,
23 Plaintiff alleges that the illegal proceeds of DEFENDANTS unlawful pharmaceutical
24 operations were and are used in the creation and maintenance of the Trust, and the trust
25 assets, including DEFENDANTS' home.

26 Three Prior Convictions: Unlicensed Practice of Medicine, Dispensing Dangerous Drugs

27 4. The patriarch of the family, DOMINGUEZ, has been arrested and convicted of
28 crimes related to the Unlicensed Practice of Medicine and Dispensing Dangerous Drugs

1 pharmaceuticals on at least three (3) occasions. In 2003, DOMINGUEZ was convicted of
2 practicing medicine without a license in case LAA3CR026330 and sentenced to three (3)
3 years formal probation and fined \$500. In 2012, DOMINGUEZ and several family members
4 and associates were convicted for offenses related to the illegal sales of pharmaceuticals.
5 The 2012 case number was 2CA01142, DOMINGUEZ was convicted of Business and
6 Professions Code section 2052(a), the Unlawful Practice of Medicine, and Health and Safety
7 Code section 11352.1, Dispensing Dangerous Drugs without a license. He was sentenced to
8 120 days in jail and given 36 months of probation. In 2015, DOMINGUEZ was again convicted
9 of the Unlawful Practice of Medicine (B&P 2052A) and sentenced to 180 days in jail and given
10 three (3) years of formal probation in a felony case, number BA432094.

11 5. Since at least 2010, DOMINGUEZ has sold dangerous, illegal and counterfeit
12 pharmaceuticals from a storefront at 1826 and 1828 West James M. Wood Boulevard, which
13 he controls with his wife RAMIREZ. DOMINGUEZ has not only continued to sell dangerous
14 and illegal pharmaceuticals after being convicted, but has enlisted family members in the
15 ongoing pharmaceutical sales conspiracy and expanded the illegal operation from one (1)
16 store to four (4) stores. During the investigation, RAMIREZ told investigators that she was a
17 certified nurse in Mexico, and that she has a connection who supplies her with the illegal
18 pharmaceuticals. Since 2011, law enforcement has served multiple search warrants on three
19 occasions (2011, 2014 and 2018) at storefront businesses and the residence controlled by the
20 DOMINGUEZ FAMILY, each time resulting in the seizure of cash and thousands of
21 dangerous pharmaceuticals. The service of multiple warrants on three different occasions has
22 required an enormous amount of law enforcement resources. The People allege on
23 information and belief that DOMINGUEZ and his family members control, direct, assist,
24 supply, profit from and facilitate the illegal sales of pharmaceuticals at all four businesses.

25 1826/28 James M. Wood Boulevard – Dangerous Injections, Sickened Consumers

26 6. Opcion Natural is located in an unremarkable, single story commercial building at
27 1826 and 1828 West James M. Wood Boulevard. The exterior is green and white with black
28 rod iron bars on the windows and glass entrance doors. For several years, above the door

1 was blue on white lettering reading "A&L" in stylized script. Employees at Opcion Natural
2 openly sell beauty products, herbal remedies, vitamins, creams, ointments, and covertly sell
3 dangerous, misbranded and counterfeit pharmaceuticals, including antibiotics injectable anti-
4 inflammatories along with syringes to inject the drugs. When investigators went to Opcion
5 Natural they were repeatedly offered illegal pharmaceuticals. Unlike a legitimate pharmacy,
6 the pharmaceuticals were stored in clandestine locations that were hidden from view.

7 7. On January 29th, 2010, a mother and her adult son were hospitalized as a result
8 of receiving injections of a penicillin-eucalyptus mixture at what was then known as "Excellent
9 Nutrition" at 1828 James M. Wood Blvd. (now known as Opcion Natural). The mother and son
10 had flu symptoms and went to the business for a remedy. An employee of the business
11 administered the shots to both mother and son in a back room. The mother suffered an
12 allergic reaction almost immediately resulting in tremors and dizziness, and fell to the ground
13 without warning while in the business. ROSURA JUAREZ, the daughter of DOMINGUEZ and
14 RAMIREZ, drove the mother to the hospital where she was admitted for treatment. While
15 waiting for his mother at the hospital, the son felt he wanted to vomit, and became dizzy and
16 nauseated. The son was admitted to the hospital five days later due to abdominal pain and
17 vomiting. This incident led to an investigation of Opcion Natural, and eventually the
18 DOMINGUEZ FAMILY. During repeated investigations Deputies from the Los Angeles County
19 Sheriff's Department (LASD) became aware of additional storefront businesses selling
20 dangerous and illegal pharmaceuticals, all related to the DOMINGUEZ FAMILY.

21 8. In December 2011, law enforcement served search warrants at Excellent
22 Nutrition and J&R Beauty Supply (1826 and 1828 James M. Wood Blvd), Vitamin Zone (730
23 S. Alvarado, Space #7), and at the DOMINGUEZ FAMILY residence in Montebello, California.
24 Hundreds of drugs, large amounts of cash, and controlled substances were seized pursuant
25 to those search warrants. DOMINGUEZ, his wife RAMIREZ, their children MIGUEL JUAREZ
26 and ROSURA JUAREZ, and several associates were convicted in 2012 for offenses related to
27 the illegal sale of pharmaceuticals.

28 9. The lucrative and illegal sale of dangerous pharmaceuticals by the DOMINGUEZ

1 FAMILY continued thereafter, leading to additional law enforcement actions. During an August
2 6, 2014, search warrant at the Opcion Natural, law enforcement again recovered extensive
3 amounts of illegal and misbranded pharmaceuticals hidden in unusual places including ceiling
4 compartments, containers and *even stored behind wall paintings*; DOMINGUEZ was arrested,
5 prosecuted and convicted in the above mentioned 2015 criminal case.

6 10. Although DOMINGUEZ filed a statement of abandonment for Opcion Natural in
7 2015, the People allege on information and belief that DOMINGUEZ still controls that
8 business and is responsible for the illegal activity. Sales of illegal pharmaceuticals from
9 storefront business controlled by the DOMINGUEZ FAMILY continued in 2015, 2016, 2017,
10 2018 and 2019. HECTOR MANUEL BECERRA is listed as the owner of the business in a
11 2017 document filed with the City of Los Angeles Office of Finance. Coincidentally, Hector
12 Becerra is also the name of the security guard that worked at Opcion Natural listed in a 2016
13 LAPD crime report taken at Opcion Natural. Employees at the business reported that
14 DOMINGUEZ was still in control of the location even after the statement of abandonment was
15 filed.

16 730 S. Alvarado Los Angeles, CA - Better Naturals

17 11. "Better Naturals" (formerly "Vitamin Zone") is located at 730 S. Alvarado. The
18 business sells herbal remedies and over the counter medications. Illegal and misbranded
19 pharmaceuticals were purchased at the businesses by undercover investigators. An October
20 3, 2012, "Fictitious Business Name" or "Doing Business As" (DBA) filed with Los Angeles
21 County lists ROSURA JUAREZ, the daughter of DOMINGUEZ as the business owner. The
22 DBA expired in October of 2017, no renewal record was found during a search in May of
23 2019. The 2012 form also lists the DOMINGUEZ FAMILY home at 101 Lincoln Ave in
24 Montebello as the address on the DBA (Doing Business As, or Fictitious Business Name) for
25 Better Naturals. No City of Los Angeles Business Tax Registration Certificate is filed under
26 the name Better Naturals or for address 730 or 732 S. Alvarado even though it is required
27 under the Los Angeles Municipal Code. During a 2018 undercover purchase of illegal
28 pharmaceuticals, an employee at the business told an investigator that ARACELI (the wife of

1 DOMINGUEZ) was still the owner of Better Naturals.

2 708 S. Hartford Los Angeles, CA - New Life Naturals,

3 12. "New Life Naturals" at 708 S. Hartford sells herbal remedies and over the counter
4 medications and is operated by DOMINGUEZ's son MIGUEL ANGEL JUAREZ, and
5 DOMINGUEZ's daughter in law, HAYLEEN GRAMAJO JUAREZ. A September 2012,
6 Fictitious Business Name Statement for New Life Naturals indicated that HAYLEEN
7 GRAMAJO JUAREZ operated the business. In 2015, the Fictitious Business Name was
8 amended to list HAYLEEN GRAMJO JUAREZ and MIGUEL ANGEL JUAREZ operating the
9 business and indicates they are a married couple. A Lexis search indicates that the couple
10 also shares an address with their parents at the DOMINGUEZ FAMILY home at 101 Lincoln
11 Avenue in Montebello. Illegal and misbranded pharmaceuticals were repeatedly purchased at
12 New Life Naturals by undercover investigators.

13 Los Tres Toros – 12101 Garfield Avenue, South Gate, CA

14 13. "Los Tres Toros" is a Meat Market in South Gate, California. LASD
15 investigations into dangerous and illegal pharmaceuticals connected "Los Tres Toros" to the
16 DOMINGUEZ FAMILY. Behind the register, LASD Deputies saw a California State Board of
17 Equalization sellers permit with the name "Miguel Angel Juarez Dominguez" (DOMINGUEZ)
18 printed on it. There was also an LA County Public Health permit in DOMINGUEZ's name with
19 an address of 101 Lincoln Ave. Montebello, CA. An LA County Fictitious Business Name filed
20 on October 18, 2017, expiring October 18, 2022, lists Miguel Angel Juarez, 101 Lincoln
21 Avenue, Montebello, CA doing business as Los Tres Toros Meat Market. In April of 2018,
22 undercover investigators purchased illegal prescription medications from employees at Los
23 Tres Toros. In May of 2018, LASD Deputies served a search warrant at Los Tres Toros and
24 recovered illegal pharmaceuticals; the employees identified DOMINGUEZ and RAMIREZ as
25 the owners and persons in control of Los Tres Toros.

26 14. In May of 2018, LASD Deputies also served search warrants at the home and
27 other businesses controlled by members of the DOMINGUEZ FAMILY and recovered
28 extensive amounts of illegal and dangerous pharmaceuticals. All of the above has led to this

1 Action by the Los Angeles City Attorney's Office, this time a Civil Enforcement Action, on
2 behalf of the People of the State of California, intended to close all four storefront locations,
3 assess significant civil penalties for past violations and restrict the future business activities of
4 members of the DOMINGUEZ FAMILY, their co-conspirators and agents.

5 Conspiracy

6 15. DEFENDANTS and their agents knowingly conspired to sell, and sold various
7 combinations of unlicensed, illegal, misbranded and counterfeit¹ pharmaceuticals in violation of
8 California Penal Code section 182, Health and Safety Code sections 111440 and 11352.1,
9 Penal Code section 350(a), and the California Unfair Competition Law (Business and
10 Professions Code section 17200 et seq.) ("UCL").

11 16. Repeated criminal convictions and multiple search warrants have not stopped
12 DOMINGUEZ, his wife RAMIREZ, or their family members and associates from engaging in
13 illegal sale of misbranded, dangerous and counterfeit pharmaceuticals from four (4) storefront
14 locations. DEFENDANTS collectively committed *at least* 13,848 violations of the UCL. These
15 determinations, based on undercover operations, likely greatly understate the amount and
16 value of DEFENDANTS' *illegal* business practices during the statute of limitations period. The
17 People have an inadequate remedy at law, and bring this action in equity to allow the Court to
18 invoke its wide-ranging powers to protect the People of the State of California. The People now
19 seek, through this action, the closure of DEFENDANTS' four (4) businesses, a permanent
20 injunction barring DEFENDANTS from illegally possessing or selling pharmaceuticals in the
21 future, and civil penalties to address the prior and ongoing illegal acts.

22 Overview of Pharmaceutical Terms

23 17. DEFENDANTS have, since a time unknown, but at least since 2010, put
24 consumers at risk through their unlawful business practices of selling dangerous, misbranded
25 and counterfeit pharmaceuticals. For the convenience of the Court, the following definitions are
26

27 _____
28 ¹ "Counterfeit" goods refer to trademark offenses in violation of California Penal Code § 350(a)1 or (a)2.

1 offered to clarify and distinguish the different illegal acts.

2
3 **A. Controlled Substances**

4 A controlled substance is a drug, which has been declared by federal or state officials
5 as illegal for sale or use, but may be dispensed under a physician's prescription. The
6 Controlled Substances Act (CSA) divides drugs into five schedules, based on whether
7 they have a currently accepted medical use in the United States, their relative abuse
8 potential, and the likelihood of causing dependence when abused. Title 21 USC
9 1308.11 et seq.

10 **B. Dangerous Drugs**

11 This refers to medications that are considered unsafe for self-use or self-initiation in
12 humans and animals. A prescription from a designated licensed healthcare provider is
13 required for this drug. Dangerous drugs include, but are not limited to, controlled
14 substances. *B&P § 4022.*

15
16 **C. Illegal Dispensing/Furnishing of Dangerous Prescription Drugs and Controlled
17 Substances:**

18 This prohibition applies only to dangerous drugs. A dangerous drug may only be
19 dispensed from a licensed pharmacy by a designated licensed healthcare provider. The
20 Defendants in this case dispensed dangerous, addictive, counterfeit and illegal drugs
21 from their storefront business. Defendants did not operate a licensed pharmacy, and
22 they are not pharmacists. *B&P § 4036, 4037.*

23 **D. Misbranded Pharmaceuticals**

24 The Federal Food Drug and Cosmetic Act prohibits the distribution of misbranded
25 dangerous drugs in interstate commerce that are not approved for sale by the FDA or
26 obtained outside the licensed supply chain in the U.S. "Misbranded" is a broad term,
27 which could include a dangerous and untested drug from another country. A drug could
28

1 also be misbranded because, although otherwise effective, it has improper or
2 misleading packaging or lacks proper labeling. As a result, such inadequate labeling
3 could endanger a consumer who takes an incorrect dosage of the drug, or is harmed by
4 a lack of warnings about dangerous interactions of particular drugs. Misbranded
5 pharmaceuticals are also prohibited under the California Health and Safety Code. *H&S*
6 § 111375, 111397.

7
8 **E. Counterfeit Drugs**

9 Counterfeit drugs threaten consumers because they often contain the wrong dosage,
10 wrong active ingredients or no active ingredients, and are often prepared in dirty,
11 unregulated factories. Drugs, and other goods, are counterfeit when the unlawfully
12 possess the trademark of another, (See PC 350(a)). Counterfeit drugs are not,
13 strictly speaking, harmful by definition. However in practice, counterfeit drugs have
14 killed thousands of consumers worldwide, including at least 100 children in Panama,
15 who ingested counterfeit cough-medicine containing diethylene glycol.²

16 **II. PARTIES**

17 18. Plaintiff is the People of the State of California, acting through the City Attorney
18 of the City of Los Angeles, Michael N. Feuer, and brings this action under Business and
19 Professions Code §17200, *et seq.*, commonly known as the Unlawful Competition Law or
20 "UCL." Civil actions under §17200 may be brought in the name of the People of the State of
21 California by any city attorney of a city having a population in excess of 750,000. (B& P,
22 §17204.) The City of Los Angeles has a population in excess of 750,000.

23 DEFENDANTS and their Businesses

24 19. DOMINGUEZ is the patriarch of the family business, i.e. the sales of misbranded,
25 illegal and counterfeit pharmaceuticals. DOMINGUEZ's wife, RAMIREZ, is involved in the
26

27
28 ² "From China to Panama, a Trail of Poisoned Medicine" The New York Times, May 6, 2007.
<<http://nytimes.com/2007/05/06/world/americas/06poison.html>> Accessed 5/22/27.

1 business and has been arrested and convicted with him. DOMINGUEZ's children are also
2 involved in the family pharmaceutical business. None of the DOMINGUEZ FAMILY are
3 licensed medical practitioners.

4 20. An internet search for DOMINGUEZ and Excellent Nutrition at 1826 James M.
5 Wood Boulevard³ reveals an LASD press release detailing pharmaceutical related crimes by
6 DOMINGUEZ going back at least 16 years. In 2003, DOMINGUEZ was convicted of illegally
7 selling dangerous drugs. The location of the 2003 conviction is unknown to the People as of
8 the drafting of this complaint. In 2012, DOMINGUEZ, his wife RAMIREZ, their son Miguel
9 JUAREZ and their daughter ROSURA JUAREZ, and five (5) associates were charged with
10 illegally selling dangerous drugs from 1826/1828 James M. Wood Boulevard. That article
11 states that DOMINGUEZ and RAMIREZ were the co-owners of the business now known as
12 Opcion Natural. Investigators searched the website askmed.com and determined that it listed
13 Miguel Angel Juarez Dominguez (DOMINGUEZ) as "Mijuel Juarez, MD" at 1828 James M.
14 Wood Boulevard in the City of Los Angeles. In 2014, DOMINGUEZ was again arrested at
15 1828 James M. Wood pursuant to a search warrant. The Los Angeles City Attorney's Office
16 charged DOMINGUEZ with the Unauthorized Practice of Medicine in May of 2015.
17 DOMINGUEZ and his wife RAMIREZ own a home at 101 West Lincoln Ave, Montebello, CA
18 90640.

19 21. DOMINGUEZ, his family and their agents, have brazenly continued to sell
20 pharmaceuticals from the Business even after being arrested and convicted. Records
21 searches by private investigators linked multiple health related businesses to DOMINGUEZ
22 under names sounding very similar to his names at the same addresses as Opcion Natural. A
23 records search of businesses at or near 1826/1828 James M. Wood Boulevard revealed a
24 company called "Excellent Nutrition" registered to Mijuel Juarez; and a company named Miguel
25 Angel Juarez Dominguez doing business as (DBA) Opcion Natural. Opcion Natural was
26 registered on September 13, 2013, and a statement of abandonment was filed on January 5,
27

28 ³ "L.A. Business Owners, Operators Charged with Illegal Practice of Medicine -- Health Authority Law Enforcement Task Force (HALT)" <<https://local.nixle.com/alert/4825563>>, May 11, 2012, accessed 6/10/19.

1 2016, both times Miguel Juarez Dominguez (DOMINGUEZ) was listed as the filing party. On
2 January 5, 2016, a Fictitious Business Name for Opcion Natural at 1826 James M. Wood Blvd.
3 was filed by Suzana Garibay Gomez with a return address at 1826 James M. Wood Blvd., the
4 identical address used by DOMINGUEZ. On February 22, 2017, an amended Fictitious
5 Business Name Statement was filed by Hector Manual Becerra Jr. doing business as Opcion
6 Natural, also at 1826 James M. Wood Blvd. LA, CA 90006.

7 22. On information and belief, the People allege that DOMINGUEZ continues to own
8 and operate the Business even after filing a notice of abandonment. On April 19, 2016, a Los
9 Angeles Police Department ("LAPD") report documented a gang-related violent crime at 1826
10 James M. Wood Blvd. in which DOMINGUEZ and his daughter ROSURA JUAREZ were
11 present. DOMINGUEZ told police he was a customer at the business. ROSURA JUAREZ was
12 at the rear of the store sorting through items. Both were present despite having officially sold
13 the Business. A man identified as Hector BECERRA (the same name on the February 22,
14 2017 Fictitious Business Name Statement) was present and listed as the armed security
15 guard. BECERRA said he was hired "yesterday" (April 18, 2016). The Business continues to
16 be a family affair. Investigators determined that an employee named Laura, last name
17 unknown, is the niece of DOMINGUEZ and was repeatedly seen working at the business with
18 DOMINGUEZ while illegal pharmaceuticals were sold. Laura also sold illegal pharmaceuticals
19 directly to an undercover investigator. As late as June of 2017 employees at the business told
20 undercover investigators that DOMINGUEZ was still the owner of the business, approximately
21 two years after the statement of abandonment of the business was filed.

22 23. The true names and capacities, whether individual, corporate, associate, agent,
23 or otherwise, of the Defendants named herein as Does 1 through 50, inclusive, are unknown to
24 Plaintiff, who therefore sues said Defendants by such fictitious names pursuant § 474 of the
25 California Code of Civil Procedure. Plaintiff alleges on information and belief that each such
26 Defendant is responsible in some manner for the violations alleged herein. When the true
27 names and capacities of said Defendants have been ascertained, Plaintiff will ask leave of the
28

1 court to amend this complaint and to insert in lieu of such fictitious names the true names and
2 capacities of any fictitiously named Defendants.

3 24. At all relevant times mentioned herein, Defendants and all Defendants sued as
4 Doe Defendants, were and are agents, assignees, representatives, and/or lessors, and/or
5 lessees, servants and/or employees, partners and/or co-conspirators and/or joint venture(s) of
6 each other Defendant, and at all times were acting within the course and scope of said
7 relationship and with the consent of each of their co-Defendants.

8 **III. OVERVIEW OF TRADEMARK LAW AND COUNTERFEIT GOODS**

9 25. The owners of trademarks receive substantial protection under both federal
10 and state laws. Although Plaintiff does not assert a violation of federal law, it is nonetheless
11 instructive as California and most state trademark statutes are modeled on, and enhanced by,
12 federal law.

13 A. **Trademark Defined.** A trademark includes any word, name, symbol or
14 device or combination intended to be, or used in commerce, to identify and distinguish
15 the goods of one manufacturer or seller from others, and to indicate the source of the
16 goods. In short, a trademark is a brand name. An example of a trademark is "Nike" as in
17 Nike shoes. The name "Nike" and the well-known Nike "swoosh" symbol are both
18 trademarks. Trademarks are often confused with "Copyrights" and "Patents." Copyrights
19 protect literary, artistic and musical works. "Patents" protect inventions and new or
20 improved processes.

21 B. **Federal Trademark Protection (The Lanham Act).** Trademarks are
22 governed primarily by the Federal Lanham Act, which is found in Title 15, Chapter 22 of
23 the U.S. Code. Federal law provides a process of registration through the United States
24 Patent and Trademark Office (USPTO), and prohibits trademark infringement.
25 Infringement includes the unauthorized use of a protected trademark, or use of a
26 confusingly similar trademark. State trademark laws also provide protections and a
27 registration scheme, typically modeled on federal law and USPTO practices.

28 C. **California Trademark Protection.** California law protects trademarks

1 through a registration scheme maintained by the California Secretary of State, and via
2 civil and criminal statutes. California Business and Professions Code §14200 et seq.,
3 governs trademarks and provides for injunctive relief for infringement.

4 (See B&P § 14247 (a)). The seizure of counterfeit⁴ goods is authorized under B&P §
5 14250 (b) & (e).

6 D. **California Criminal Penalties for Trademark Infringement.** The
7 California Penal Code provides felony and misdemeanor penalties for trademark
8 infringement. California Penal Code § 350(a) states: "Any person who willfully
9 manufactures, intentionally sells, or knowingly possesses for sale, any counterfeit mark
10 registered with the [California] Secretary of State or registered on the Principal Register
11 of the United States Patent and Trademark Office [USPTO], shall, upon conviction, be
12 punishable as follows:"

13 (1) Penal Code § 350(a)(1)-(misdemeanor) violations involving less than
14 1,000 counterfeit items, or with a retail value of less than required for grand theft, per
15 Penal Code § 487 (currently \$950);

16 (2) Penal Code § 350(a)(2)-(felony) violations involving 1,000 or more
17 counterfeit items, or with a retail value of equal or more than required for grand theft,
18 per Penal Code § 487 (currently \$950).

19 A second conviction for Penal Code § 350(a)(1) may be punished as a felony or
20 a misdemeanor pursuant to Penal Code § 350(b).

21 26. **Effect of Counterfeit Goods on Legitimate Businesses and Government.**

22 The sale of counterfeit goods is not a "victimless" crime. Counterfeit goods deprive
23 trademark and copyright owners, retailers, and governments of legitimate income and create a
24 disincentive for the creation of new and innovative products. Trademark owners follow the rule
25 of law and expend time and money to register their trademarks. Legitimate retailers also pay
26

27 ⁴ California Business and Professions code § 14202(n) defines "counterfeit" as a spurious trademark, service
28 mark, collective mark, or certification mark that is identical to, or substantially indistinguishable from, a registered
mark that is used on or in connection with goods or services or any labels or packaging or components.

1 business taxes, insurance and other costs of running a lawful business. Counterfeit goods
2 sellers typically sell their goods for cash, provide no receipt and neither charge nor pay taxes.
3 Counterfeit goods sellers typically do not pay business taxes or have proper insurance or
4 licenses, and sell inferior and sometimes dangerously inferior goods, such as in the case of
5 pharmaceuticals and electronics. Counterfeit sales make it more expensive for legitimate
6 retailers to compete and thrive in the City of Los Angeles. This deprives citizens of a stable tax
7 base, and revenues that could be used for courts, libraries, parks, public safety and street
8 repairs. Counterfeit goods discourage the creative process that drives the U.S. economy. An
9 estimated \$2 billion was spent in the Los Angeles black market for pirated goods in 2005,
10 representing a substantial loss to the legitimate retail sector, and the City's tax base, according
11 to a study by the Los Angeles Economic Development Corporation⁵. The International
12 Chamber of Commerce estimates that the total impact of counterfeit goods and piracy will be
13 \$1.7 trillion dollars in 2015.

14 **27. Counterfeit Pharmaceuticals**

15 The counterfeiting of medicine is a global public health crisis, and increasingly common
16 in the United States. In 2016, U.S. Customs and Border Protection seized 2,401 shipments of
17 counterfeit pharmaceuticals and personal care products, worth over \$73 million dollars. The
18 Food and Drug Administration ("FDA") has warned that counterfeit medicines raise significant
19 public health concerns because they can contain too much or too little active ingredient, the
20 wrong active ingredient, or toxic ingredients.⁶ In 2012, the FDA warned doctors and patients
21 about a counterfeit version of the anti-cancer drug Avastin that had entered the U.S. supply
22 chain and was unwittingly purchased by at least 76 doctors in 22 states.⁷ In 2008, the New
23

24 ⁵ "A False Bargain" Los Angeles County Economic Development Corporation, February 2007.
<https://www.wired.com/images_blogs/threatlevel/files/2007_piracy-study.pdf> Accessed 7/2/19.

25 ⁶ *Counterfeit Drugs: Fighting Illegal Supply Chains, Hearing Before the Subcomm. on Oversight & Investigations*
26 *of the H. Comm. On Energy and Commerce* (2014) (statement of Howard Sklamberg, Deputy Comm'r for Global
regulatory Operations & Policy, Food and Drug Admin.), available at
27 <<https://docs.house.gov/meetings/IF/IF02/20140227/101804/HHRG-113-IF02-Wstate-SklambergH-20140227.pdf>> (FDA Statement" [as of July 2, 2019])

28 ⁷ See Statement, U.S. Food and Drug Administration, Counterfeit Version of Avastin in U.S. Distribution (Feb. 14,
2012), available at <[https://wayback.archive-
it.org/7993/20170112003641/http://www.fda.gov/Drugs/DrugSafety/ucm291960.htm](https://wayback.archive-it.org/7993/20170112003641/http://www.fda.gov/Drugs/DrugSafety/ucm291960.htm)> (as of July 2, 2019)

1 York Times reported that contaminated batches of Heparin, a generic blood-thinning drug, had
2 likely come from counterfeiters in China.⁸ The contaminated Heparin was linked to 19 deaths
3 in the United States and hundreds of allergic reactions. Drug counterfeiting affects not only life-
4 saving drugs such as Avastin and Heparin but also more widely used pharmaceuticals such as
5 cough medicine and erectile dysfunction (“ED”) drugs. In 2006, at least 100 people, many of
6 them children, died in Panama after ingesting cough syrup containing diethylene glycol instead
7 of glycerin.⁹ In 2013, the FDA warned that counterfeit ED medicines contained undeclared
8 ingredients that could interact with other prescription drugs and cause dangerously low blood
9 pressure levels. According to the New England Journal of Medicine, counterfeit Cialis in
10 Singapore contaminated with the diabetes drug ingredient “glyburide” caused severe
11 hypoglycemia for 150 patients, with at least seven people lapsing into comas and four people
12 dying from the counterfeit drug.¹⁰

13 **28. *Illegal Dispensing of Antibiotics Contributes to Antimicrobial Resistance***
14 ***That Impacts Global Population Safety***

15 Antibiotics are medications used to either prevent or treat bacterial infections. A person
16 stricken with a debilitating infection should be examined by a qualified healthcare provider to
17 determine whether antibiotics are appropriate to help eradicate the infection. In most cases,
18 antibiotics are dispensed pursuant to a prescription written by a certified healthcare provider,
19 such as a physician or nurse practitioner. However, when potent antibiotics are illegally sold
20 without a prescription, it leads to the misuse of these antimicrobial drugs. Such misuse
21 contributes to a phenomenon known as antibiotic resistance¹¹. Antibiotic or antimicrobial
22 resistance develops when potentially harmful bacteria alter and change to withstand the
23 mechanism of action of the antibiotic, thereby reducing or eliminating its effectiveness.

24 _____
25 ⁸ Walt Bogdanich, *Heparin Find May Point to Chinese Counterfeiting*, .Times, Mar. 20, 2008,
<<https://nytimes.com/2008/03/20/health/20heparin.html>> (as of July 2, 2019).

26 ⁹ *From China to Panama, a Trail of Poisoned Medicine*, Walt Bogdanich and Jake Hooker, published 5/6/2007.
<<https://nytimes.com/2007/05/06/world/americas/06poison.html>> (as of July 2, 2019).

27 ¹⁰ See Shih Ling Kao, et al., Letter to the Editor, *An Unusual Outbreak of Hypoglycemia*, 360 Ne Eng. J. Med.
734, 734 (Feb. 12, 2009).

28 ¹¹ *Combating Antimicrobial Resistance*, U.S. Food and Drug Administration, updated January
18, 2018; <<https://fda.gov/ForConsumers/ConsumerUpdates/ucm092810.htm>> Accessed 7/2/19

1 29. Antibiotic resistance is one of the biggest threats to global health, food security,
2 and development today¹². A growing number of infections – such as pneumonia, tuberculosis,
3 gonorrhea, and salmonellosis – are becoming harder to treat as the antibiotics used to treat
4 them become less effective¹³. Antimicrobial resistance is a substantial threat to public health
5 in the United States as well¹⁴. When this happens, healthcare providers are challenged to find
6 other treatments to cure the infection¹⁵. Already more than 2 million people in this country get
7 infections that are resistant to antibiotics every year – and at least 23,000 people die as a
8 result¹⁶.

9 30. Where antibiotics can be purchased illegally without a prescription, the
10 emergence and spread of antimicrobial resistance is made worse since qualified health care
11 providers are bypassed. A physician who examines a sick patient with an infection is able to
12 determine whether antibiotics should be prescribed under current guidelines. In addition, a
13 licensed pharmacist is able to consult with patients prescribed antibiotics on how to take them
14 correctly to decrease the incidence of antimicrobial resistance and other drug misadventures.
15 Ultimately, antibiotic resistance leads to higher medical costs, prolonged hospital stays, and
16 increased mortality¹⁷.

17 31. ***Sales of Counterfeit Goods by Organized Crime Generally***

18 The sale of counterfeit goods (such as apparel, cigarettes, jewelry, handbags,
19 pharmaceuticals, electronics, CD's, DVD's, military equipment, car parts and medical devices)
20 is extremely profitable. Law enforcement and academics have repeatedly documented that
21 illegal proceeds raised from counterfeit goods sales have been used to fund illicit activities
22

23 _____
24 ¹²*Antibiotic Resistance*, World Health Organization, updated November 2017;
<<http://who.int/mediacentre/factsheets/antibiotic-resistance/en/>> Accessed 7/2/19

25 ¹³ *ibid*

26 ¹⁴*Antibiotic Resistance & Appropriate Antibiotic Use*, North Carolina Health and Human
Services, updated June 7, 2017; <<http://epi.publichealth.nc.gov/cd/diseases/antibiotics.html>>

27 ¹⁵ *Acute Communicable Disease Control, Antimicrobial/Antibiotic Resistance*, County of Los
Angeles, Department of Public Health, 2015;

<<http://publichealth.lacounty.gov/acd/AntibioticResistance.htm>> Accessed 7/2/19.

28 ¹⁶ *ibid*

¹⁷ Footnote 10, *supra*.

1 both domestically and abroad. Criminal organizations are increasingly involved in
2 manufacturing, transporting, storing and selling counterfeit goods because it is profitable and
3 rarely investigated. Counterfeiting draws relatively little attention from law enforcement in
4 comparison to other criminal acts such as drug dealing and violent crime. Drug cartels are
5 even expanding into the manufacture and sale of counterfeit goods. Even when convicted,
6 counterfeiters are typically given very light sentences in comparison to punishments for violent
7 crime and drug trafficking. A 2009 Rand report detailed the proliferation of counterfeiting by
8 international criminal syndicates, and pointed out that there may even be a link to the funding
9 of terrorist organizations such as Hezbollah. A 2013 United Nations report indicates that
10 criminal groups involved in other types of crimes including prostitution, money laundering and
11 human trafficking frequently distribute counterfeit goods.

12 **IV. UNFAIR COMPETITION LAW**

13 32. The practices forbidden by Business and Professions Code § 17200, et
14 seq., are any practices forbidden by law, be they criminal, federal, state, municipal, statutory,
15 regulatory or court-made. "As the California Supreme Court explained, § 17200, et seq.,
16 'borrows' violations of other laws and treats them as unlawful practices independently
17 actionable under § 17200 et seq." (*South Bay Chevrolet v. General Motors Acceptance Corp.*
18 (1999) 72 Cal.App.4th 861, 880 [citations and internal quotation marks omitted].)

19 33. As the California Supreme Court has noted, the UCL's "purpose is to protect both
20 consumers and competitors by promoting fair competition in commercial markets for goods
21 and services." (*Kasky v. Nike Inc.* (2002) 27 Cal.4th 939, 949.) The UCL is broadly worded,
22 which has led the California Supreme Court to observe that the UCL "was intentionally framed
23 in its broad, sweeping language, precisely to enable judicial tribunals to deal with the
24 innumerable new schemes which the fertility of man's invention would contrive." (*Barquis v.*
25 *Merchants Collection Association* (1972) 7 Cal.3d 94, 112 [citations and internal quotation
26 marks omitted].)

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28 ///

1 Board of Pharmacy, or State Department of Public Health is misbranded.” H&S §
2 11397(a).

3 40. On **July 18, 2014**, an undercover investigator traveled to the 1826 West James
4 M. Wood Boulevard (Opcion Natural, then known as A&L) and purchased the anti-biotic
5 Ciprofloxacin and Diprosan (an injectable anti-inflammatory) and a syringe for \$48 in cash,
6 no tax was charged. No prescription was offered or requested and no receipt was provided.
7 Two female Hispanics were working at the store and sold the products to the undercover
8 investigator. One of the females told the investigator that they can get whatever medicine the
9 investigator needed. Undercover video of the transaction was recorded. Diprosan is
10 misbranded and may not be sold in the United States thus amounting to two (2) violations of
11 section 111440 of the Health and Safety Code, which necessarily equates to two (2) violations
12 of the UCL.

13 41. On **August 6, 2014**, the Health Quality Investigation Unit served a search
14 warrant at the 1826 West James M. Wood Boulevard. *Extensive amounts of misbranded*
15 *pharmaceuticals were found hidden in highly unusual places in the Business including: empty*
16 *plastic containers, above ceiling tiles and even behind a painting in the back room.*
17 Investigators and a Merck representative examined the items and identified them as
18 misbranded. Photographs were taken. The illegal items included three (3) Schering-Plough
19 Celestone (misbranded); two (2) Schering-Plough Diprosan Hypak (misbranded); three (3)
20 Schering-Plough Diprosan Vial 2 ml (misbranded); one (1) Schering-Plough Quadriderm 40g
21 (misbranded). This amounts to nine (9) violations of section 111440 of the Health and Safety
22 Code, which necessarily equates to nine (9) violations of the UCL.

23 42. On **November 19, 2014**, an undercover investigator returned to 1826 West
24 James M. Wood Boulevard, contacted DOMINGUEZ and purchased two (2) Buscapina
25 Compositum 10 mg/250mg 10 tablet blister packs and two (2) 9pm tablets for \$40 in cash. No
26 receipt was provided. DOMINGUEZ told the investigator the medicines were prescription only,
27 and retrieved the Buscapina from a room in the back of the store. No prescription was
28 requested or provided. The two (2) Buscapina Compositum 10 tablet blister packs were

1 misbranded and may not be sold in the United States, thus amounting to 22 violations of
2 section 11140 of the Health and Safety Code, which necessarily equates to 22 violations of the
3 UCL.

4 43. On **December 1, 2014**, an investigator returned to 1826 West James M. Wood
5 Boulevard, made contact with DOMINGUEZ and purchased illegal pharmaceuticals. The
6 investigator was asked by an unidentified female if s/he was an "undercover" and indicated the
7 last time law enforcement came in here they put DOMINGUEZ's niece in handcuffs. When the
8 investigator observed that the Buscapina was not on display, DOMINGUEZ told the
9 investigator they did not keep any of the boxes because they needed to save space.
10 DOMINGUEZ also told the investigator that it was illegal to sell the medicine.
11 The purchased pharmaceuticals included: one (1) bottle of Cialis 20mg containing 30 tablets,
12 one (1) Buscapina Compositum 10mg/250mg 12 tablet blister pack and 13 Tetracycline 500mg
13 blister packs for \$320 in cash. No prescription was requested or provided and no receipt was
14 provided. The Cialis was later determined to be counterfeit and is referenced in count III below.
15 The Tetracycline required a prescription and is referenced in count II below. The Buscapina
16 was misbranded, amounting to 55 violations of section 111440 of the Health and Safety Code,
17 which necessarily equates to 55 violations of the UCL.

18 44. On **January 29, 2015**, an undercover investigator went to 1826 West James M.
19 Wood Boulevard, met DOMINGUEZ and purchased one (1) Buscapina Compositum
20 10mg/250mg 20 tablet box, and three (3) Dolo Neurobion five (5) blister packs for \$62 in cash,
21 no receipt was provided. An unidentified female was also working at the location. The female
22 was using a shredder to destroy the packaging of small boxes of medication. DOMINGUEZ
23 told the investigator that business was getting difficult, that the police came to the business last
24 week, arrested him and threw him in jail. DOMINGUEZ showed the investigator a document
25 with his upcoming court date, and told him that he should get out of this business because it
26 was too risky. The 20 Buscapina tablets and 15 Dolo Neurobion tablets were misbranded
27 amounting to 35 violations of section 111440 of the Health and Safety Code, which necessarily
28 equates to 35 violations of the UCL.

1 45. On **March 31, 2015**, an undercover investigator went to 1826 West James M.
2 Wood Boulevard, met Laura, a clerk at the store who is also the niece of DOMINGUEZ. The
3 investigator purchased from Laura one (1) Buscapina Compositum 10mg/250mg 36-tablet box
4 and one (1) Desenfriol D 2mg/5mg/500mg (30 tablet box) for \$48 in cash. No receipt was
5 provided and no prescription was requested or offered. Laura obtained the products from a
6 back room; the purchased items were not on display. Laura told the investigator she could
7 reach DOMINGUEZ directly via the number on the business cards on the counter. The
8 business cards had a new and different name for the business "OPCION NATURAL/NATURAL
9 PRODUCTS FOR A BETTER HEALTH." This amounts to 37 violations of section 111440 of
10 the Health and Safety Code, which equates to 37 violation of the UCL.

11 46. On **May 22, 2015**, an investigator traveled to 1826 West James M. Wood
12 Boulevard, met with DOMINGUEZ and purchased from him four (4) misbranded Perlutal
13 150mg/10mg, one (1) misbranded Buscapina Compositum 10mg/250mg 10 tablet blister
14 packs, and one (1) misbranded Buscapina Compositum 10mg/250mg 12 tablet blister pack for
15 \$104 in cash, no tax was charged, no receipt was provided. DOMINGUEZ's niece Laura was
16 present in the store. DOMINGUEZ told the investigator that he has been under investigation,
17 caught three times already, and that "they want me to do 6 months" because he is "at the
18 felony level." He also said that the young girl who used to work here was caught selling to
19 undercover investigators and quit because she was afraid of getting arrested. DOMINGUEZ
20 said he was currently on probation and police may come in and search the shop, my house
21 and my car and therefore he has to be more careful and is limiting his stock. DOMINGUEZ
22 asked his niece to get the Buscapina and Perlutal, which was in the back of the store behind a
23 closed door. DOMINGUEZ provided the pharmaceuticals in blister packs and put them into a
24 brown paper bag. The above amounts to 26 violations of section 111440 of the Health and
25 Safety Code, which equates to at least 26 violation of the UCL.

26 47. On **September 28, 2015**, an investigator went to 1826 West James M. Wood
27 Boulevard and met an employee named Sandra who indicated that DOMINGUEZ had just left.
28 The investigator purchased three (3) misbranded Perlutal 150mg/10mg and (2) Buscapina

1 Compositum 10mg/250mg 12 tablet blister packs for a total of \$98 paid in cash, no tax was
2 charged. No receipt was provided. No prescription was offered or requested. The above
3 amounts to 27 violations of section 111440 of the Health and Safety Code, which equates to at
4 least 27 violations of the UCL.

5 48. On **September 30, 2016**, an investigator called Better Naturals and spoke with a
6 female employee who identified herself as Araceli (RAMIREZ) who offered to sell Quadriderm
7 upon being restocked in few days. RAMIREZ indicated that she was a certified nurse in
8 Mexico and that Quadriderm can only be obtained by prescription in Mexico. RAMIREZ
9 advised that she has a connection that supplies her with medicine. RAMIREZ advised the
10 investigator to ask for her when coming to the store.

11 49. On **October 3, 2016**, an investigator went to Better Naturals at 730 S. Alvarado
12 #7, met with RAMIREZ and purchased one (1) Schering-Plough Quadriderm NF 25G cream
13 for \$25 paid in cash. During the investigation RAMIREZ advised the investigator that
14 Quadriderm can only be obtained by prescription in Mexico. RAMIREZ also advised that she
15 was a certified nurse in Mexico, and has a connection that supplies her with the illegal
16 pharmaceuticals. The above amounts to one (1) violation of Health and Safety Code section
17 111440 and therefore one (1) violation of the Unlawful Competition Law.

18 50. On **November 30, 2016**, an undercover investigator went to 1826 West James
19 M. Wood Boulevard and contacted Sandra. The investigator asked for Quadriderm and was
20 told that they had the Mexican kind. The unidentified female obtained the Quadriderm cream,
21 which was hidden behind some other items. The investigator then asked for Diprosan 2ml,
22 and the unidentified female said she'd get it from the back of the store. The female returned
23 from the back with a small brown paper bag containing the Diprosan and charged a total of
24 \$68 for both illegal pharmaceuticals. No tax was charged and no receipt was provided. The
25 investigator asked if they administer the injections. The female employee indicated yes they do
26 the injections but only in the evening hours because undercover investigators check on us
27 early in the day. The investigator asked if "Don Miguel" aka DOMINGUEZ does the injections
28 and the employee said yes, sometimes, but someone else can also help. The employee

1 recommended that the investigator come on Sunday because investigators don't work on the
2 weekends. The Quadriderm and Diprospan were both misbranded amounting to two (2)
3 violations of Health and Safety Code section 111440 and two (2) violations of the UCL.

4 51. On **April 27, 2017**, an investigator traveled to 1826 West James M. Wood
5 Boulevard, and met with an employee named Sandra. The investigator purchased one (1)
6 (misbranded) Schering-Plough Quadriderm NF for \$23, paid in cash. No receipt was provided
7 and no prescription was offered or requested. The investigator was told that the store always
8 has Mexican pharmaceuticals and that a female comes to the store every Thursday at 2 p.m.
9 to provide injections. When asked what type of injections are performed, Sandra indicated
10 testosterone and steroids and that many customers buy something at the store like Dolo
11 Neurobion, and she can inject that too. The sale of one (1) misbranded Quadriderm is a
12 violation of Health and Safety Code section 111440, and amounts to one (1) violation of the
13 UCL.

14 52. On **May 8, 2017**, an investigator traveled to 1826 West James M. Wood
15 Boulevard, met Sandra and purchased and one (1) misbranded Schering-Plough Diprospan
16 2ml vial and (1) Nipro Syringe with needle for a total of \$50. No tax was charged and no
17 receipt was provided. Sandra indicated the medicine was expensive because it is strong, it
18 came from Mexico, and a prescription is required. Sandra also indicated that the store had
19 been open for several years and that the store is open every day, including holidays. The
20 misbranded Diprospan was sold in violation of Health and Safety 111440 and therefore
21 amounts to (1) one violation of the UCL.

22 53. On **June 6, 2017**, an investigator traveled to 1826 West James M. Wood
23 Boulevard and purchased three (3) misbranded Schering-Plough Diprospan 2ml vials, three (3)
24 misbranded Schering-Plough Quadriderm NF 25 mg creams and two (2) misbranded Pfizer
25 Terramicina 500 mg 16 capsule boxes and (3) Nipro three ml syringes for \$265 from Sandra,
26 and paid in cash. No prescription was offered or provided. Sandra advised that DOMINGUEZ
27 was the owner, and is only present in the afternoons, and that the business name was Opcion
28 Natural and not A&L as the exterior signage indicates. The investigator noted there was a long

1 line in the store and inquired why. She was told that the lady who gives the injections was here
2 today. The investigator overheard someone asking which injection they received and heard the
3 response Nuerozion, and that it "helps control the nervous system." The investigator asked
4 Sandra the prices, and she was told \$35 for the medicine and \$45 if you get it injected. The
5 above amounts to 38 violations of Health and Safety 111440 and therefore 38 violations of the
6 UCL.

7 54. On **October 11, 2017**, an investigator traveled to 1826 West James M. Wood
8 Boulevard, met with an unidentified female employee, and purchased one (1) misbranded
9 Schering-Plough Diprosan 2ml vial and (1) misbranded Boehringer Ingelheim Buscapina 12
10 tablet blister pack for \$50 in cash. No receipt was provided, sales tax was not charged; no
11 prescription was presented or requested. The employee told the investigator that all of the
12 employees at the Business are required to know how to give injections, and that the Diprosan
13 supplier drops off the Diprosan without any boxes. The above amounts 13 violations of Health
14 and Safety 111440 and therefore 13 violations of the UCL.

15 55. On **January 11, 2018**, Detective Rodriguez and Investigator Rivas purchased
16 medication without a license at "New Life Naturals" 708 Hartford seven (7) capsules of
17 Pentrexyl and eight (8) capsules of Sudagrip Antigripal. At Opcion Natural at 1826 James M.
18 Woods Blvd, Detective Rodriguez and Investigator Rivas purchased eight (8) capsules of
19 Artribion Vitaminado. Pharmacist Brian Wong determined that the medicines contained active
20 ingredients categorized as dangerous drugs, which must be furnished by a licensed pharmacy
21 pursuant to a legitimate prescription from an authorized healthcare professional. New Life
22 Naturals and Opcion Natural are not licensed pharmacies and do not have licensed health
23 care professionals working there. All 23 items were misbranded in violation of section 111440
24 of the Health and Safety code, which equals 23 violations of the UCL.

25 56. On **April 4, 2018**, an undercover investigator traveled to Better Naturals at 730
26 S. Alvarado Street, made contact with an unidentified male, and purchased two (2) Artribion
27 blister packs – (four (4) capsules each) and (1) Schering-Plough Quadriderm for \$33 paid in
28 cash. No tax was charged and no receipt was provided. No prescription was provided or

1 requested. The unidentified male identified Araceli (RAMIREZ) as the owner of Better Naturals.
2 The above amounts nine (9) violations of Health and Safety 111440 and therefore nine (9)
3 violations of the UCL. Undercover video was recorded.

4 57. On **April 4, 2018**, an investigator traveled to 1826 West James M. Wood
5 Boulevard and met with an employee who identified herself as Nayeli Rivas and
6 purchased (1) Schering-Plough Quadriderm cream and (1) Pail Laboratorios
7 Diclosona injection for a total of \$50.00 in cash. No prescription was offered or
8 requested. No tax was charged. Ms. Rivas retrieved the hidden Quadriderm from
9 another pharmaceutical package, an indication that she was hiding it. The Diclosona
10 was retrieved from a room at the rear of the business. A search of the California State
11 Board of Pharmacy website confirmed that Opcion Natural is not a licensed pharmacy
12 and Nayeli Rivas is not a licensed pharmacist. Quadriderm and Diclosona require a
13 prescription for sale, as indicated on the labeling of the products. Quadriderm and
14 Diclosona are foreign and have labeling in Spanish only and therefore are not
15 approved for use in the United States by the US Food and Drug Administration.
16 Consequently, the Quadriderm and Diclosona are considered misbranded drugs, the
17 sale of which is prohibited by 111440 of the Health and Safety Code. This amounts to
18 two (2) violations of the Unlawful Competition Law.

19 58. On **April 25, 2018**, LASD Detectives made undercover purchases of
20 illegal pharmaceuticals from all four storefront locations as follows:

- 21 1) New Life Naturales-708 Hartford, Detectives purchased two (2) tins of
22 Penicilina from a woman who resembled Araceli RAMIREZ, the wife of
23 Miguel DOMINGUEZ;
- 24 2) Opcion Natural-1826 James M. Wood, eight (8) capsules of Artribion
25 Vitaminado.

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1 3) Better Naturals – 730 Alvarado, One (1) tin of Penicilina, Ten (10)
2 Amoxicilina capsules;

3 4) Los Tres Toros –Garfield Ave, South Gate – Ten (10) capsules of Tetraciclina MK.

4 Pharmacist Brian Wong examined all of the purchased medications and determined
5 that they all had active ingredients categorized as dangerous drugs. Such drugs must
6 be furnished only by authorized healthcare professionals. This amounts to 31
7 violations of section 111440 of the Health and Safety Code, which necessarily equals
8 31 violations of the Unlawful Competition Law.
9

10 59. On **May 4, 2018**, LASD HALT served search warrants at five (5)
11 locations related to the investigation of counterfeit and misbranded pharmaceuticals
12 by the DOMINGUEZ FAMILY and their associates. Four (4) locations were storefronts
13 where counterfeit and/or misbranded pharmaceuticals were sold (three (3) in the City
14 of Los Angeles and one (1) in South Gate), and the fifth location is the Montebello
15 home where Patriarch Miguel Angel Juarez DOMINGUEZ and his family reside. The
16 five locations were:

17 Location #1 – 101 Lincoln Ave Montebello, CA – “Dominguez Residence.”

18 Location #2 – 1826 James M. Wood Blvd. Los Angeles – “Opcion Naturals.”

19 Location #3 – 708 Hartford St. Los Angeles, CA – “New Life Naturals”

20 Location #4 – 730 S. Alvarado St. #7, Los Angeles, CA – “Better Naturals.”

21 Location #5 – 12101 Garfield Ave, South Gate CA - “Los Tres Toros.”
22

23 60. During the **May 4, 2018**, search warrant at the DOMINGUEZ residence.
24 LASD Deputies recovered large amounts of illegal pharmaceuticals, and \$52,783 in
25 cash. Patriarch Miguel Angel Juarez DOMINGUEZ, his wife Araceli RAMIREZ and
26 their son, Miguel Angel JUAREZ Jr. were present along with ROSAURA JUAREZ and
27 a female minor. The desk in the master bedroom contained paperwork related to the
28

1 businesses that were listed in the search warrant. Bank statements, credit card bills
2 and numerous items were also found with the names of suspect DOMINGUEZ,
3 Suspect ROSAURA JUAREZ RAMIREZ, Miguel JUAREZ and Araceli RAMIREZ.
4 DOMINGUEZ and ROSAURA RAMIREZ were arrested and Araceli RAMIREZ and
5 Miguel JUAREZ were given a citation but not booked due to medical conditions.
6 Pharmacist Wong inspected and inventoried the seized contraband and submitted a
7 17 page inventory report and tallied: 2,133 doses of dangerous drugs; and four (4)
8 types of controlled substances products for a total of 2,133 violations of Health and
9 Safety code section 111440, which equals 2,133 violations of the UCL.

10 61. On **May 4, 2018**, LASD Deputies searched 1826/28 James M. Wood
11 Blvd. Los Angeles, CA. pursuant to a search warrant and found over 4,000 illegal
12 pharmaceuticals, including four (4) types of controlled substances. Employees Susana
13 Gomez and Violeta Lopez De Mendez were present and were interviewed. DeMendez
14 told Deputies that Miguel JUAREZ and Hector BECERRA were the owners of the
15 business, that she earns \$80 a day, is paid in cash weekly and if there are any issues
16 at the store she calls "Miguel" (DOMINGUEZ). During a search of the premises
17 Deputies also found and seized Wells Fargo bank statements in the name of Miguel
18 Angel Juarez Dominguez (DOMINGUEZ). Deputies also found and seized bank
19 statements from Chase and Bank of America and numerous invoices in the name of
20 Miguel Angel Juarez Dominguez (DOMINGUEZ) and his wife Araceli RAMIREZ. One
21 of the invoices had DOMINGUEZ and RAMIREZ's name on it and their residential
22 address of 101 Lincoln Ave. in Montebello. The totality of the information obtained via
23 search warrant led investigators to believe that DOMINGUEZ and his wife RAMIREZ
24 remained in control of the business at 1826/28 James M. Wood Blvd. even though the
25 City of LA Business Tax Registration Certificate indicated that as of the middle of
26 2017, the business was owned solely by Hector BECERRA.

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28 ///

1 62. Four different types of *controlled substances* were found during the **May**
2 **4, 2018**, search warrant at 1826/28 James M. Wood Boulevard: Tramadol,
3 Testosterone Cypionate, Pregabalin, and Stanozolol. Testosterone and Stanozolol are
4 anabolic steroids and are schedule III controlled substances under California law.
5 Their illegal use, storage and/or sale is prohibited under Health and Safety Code
6 section 11570.

7 63. On **May 4, 2018**, LASD Deputies searched New Life Naturals at 708
8 Hartford Avenue pursuant to a search warrant. Approximately 110 dangerous
9 pharmaceuticals requiring a prescription were recovered including antibiotics,
10 injectable anti-inflammatories and analgesics and 25 needles, some pre-filled with
11 corticosteroids. No pharmacists or doctors were working at the business at the time of
12 the warrant. New Life Naturals is not a registered pharmacy. This amounts to 110
13 violations of Health and Safety section 111440 and therefore 110 violations of the
14 UCL.

15 64. On **May 4, 2018**, LASD Deputies served a search warrant at Los Tres Toros and
16 recovered illegal pharmaceuticals (dangerous drugs requiring a prescription) in a tool box, on
17 a shelf. Pharmacist Brian Wong inventoried the seized pharmaceuticals and submitted a
18 seven (7) page inventory report documenting the seized items. Three employees were
19 detained: Rosa Herrera, Jose Luis Hernandez, and Eunice Cristina Escalante Haros. All three
20 were interviewed and all three said that they work at Los Tres Toros and that Miguel
21 Dominguez (DOMINGUEZ) is the owner of the business. Jose Luis Hernandez said he drives
22 one of DOMINGUEZ's vehicles, a silver 2006 Mitsubishi parked in front of the store, which
23 was registered to DOMINGUEZ. Hernandez said that DOMINGUEZ and his wife Araceli
24 RAMIREZ come to the store and drop off medication for the employees to sell. Hernandez
25 said he did not know it was illegal to sell the medication, and that DOMINGUEZ told him it
26 was okay. LASD Deputies recovered an L.A. County Public Health Permit for Los Tres Toros
27 Meat Market for 2017/2018 that listed "Miguel Angel Juarez Dominguez" as the facility owner
28

1 with an address of 101 Lincoln Ave. Montebello, CA. Miguel Angel Juarez Jr. is also the
2 trustee of the Trust that owns the Dominguez Family Home.

3 65. On **August 17, 2018**, an investigator traveled to 1826 James M. Wood
4 Boulevard, which no longer had the A&L sign on the outside. The inside appeared
5 unchanged. The investigator made contact with an unidentified female and purchased:
6 one (1) Collins Gelmicin 40g cream and three (3) BK Artribion 4 tablet boxes, from the
7 female for \$14 paid in cash. No tax was charged, and no receipt was provided. No
8 prescription was requested or provided. Artribion is dangerous and requires a
9 prescription. A second unidentified female was also present. Both the Gelmicin and
10 Artribion require a prescription, had labeling only in Spanish and are misbranded
11 drugs, in violation of 111440 of the Health and Safety Code. This amounts to 13
12 violations of the section 111440 and therefore 13 violations of the Unlawful
13 Competition Law. Undercover video was recorded.

14 66. On **August 21, 2018**, an undercover investigator traveled to New Life
15 Naturals, located at 708 Hartford Avenue, in the City of Los Angeles, and made
16 contact with a female who did not identify herself. The investigator purchased one (1)
17 Schering-Plough Quadriderm NF 40g cream, (2) BK Artribion 4 capsule blister packs,
18 and one (1) Collins Volfenac Retard 100 mg 10 tablet blister pack from the
19 unidentified female for a total of \$45 in cash. No tax was charged and no receipt was
20 provided. No prescription was requested or provided. The labeling on the Quadriderm,
21 and Artribion purchased indicate a prescription was required for sale. Diclofenac is the
22 active pharmaceutical ingredient (API) in the Volfenac Retard purchased. Diclofenac
23 is available by prescription only. The unidentified female told the undercover
24 investigator that she could get in trouble for selling the pharmaceuticals. *The*
25 *unidentified female also offered to provide an injection in the back room.* An
26 unidentified male was present inside the location and behind the counter. Undercover
27 video was taken. The sales of the pharmaceuticals were illegal because no
28

1 prescription was provided or requested and also because the labeling was not in
2 English. All three of the pharmaceuticals had labeling that was only in Spanish and
3 therefore the drugs were misbranded and may not be sold in the United States. This
4 amounts to 19 violations of section 111440 of the California Health and Safety Code
5 and therefore 19 violations of the Unlawful Competition Law.

6 67. On **September 8, 2018**, an investigator traveled to Better Naturals
7 located at 730 S. Alvarado, #7, met with "Melo" and from him purchased (1) Collins
8 Gelmicin for \$10 in cash. No prescription was provided or requested. Gelmicin
9 requires a prescription because it is classified as a "dangerous drug" per section
10 4022(c) of the California Business and Professions Code. The drug is foreign and
11 contained only Spanish language labeling, and is therefore "misbranded" in violation
12 of section 111440 of the California Health and Safety Code. This amounts to one (1)
13 violation of the Unlawful Competition Law.

14 68. On **October 31, 2018**, an undercover investigator traveled to New Life
15 Naturals, located at 708 Hartford Avenue, in the City of Los Angeles, and made
16 contact with a male who identified himself as Angel. The investigator purchased one
17 (1) Schering-Plough Quadriderm from Angel for \$30 in cash. The labeling on the
18 Quadriderm was only in Spanish. The labeling also indicated that a prescription is
19 required for sale. No tax was charged, no receipt was provided. No prescription was
20 offered or requested. The above pharmaceutical is misbranded and may not be sold in
21 the United States. This amounts to one (1) violation of section 111440 of the California
22 Health and Safety Code and therefore one (1) violation of the Unlawful Competition
23 Law.

24 69. On **November 7, 2018**, an undercover investigator returned to 730 S.
25 Alvarado Street #7, and made contact with a male who identified himself as Christian.
26 The investigator purchased from Christian one (1) Schering-Plough Quadriderm for
27 \$30 in cash. No prescription was requested or offered. No receipt was provided, no
28

1 tax was charged. During the transaction, Christian indicated he was nervous because
2 he was not supposed to have these (the illegal pharmaceuticals). The above
3 pharmaceutical is misbranded and may not be sold in the United States. This amounts
4 to one (1) violation of section 111440 of the California Health and Safety Code and
5 therefore (1) violation of the Unlawful Competition Law.

6 70. The total number of misbranded pharmaceuticals recovered during the
7 four-year statute of limitations period is *at least* 2,612 which amounts to at least 2,612
8 separate violations of the UCL.

9
10 **VI. SECOND CAUSE OF ACTION**
11 **FOR VIOLATION OF THE UNFAIR COMPETITION LAW**
12 **(Illegal Dispensing of Pharmaceuticals without a License, H&S 11352.1)**
13 **(B&P 17200 - Against All Defendants and Does 1 through 50)**

14 71. By this reference, Plaintiff incorporates herein each and every allegation set forth
15 in the above paragraphs as though re-alleged herein.

16 72. The California H&S code prohibits the dispensing or furnishing of prescription
17 drugs and dangerous drugs without a license:

18 "...any person who knowingly and unlawfully dispenses or furnishes a dangerous drug
19 or dangerous device....or who knowingly owns, manages, or operates a business that
20 dispenses [such drugs...] without a license to dispense or furnish these products, shall
21 be guilty of a misdemeanor..." HS § 11352.1(b).

22 73. On **July 18, 2014**, an undercover investigator traveled to the 1826 West James
23 M. Wood Boulevard and purchased one (1) Ciproflaxacina (an anti-biotic) 10 pill blister pack,
24 one (1) Diprosan 2ml (an injectable anti-inflammatory) and a Nipro syringe for \$48 in cash.
25 No prescription was offered or requested and no receipt was provided. Two female Hispanics
26 were working at the store and sold the products to the undercover investigator. One of the
27 females told the investigator that they can get whatever medicine the investigator needed.
28 Undercover video of the transaction was recorded. Ciproflaxacina and Diprosan are both

1 dangerous drugs requiring a prescription. The above conduct amounts to 11 violations of HS §
2 11352.1(b), and therefore 11 violations of the UCL.

3 74. On **August 6, 2014**, the Health Quality Investigation Unit served a warrant at
4 1826 West James M. Wood Boulevard. Extensive misbranded pharmaceuticals were found
5 hidden in random places in the business including: empty plastic containers, above ceiling tiles
6 and behind paintings in the back room. Pharmacist Brian Wong inventoried the seized
7 pharmaceuticals. Approximately 6,383 doses of dangerous pharmaceuticals were recovered
8 including antibiotics, asthma bronchodilators, blood pressure medication, and anti-seizure
9 medicines, steroids, erectile dysfunction medication and injectable contraceptives.
10 This amounts to at least 6,383 violations of § 11352.1(b) of the Health and Safety Code, which
11 necessarily equates to 6,383 violations of the UCL.

12 75. On **November 19, 2014**, an undercover investigator returned to 1826 West
13 James M. Wood Boulevard, contacted DOMINGUEZ and purchased two (2) Buscapina
14 Compositium 10 mg/250mg 10 blister packs and two (2) 9pm tablets for \$40 in cash. No
15 receipt was provided. DOMINGUEZ told the investigator the medicines were prescription only,
16 and retrieved the Buscapina from a room in the back of the store. No prescription was
17 requested or provided. The Buscapina Compositium blister packs and 9pm tablets are both
18 dangerous drugs requiring a prescription. This amounts to 22 violations of 11352.1(b) of the
19 Health and Safety Code, which necessarily equates to 22 violations of the UCL.

20 76. On **December 1, 2014**, an investigator returned to 1826 West James M. Wood
21 Boulevard made contact with DOMINGUEZ and purchased pharmaceuticals including: one (1)
22 bottle of Cialis 20mg containing 30 tablets, one (1) Buscapina Compositium 10mg/250mg 12
23 tablet blister pack and thirteen (13) Tetracycline 500mg 10 capsule blister packs for \$320 in
24 cash. No prescription was requested or provided and no receipt was provided. DOMINGUEZ
25 also told the investigator that it was illegal to sell the medicine. All three drugs are considered
26 dangerous and require a prescription. This amounts to 55 violations of 11352.1(b) of the
27 Health and Safety Code, which necessarily equates to 55 violations of the UCL.

28 ///

1 77. On **January 29, 2015**, an undercover investigator went to the 1826 James M.
2 Woods Blvd., met DOMINGUEZ and purchased illegal pharmaceuticals including one (1)
3 Buscapina Compositum 10mg/250mg 20 tablet box, three (3) Dolo Neurobion N five (5) blister
4 packs and two (2) Desenfriol D 2mg/5mg/500mg for \$62 in cash, no receipt was provided. The
5 one (1) Buscapina and the three (3) Dolo Neurobion are dangerous drugs requiring
6 prescriptions which therefore amounts to 35 violations of section 11352.1(b) of the Health and
7 Safety Code, which necessarily equates to 35 violations of the UCL.

8 78. On **March 31, 2015**, an undercover investigator went to 1826 West James M.
9 Wood Boulevard, met Laura, a clerk at the store, and the niece of DOMINGUEZ. The
10 investigator purchased from Laura one (1) Buscapina Compositum 10mg/250mg 36-tablet box
11 and one (1) Desenfriol D 2mg/5mg/500mg for \$48 in cash. No receipt was provided and no
12 prescription was requested or offered. Desenfriol is misbranded but does not require a
13 prescription. The Buscapina is a dangerous drug requiring a prescription. This amounts to 36
14 violations of section 11352.1(b) of the Health and Safety Code, which equates to at least 36
15 violations of the UCL.

16 79. On **May 22, 2015**, an investigator traveled to 1826 West James M. Wood
17 Boulevard, met with DOMINGUEZ and purchased from him four (4) misbranded Perlutal
18 150mg/10mg and two (2) misbranded Buscapina Compositum 10mg/250mg blister packs, one
19 (1) 10 tablet, one 12 tablet for \$104 in cash, no tax was charged, no receipt was provided.
20 DOMINGUEZ's niece, Laura, was also present, as well as an unidentified female Hispanic
21 employee. DOMINGUEZ told the investigator, that he has to be careful because he is on
22 probation, his car and business can be searched, and he has been caught three times already
23 and is now facing six months in jail. Another female he had working at the store quit because
24 she was afraid of getting arrested as she was caught selling to undercover investigators. The
25 above amounts to six (6) violations of section 11352.1(b) of the Health and Safety Code, which
26 equates to at least six (6) violations of the UCL.

27 80. On **September 28, 2015**, an investigator went to 1826 West James M. Wood
28 Boulevard and met an employee named Sandra who indicated that DOMINGUEZ had just left.

1 The investigator purchased three (3) misbranded Perlutal 150mg/10mg and (2) Buscapina
2 Compositum 10mg/250mg 12 tablet blister packs for a total of \$98 paid in cash, no tax was
3 charged. No receipt was provided. Perlutal is an injectable birth control that requires a
4 prescription. Buscapina also requires a prescription. No prescription was offered or requested.
5 The above amounts to 27 violations of section 11352.1(b) of the Health and Safety Code,
6 which equates to at least 27 violations of the UCL.

7 81. On **November 30, 2016**, an undercover investigator went to 1826 West James
8 M. Wood Boulevard, contacted Sandra and asked for Quadriderm and was told that they had
9 the Mexican kind. The unidentified female obtained the Quadriderm cream, which was hidden
10 behind some other items. The investigator then asked for Diprosan 2ml, and the unidentified
11 female said she'd get it from the back of the store. The female returned from the back with a
12 small brown paper bag containing the Diprosan and charged a total of \$68 for both illegal
13 pharmaceuticals. No tax was charged and no receipt was provided. The investigator asked if
14 they administer the injections. The female employee indicated yes they do the injections but
15 only in the evening hours because undercover investigators visit during the day. The
16 investigator asked if "Don Miguel" aka DOMINGUEZ does the injections and the employee
17 said yes, sometimes, but someone else can also help. The employee recommended that the
18 investigator come on Sunday because investigators don't work on the weekends. The
19 Quadriderm and Diprosan were both dangerous and required prescriptions amounting to two
20 (2) violations of Health and Safety Code section 11352.1(b) and therefore two (2) violations of
21 the UCL.

22 82. On **April 27, 2017**, an investigator traveled to 1826 West James M. Wood
23 Boulevard, and met employee Sandra. The investigator purchased one (1) (misbranded)
24 Schering-Plough Quadriderm NF for \$23, paid in cash. No receipt was provided and no
25 prescription was offered or requested. The investigator was told that the store always has
26 Mexican pharmaceuticals and that a female comes to the store every Thursday at 2 p.m. to
27 provide injections. When asked what type of injections are performed, Sandra indicated
28 testosterone, steroids and that many customers buy something at the store like Dolo

1 Neurobion, and she can inject that too. Quadri Derm is a dangerous drug requiring a
2 prescription and therefore the above sale is a violation of Health and Safety Code section
3 11352.1(b), and amounts to one (1) violation of the UCL.

4 83. On **May 8, 2017**, an investigator traveled to 1826 West James M. Wood
5 Boulevard, met Sandra and purchased one (1) Schering-Plough Desenfriol-ito Plus and one
6 (1) misbranded Schering-Plough Diprospan 2ml vial and (1) Nipro Syringe with needle for a
7 total of \$50. Sandra indicated the medicine was expensive because it is strong, it came from
8 Mexico, and a prescription is required. Sandra also indicated that the store had been open for
9 several years, has the same owner, and that the store is open every day, including holidays.
10 The misbranded Diprospan was dangerous, required a prescription and was sold in violation of
11 Health and Safety 11352.1 and therefore amounts to one (1) violation of the UCL.

12 84. On **October 11, 2017**, an investigator traveled to 1826 West James M. Wood
13 Boulevard, met with an unidentified female employee, and purchased one (1) misbranded
14 Schering-Plough Diprospan 2ml vial and (1) misbranded Boehringer Ingelheim Buscapina 12
15 tablet blister pack for \$50 in cash. No receipt was provided, sales tax was not charged; no
16 prescription was presented or requested. *The employee told the investigator that all of the*
17 *employees at the Business are required to know how to give injections, and that the Diprospan*
18 *supplier drops off the Diprospan without any boxes.* Both Buscapina and Diprospan are
19 dangerous drugs and require prescriptions. The above amounts to 13 violations of Health and
20 Safety code 11352.1(b) and therefore 13 violations of the UCL.

21 85. On **January 11, 2018**, Detective Rodriguez and Investigator Rivas purchased
22 medication without a license at "New Life Naturals" 708 Hartford seven (7) capsules of
23 Pentrexyl and eight (8) capsules of Sudagrip Antigripal. At Opcion Natural at 1826 James M.
24 Woods Blvd, Detective Rodriguez and Investigator Rivas purchased eight (8) capsules of
25 Artribion Vitaminado. Pharmacist Brian Wong determined that the medicines contained active
26 ingredients categorized as dangerous drugs, which must be furnished by a licensed pharmacy
27 pursuant to a legitimate prescription from an authorized healthcare professional. New Life
28 Naturals and Opcion Natural are not licensed pharmacies and licensed health care

1 professionals do not work there. This amounts to a total of 23 violations of Health and Safety
2 Code section 11352.1(b), which equals 23 violations of the UCL.

3 86. On **April 4, 2018**, an investigator traveled to 1826 West James
4 M. Wood Boulevard and met with an employee who identified herself as Nayeli Rivas
5 and purchased (1) Schering-Plough Quadriderm cream and (1) Pail Laboratorios
6 Diclosona for a total of \$50.00 in cash. No prescription was offered or requested. No
7 tax was charged. A receipt was provided. Ms. Rivas retrieved the hidden Quadriderm
8 from another pharmaceutical package, an indication that she was hiding it. The
9 Diclosona was retrieved from a room at the rear of the business. Quadriderm and
10 Diclosona require a prescription for sale, as indicated on the labeling of the products.
11 A search of the California State Board of Pharmacy website confirmed that Opcion
12 Natural is not a licensed pharmacy and Nayeli Rivas is not a licensed pharmacist. The
13 above sales of prescription pharmaceuticals without a license is a violation of
14 11352.1(b) of the Health and Safety Code. This amounts to two (2) violations of the
15 Unlawful Competition Law.

16
17 87. On **April 25, 2018**, LASD Detectives made undercover purchases of
18 illegal pharmaceuticals from all four storefront locations as follows:

- 19 1) New Life Naturals-708 Hartford, Los Angeles, CA - Detectives
20 purchased two (2) tins of Penicilina from a woman who resembled
21 Araceli RAMIREZ, the wife of Miguel DOMINGUEZ;
- 22 2) Opcion Natural-1826 James M. Wood, Los Angeles, CA - eight (8)
23 capsules of Artribion Vitaminado and seven (7) capsules of PentrexyL;
- 24 3) Better Naturals – 730 Alvarado, Los Angeles, CA - one (1) tin of
25 Penicilina, Ten (10) Amoxicilina capsules;
- 26 4) Los Tres Toros – 12101 Garfield Ave, South Gate, CA. – Ten (10)
27 capsules of Tetraciclina MK.
28

1 Pharmacist Brian Wong examined all of the purchased medications and
2 determined that they all had active ingredients categorized as dangerous drugs. Such
3 drugs must be furnished only by authorized healthcare professionals. This amounts to
4 37 violations of section 11352.1(b) of the Health and Safety Code, which necessarily
5 equals 37 violations of the Unlawful Competition Law.

6 88. During the **May 4, 2018**, search of 1826/28 James M. Wood Boulevard, Deputies
7 recovered 4383 dangerous drugs hidden in odd places throughout the business including in a
8 coffee maker located in the kitchen and in a printer. During a search of the empty space
9 between the roof and ceiling a large amount of illegal prescription medications (dangerous
10 drugs) were recovered. Pharmaceuticals and controlled substances were also hidden in the
11 walls of the examination rooms (in elaborate concealed spaces). All of the illegal/dangerous
12 pharmaceuticals required a prescription from a licensed health care provider and must be
13 dispensed by a licensed pharmacist. Pharmacist Brian Wong inspected and inventoried the
14 seized contraband and submitted a 46-page inventory report documenting the items. Deputies
15 determined there were 4383 violations of § 11352.1(b) of the Health and Safety Code, which
16 necessarily equates to 4,383 violations of the UCL.

17 89. On **May 4, 2018**, LASD Deputies searched at 730 S. Alvarado #7 pursuant to a
18 search warrant. The business was locked and Deputies made a forced entry. Inside the
19 location they found at least 110 pharmaceuticals requiring a prescription including antibiotics,
20 antihelminthics (anti-parasitic drugs), injectable anti-inflammatories, diabetes drugs, blood
21 pressure medication, analgesics and 25 needles, some pre-filled with corticosteroids. No
22 pharmacists or doctors were working at the business at the time of the warrant. Deputies also
23 found a commercial lease agreement inside and suspect Miguel JUAREZ was the name on the
24 lease. Miscellaneous paperwork and mail in the name of ROSAURA JUAREZ was located
25 including a Los Angeles Office of Finance letter and a California State Board of Equalization
26 Seller's Permit with the name ROSAURA JUAREZ printed on it. There were also numerous
27 invoices from different companies detailing the purchase of products sold to Juarez Ramirez.
28

1 Two of the invoices had the business name "New Life Naturals" printed on it. New Life Naturals
2 was the third location of the LASD search warrant for that day. The seized pharmaceuticals
3 were dangerous drugs, and some were controlled substances (testosterone). The seized
4 pharmaceuticals were inventoried by pharmacist Brian Wong who submitted a 39-page
5 inventory report documenting 110 items seized in violation of violations of HS § 11352.1(b) of
6 the Health and Safety Code, which necessarily equates to 110 violations of the UCL.

7 90. On **July 26, 2019**, LASD Detective L. Noyola purchased dangerous drugs
8 without a prescription from an unknown female at "Opcion Natural" 1826 James M. Wood
9 Blvd., Los Angeles, CA 90006. Specifically, Detective Noyola purchased 16 capsules of
10 Artribion Vitaminado, and one (1) 40 gram tube of Gelmicin cream. Registered Pharmacist
11 Brian Wong determined that the purchased medications contain active ingredients categorized
12 as dangerous drugs which must be furnished by a licensed pharmacy pursuant to a legitimate
13 prescription from an authorized licensed healthcare professional. Consequently, the sale of the
14 medications listed above amounts to 17 violations of 11352.1(b) Health and Safety, which
15 amounts to 17 violations of the Unlawful Competition Code.

16 91. On **September 13, 2019**, the HALT team conducted an undercover operation at
17 Better Naturals, 730 S. Alvarado Street that confirmed the ongoing unlicensed practice of
18 medicine and the unlawful distribution and injection of pharmaceuticals by individuals who are
19 not pharmacists or licensed health care providers. Inside the business, there were two male
20 Hispanics working in the location, one was approximately 25-30 years of age, and the other
21 was in his 70's. The older male Hispanic told the Detective that the younger man was in
22 charge. In an undercover capacity, Detective A. Saucedo asked the younger male Hispanic
23 working at the business for illegal pharmaceuticals. That male Hispanic looked concerned and
24 told Detective Saucedo that the pharmaceuticals were illegal. During the conversation between
25 the Detective and the younger male Hispanic, two female adults asked if the younger male
26 Hispanic had "injectables" referring to medicine that is injected into the body. The younger
27 male Hispanic replied in Spanish "for here or to take with you?" The ladies replied, "to take
28 home." The male Hispanic said he did have the injectables but that the ladies would have to

1 receive the injection on the premises in the back room where he could inject them. The ladies
2 declined and left the location. Detective Saucedo is a fluent Spanish speaker and was able to
3 understand the entire conversation between the ladies seeking injectables and the male
4 Hispanic. Detective Saucedo left the location thereafter. Approximately 40 minutes later, Sgt.
5 Duran-Dingillo and Det. S. Rodriguez entered "Better Naturals" in an undercover capacity. Sgt.
6 Dingillo contacted the younger male Hispanic and asked to purchase a "B-12" injection for her
7 cold. The younger male Hispanic told Sgt. Dingillo that he would give her an injection in the
8 examination room but would sell it to her to take home. At this time, a female Hispanic
9 interrupted the conversation and asked for an injectable. The male Hispanic, excused himself,
10 went to a warehouse area of the building and returned with two syringes sticking out of his
11 pocket. The younger male Hispanic led the female Hispanic to the back office/examination
12 room. Shortly after that the female Hispanic left. Sgt. Dingillo continued her conversation with
13 the younger male Hispanic and indicated that her aunt sent her to see him and that her aunt
14 had been there before and purchased injectables before. The younger male Hispanic told Sgt.
15 Dingillo to "bring your aunt back with you, and I will sell you the injectables and you can take
16 them home." At this time a female adult Hispanic interrupted the conversation and asked for
17 any injection from the younger male Hispanic. She was led to the back room/examination
18 room. A minute or so later she and the younger male Hispanic came out, and Sgt. Digillo saw
19 the female Hispanic pay the younger male Hispanic \$60 in cash and she was instructed by the
20 younger male Hispanic to come back in four (4) weeks. Sgt. Digillo and Det. Rodriguez then
21 had a conversation with the younger male Hispanic and asked if he had any "penicillin" he
22 could sell to Sgt. Dingillo. The younger male Hispanic replied, "I don't know you guys. I do it for
23 a reason" in response to refusing to sell any injectables to them. The younger male Hispanic
24 did not present himself as a doctor and there was nothing visible in the business showing he
25 had a medical or pharmaceutical license. The undercover Detectives left the location
26 thereafter. Based on all of the above information, and his training and experience, investigating
27 Detective Kalassay formed the opinion that the owners and employees of Better Naturals are
28 selling illegal prescription medication without a prescription from a licensed physician, as well

1 as dispensing illegal and dangerous pharmaceuticals without a licensed pharmacist being
2 present, in violation of 11352.1 of the Health and Safety Code, as well as practicing medicine
3 without a license.

4 92. The total number of pharmaceuticals possessed for dispensation without a
5 prescription in violation of H&S § 11352.1 in count II is at *least 11,164*, amounting to 11,164
6 separate violations of the UCL.

7 **VII. THIRD CAUSE OF ACTION**

8 **FOR VIOLATION OF THE UNFAIR COMPETITION LAW**

9 **(Possession for Sale of Counterfeit Goods in Violation of Penal Code § 350(a))**

10 **(B&P 17200 - Against All Defendants and Does 1 through 50)**

11 93. By this reference, Plaintiff incorporates herein each and every allegation set forth
12 in the above paragraphs as though re-alleged herein.

13 94. On **November 19, 2014**, an undercover investigator returned to 1826 West James
14 M. Wood Boulevard, contacted DOMINGUEZ and purchased two (2) Buscapina Compositum
15 10 mg/250mg 10 tablet blister packs and two (2) 9pm tablets for \$40 in cash. No receipt was
16 provided. DOMINGUEZ told the investigator that the medicines were prescription only, and
17 retrieved the Buscapina from a room in the back of the store. No prescription was requested or
18 provided. The two (2) 9pm tablets were counterfeit thus amounting to two (2) violations of
19 section 350(a) of the Penal Code, which necessarily equates to two (2) violations of the UCL.

20 95. On **December 1, 2014**, an investigator returned to 1826 West James M. Wood
21 Boulevard, made contact with DOMINGUEZ and purchased pharmaceuticals including: one (1)
22 bottle of Cialis 20mg containing 30 tablets. Cialis packages have several trademarks and each
23 Cialis tablet has a trademark on it, therefore this amounts to a minimum of 30 violations of
24 Penal Code section 350(a) and therefore a minimum of 30 violations of the UCL.

25 96. On **May 4, 2018**, investigators from the Department of Health Care Services
26 (DHCS) assisted the Health Authority Law Enforcement Task Force (HALT) with the service of
27 a search warrant and searched Better Naturals at 730 S. Alvarado. Investigators detained a
28 man named Victor German who indicated he was at the location to get an injection in his back.

1 A syringe was found in the rear room and German confirmed the injection was for his back.
2 German was released. Investigators also spoke with Mercedes Alvarado ("Alvarado") who
3 claimed to work at the store for the last three years. She indicated that customers come in to
4 the store, tell her their ailments, and she gives them medicine for their ailments. Mercedes
5 indicated she does not have a medical or pharmacy license. Finally, she indicated that the
6 customers administer their own medicine. Alvarado said Juan JUAREZ is in charge and also
7 gives facials. Miguel Gomez, his partner, accompanies him but does not do anything. Another
8 female claiming to be a janitor was interviewed. Several dangerous drugs requiring a
9 prescription were seized after being examined by Department of Public Health Pharmacist Dan
10 Hancz. Ledgers were also seized from the location. Inside the location they found thousands of
11 doses of dangerous pharmaceuticals, and 40 doses of Counterfeit pharmaceuticals. This
12 amounts to a minimum of 40 violations of Penal Code section 350(a) and therefore a minimum
13 of 40 violations of the UCL.

14 97. Since at least 2014, Defendants and Does 1 through 50 ("DEFENDANTS") have
15 unlawfully sold and/or possessed for sale *a minimum* of 72 counterfeit trademarks, amounting
16 to a total of 72 violations of the UCL.

17 98. DEFENDANTS' *unlawful* business practices dilute the value of lawfully registered
18 trademarks, and deprive trademark owners of legitimate profits. DEFENDANTS' illegal
19 business practices make it more expensive for legitimate businesses to compete in the City of
20 Los Angeles. Businesses that sell counterfeit goods undercut legitimate businesses that pay
21 full sales and business taxes. Legitimate businesses must also pay higher prices for licensed
22 goods, all of which requires legitimate businesses to sell goods at higher prices.

23 DEFENDANTS have intentionally, and repeatedly, sold counterfeit goods, without charging
24 taxes or providing receipts, thereby depriving the City and County of Los Angeles, and the
25 State of California, and their taxpayers of a proper accounting of revenues that could be used
26 for courts, parks, schools, libraries, street repairs, and public safety. Plaintiff has no adequate
27 remedy at law. Accordingly, unless DEFENDANTS are permanently enjoined and restrained

28 ///

1 by order of this Court, they will continue to commit acts of unfair competition, and thereby
2 continue to cause irreparable harm to Plaintiff, the People of the State of California.

3 99. Unless DEFENDANTS and DOES 1 through 50 are restrained and enjoined by
4 order of this Court, they will continue to use, occupy and maintain, and to aid and abet the use,
5 occupation and maintenance of the above businesses, together with the fixtures and
6 appurtenances located therein, for the nuisance complained of herein, to the great and
7 irreparable damage of the public and in violation of California law.

8 **PRAYER**

9 **WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND**
10 **DECREE AS FOLLOWS:**

11 **As to Counts I-III – THE UNLAWFUL COMPETITION LAW**

12 1. That DEFENDANTS and Does 1 through 50, and their agents, successors,
13 officers, employees, servants and any persons or entities who work in concert with them, on
14 their behalf be declared in violation of Business and Professions Code §17200, et seq.

15 2. Under Business and Professions Code § 17203 and the equitable powers of this
16 Court, DEFENDANTS and their assigns and all persons or entities who act in concert with
17 them or on behalf of their successors, be permanently enjoined from engaging in any of the
18 unlawful business acts and practices described in this Complaint.

19 3. Under Business and Professions Code § 17203 and the equitable powers of this
20 Court, DEFENDANTS, their assigns and all persons or entities who act in concert with them or
21 on their behalf or their successors be ordered and directed to take such actions as may be
22 necessary to prevent the unlawful business acts and practices described in this Complaint
23 from recurring.

24 4. That under Business and Professions Code §17203 and the equitable
25 powers of this Court, a permanent injunction be issued against DEFENDANTS, and Does 1
26 through 50, and each of them, including but not limited to, as follows:

27 A. Do not knowingly be present at any location where counterfeit goods are
28 sold, stored, manufactured or transported.

1 B. Immediately and permanently forfeit their lease(s) to any business
2 involved in purchase, sale or storage of illegal and/or dangerous and/or counterfeit
3 pharmaceuticals including but not limited to:

- 4 1) Opcion Natural aka A&L located at 1826/1828 James M. Wood Blvd., L.A.;
- 5 2) New Life Naturals, located at 708 Hartford, L.A.;
- 6 3) Better Naturals, located at 730 S. Alvarado, L.A.
- 7 4) Los Tres Toros, 12101 Garfield Avenue, South Gate;

8 Defendants are further ordered to provide written proof to Plaintiff of the lease
9 forfeitures, and are ordered not open any retail sales locations in the State of California.

10 C. Do not accept employment in any business selling pharmaceuticals or
11 herbal remedies or over the counter medication whether in a "brick and mortar" location
12 or online.

13 D. Not operate, directly or indirectly, any business in the State of California
14 related to, the manufacture, sale, storage, possession or transportation of commonly
15 counterfeited items including, handbags, clothing, clothing-related merchandise, CDs,
16 DVDs, sunglasses, movies, music, electronics, jewelry, or computer-related software,
17 whether on-line or in a "brick and mortar" establishment of any kind without prior written
18 notification to Deputy City Attorney, Kevin Gilligan or his successor. Notification shall be
19 via certified mail and directed to the address on the top of page 1 of this document.

20 E. That DEFENDANTS not accept employment in any business in the State
21 of California related to, the manufacture, sale, storage, possession or transportation of
22 commonly counterfeited items including, handbags, clothing, clothing-related
23 merchandise, CDs, DVDs, sunglasses, movies, music, electronics, jewelry, or
24 computer-related software, whether on-line or in a "brick and mortar" establishment of
25 any kind without prior written notification to Deputy City Attorney, Kevin Gilligan or his
26 successor. Notification shall be via certified mail and directed to the address on the top
27 of page 1 of this document.

28 5. That anyone in privity with DEFENDANTS immediately cease providing aid,

1 services or assistance to DEFENDANTS that would facilitate or enable DEFENDANTS to
2 continue to purchase, sell or store illegal and/or dangerous pharmaceuticals whether online or
3 in person, including internet sales, web hosting, domain name registration, or any form of
4 electronic commerce, that any website operated by Defendants for the purpose of advertising
5 or selling illegal, misbranded and/or counterfeit pharmaceuticals be immediately turned over to
6 the Office of the Los Angeles City Attorney, including the provision of any administrative user
7 names and passwords necessary to transfer and/or operate the websites.

8 6. That without further order of this Court, any credit card company, bank or
9 financial institution turn over any financial records including credit card transactions, deposits
10 and withdrawals of any of Defendant(s) in this case or their agents, that could lead to the
11 discovery and/or recovery of ill gotten gains obtained as a result of the illegal acts recited in
12 this complaint and turn those records over to any Los Angeles County Sheriff's Deputy
13 investigating this case upon their written request to the custodian of records for said financial
14 institution.

15 7. That, pursuant to Business and Professions Code §17200, et seq., each of
16 the DEFENDANTS be assessed a civil penalty of Two Thousand Five Hundred Dollars
17 (\$2,500), for each and every unlawful business act or practice that occurred within the four
18 year statute of limitation preceding the filing of this case, not to exceed \$10,000,000. At
19 minimum, DEFENDANTS committed at least 2,612 violations of the Health and Safety Code
20 by possessing for sale and selling misbranded pharmaceuticals (Count I - H&S § 111440);
21 DEFENDANTS committed at least 11,164 violations of the Health and Safety code by
22 unlawfully possessing for sale and selling pharmaceuticals without a license {Count II - H&S §
23 11352.1(b)}, DEFENDANTS committed at least 72 trademark violations contrary to Penal
24 Code §350(a), which is Count III. In total, DEFENDANTS committed at least 13,848 violations
25 of the Unlawful Competition Law. That pursuant to Business and Professions Code §
26 17206(b), the court consider for purpose of determining the amount of civil penalties, the
27 nature and seriousness of DEFENDANTS' misconduct, the number of violations, the
28 persistence of the misconduct, the length of time over which the misconduct occurred, the

1 willfulness of DEFENDANTS' misconduct, and the DEFENDANTS' assets, liabilities, and net
2 worth. These figures are based on the few days in which investigators and/or law enforcement
3 visited the Businesses, and therefore, very likely underestimate the volume and value of
4 DEFENDANTS' unlawful business practices.

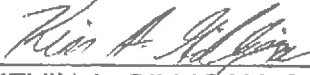
5 8. That Plaintiff recover the amount of the filing fees and the amount of the fee for
6 the service of process or notices which would have been paid but for Government Code §
7 6103.5, designating it as such. The fees may, at the Court's discretion, include the amount of
8 the fees for certifying and preparing transcripts.

9 9. That Plaintiff be granted such other and further relief as the Court deems just and
10 proper.

11
12 DATED: September 20, 2019

Respectfully submitted,

13 MICHAEL N. FEUER, City Attorney
14 MARY CLARE MOLIDOR, Chief, Criminal Branch
15 WILFREDO R. RIVERA, Deputy Chief, Special Litigation
Division

16 By: 
17 KEVIN A. GILLIGAN, Supervising City Attorney
18 Attorneys for Plaintiff, THE PEOPLE OF THE
STATE OF CALIFORNIA