

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

DISTRICT OF COLUMBIA,
a municipal corporation
441 4th Street, N.W.
Washington, D.C. 20001,

Plaintiff,

v.

JUUL LABS, INC.,
560 20th Street
San Francisco, CA 94107,

and

PAX LABS, INC.,
660 Alabama St,
San Francisco, CA 94110,

Defendants.

Case No.:

JURY TRIAL DEMANDED

COMPLAINT FOR VIOLATIONS OF THE
CONSUMER PROTECTION PROCEDURES ACT

The District of Columbia, by the Office of the Attorney General (the “District”), brings this action against Defendants JUUL Labs, Inc. (“JUUL”) and Pax Labs, Inc. (“PAX”) to stop ongoing violations of the District of Columbia Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901, *et seq.* In support of its claims, the District states as follows:

INTRODUCTION

1. Defendant JUUL is the dominant market player in a spiraling public health emergency of teenage e-cigarette use, known as “vaping.” With millions of high school kids at risk, the U.S. Food and Drug Administration (“FDA”) and the U.S. Surgeon General have both declared teenage vaping an “epidemic,” with the latter declaring that “[w]e have never seen use

of any substance by America's young people rise as rapidly as e-cigarette use." These teenagers did not just stumble into vaping—rather they are the victims of JUUL's illegal conduct. This conduct—in many respects borrowed straight from the playbook used by Big Tobacco—has now hooked a new generation of teenagers on JUUL's harmful nicotine products.

2. First, JUUL was specifically designed and marketed with an eye towards addicting underage non-smokers. JUUL developed flavor profiles, such as mango, coco mint, and fruit medley, that were tailored towards kids. It altered the chemical composition of its nicotine pods to make vaping JUUL less irritating to inexperienced smokers' throats and more addictive at the same time. And it designed an e-cigarette that was sleek and concealable, unlikely to draw attention, and easily stashed in a backpack or even a back pocket. If designing a highly addictive product tailored towards kids were not bad enough, JUUL then relentlessly marketed to underage users. It engaged in a highly coordinated marketing campaign, including the use of launch parties, advertisements using trendy-looking young models, social media posts, and free samples, knowing that it was addicting teenagers and securing a long-term consumer base that would be hard-pressed to kick the habit.

3. In addition to its unfair and unconscionable youth-oriented product design and marketing campaigns, JUUL misled its users and the public at large about the safety and smoking cessation uses of its product. JUUL deceptively hid the true strength of its nicotine pods and explicitly misrepresented not only the strength of its product vis-à-vis traditional cigarettes but also its effectiveness as a path to quitting cigarettes. It also misled students and other consumers by claiming its product was safe, while knowing it was highly addictive and that other potential dangers were and remain unknown. JUUL even misled the public regarding its

efforts to allegedly combat youth smoking, claiming it was taking aggressive measures when it knew those measures were insufficient and ineffective.

4. Finally, JUUL flouted District law by allowing its product to flow freely to underage users through online sales enabled by its ineffective age-verification system. JUUL's age-verification system contained an array of flaws and loopholes that allowed teenagers to easily purchase its addictive products. Despite knowing about these failures for years, JUUL failed to take effective action, prioritizing profit over legality.

5. Sadly, this illegal and deceptive conduct has led to thousands of District middle- and high-school students falling prey to JUUL's highly addictive products. JUUL knows this: in July 2018, one impacted student at Woodrow Wilson High School emailed JUUL and described how "[k]ids are 'Juuling' in the bathroom, in the hallway and stairways, and even in the classroom" and how "practically everyone" is vaping. Noting that JUUL "make[s] the devices that are harming these youth," the student described herself as a "teenager surrounded by people harming themselves everyday by inhaling heated up chemicals into their lungs."

6. The Attorney General brings this action to protect District teenagers and other consumers by putting an end to JUUL's unfair and deceptive conduct.

JURISDICTION AND PARTIES

7. This Court has jurisdiction over the subject matter of this case pursuant to D.C. Code §§ 11-921 and 28-3909.

8. This Court has personal jurisdiction over Defendants JUUL and PAX pursuant to D.C. Code § 13-423(a).

9. Plaintiff District of Columbia, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government

of the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is specifically authorized to enforce the District’s consumer protection laws, including the CPPA, pursuant to D.C. Code § 28-3909.

10. Defendant JUUL is a corporation incorporated in Delaware with its principal place of business in San Francisco, California. JUUL originally operated as part of PAX. In 2017, JUUL and PAX split into separate companies. JUUL manufactures, designs, sells in the District, markets, promotes, and distributes JUUL e-cigarettes, JUUL pods, and accessories.

11. Defendant PAX is a corporation incorporated in Delaware with its principal place of business in San Francisco, California. PAX and JUUL were responsible for the initial design, marketing, and all other conduct relating to JUUL products prior to JUUL being split off as a separate company in 2017. In allegations that concern the time period prior to JUUL and PAX splitting into separate companies, this Complaint uses “JUUL” to refer to both JUUL and PAX.

FACTUAL ALLEGATIONS

I. The Emergence of E-Cigarettes

12. The tobacco industry has long improperly promoted cigarettes as part of a glamorous lifestyle and targeted minors with their advertising. A wave of litigation by government enforcers stopped this deceptive marketing, culminating in the Master Settlement Agreement (“MSA”) in 1998. The MSA, among other things, forbids cigarette manufacturers from targeting youth: banning cartoons, transit advertising, most forms of outdoor advertising,

product placement in media, branded merchandise, free product samples (except in adult-only facilities), and most sponsorships.

13. These marketing restrictions contributed to a steep decline in cigarette use among youth. By 2018, smoking rates among 8th, 10th, and 12th graders had declined by 90%, 86%, and 75%, respectively, from their peak usage rates in 1996-97, just before the MSA was executed. This reversal marked one of the greatest public health successes in American history.

14. But a new problem was on the horizon. Around the time the MSA was finalized, e-cigarettes, a new technology not subject to the MSA, were developed. Also known as vaporizers, these battery-operated, handheld smoking devices create an aerosol from a liquid that typically contains nicotine, flavorings, and other chemicals. Users inhale the aerosol into their lungs, causing the nicotine and other chemicals to be absorbed rapidly into their bloodstreams. E-cigarettes typically have four parts: (1) a cartridge or reservoir that contains a liquid solution of nicotine, flavorings, and various chemicals; (2) a battery or other power source; (3) a heating element or atomizer; and (4) a mouthpiece.

II. E-Cigarette Harm

15. E-cigarette manufacturers and their advocates often claim that e-cigarettes, because they are not combustible, are safer than traditional cigarettes.

16. But e-cigarettes are not safe. The nicotine in e-cigarettes is highly addictive, particularly when used by teenagers, whose developing brains are more sensitive to nicotine than adult brains. E-cigarettes are a gateway to traditional cigarette use. Indeed, teenagers who vape are seven times more likely to smoke traditional cigarettes and expose themselves to all the incumbent health problems associated with cigarette use.

17. Additionally, e-cigarettes contain numerous harmful chemicals that, when aerosolized and inhaled into the lungs, are linked to obstructive lung disease, blood vessel damage, and heart disease. E-cigarettes also produce formaldehyde and acetaldehyde, which are carcinogens.

18. Scientific research also shows that exposure to nicotine at a young age increases the likelihood of abusing other addictive substances, including methamphetamine, cocaine, and alcohol. Even brief exposure to a low dose of nicotine can produce lasting changes in adolescents and can lead to a greater likelihood of substance abuse.

III. JUUL's Rapid Rise to Dominance

19. PAX, the company that founded JUUL, introduced JUUL-branded e-cigarettes into the market in 2015, along with an aggressive, youth-focused marketing campaign. By 2017, JUUL's products had become so popular and commercially successful that PAX decided to spin JUUL off as its own company.

20. JUUL's e-cigarette device has a sleek, contemporary design that resembles a portable USB memory drive. Its battery can be charged by plugging it into a computer's USB port, making it convenient to use and easily concealable. The device uses replaceable pods that contain liquid nicotine and flavoring, which until recently included an array of flavors tailored to young people, including mango, apple, and "cool" cucumber.

21. As the popularity of JUUL's e-cigarettes soared, the company grew exponentially. The company quadrupled in size from September 2017 to September 2018. In December 2018, JUUL struck a deal with Altria—one of the world's largest cigarette manufacturers and the parent company of Philip Morris USA—that valued JUUL at \$38 billion. Under the terms of the deal, Altria invested \$12.8 billion in JUUL in exchange for a 35% stake in the company and the

authority to appoint one third of JUUL's board.

22. JUUL's growth during this time was especially prolific in the District. Between 2017 and 2018 alone, JUUL's online sales to District consumers [REDACTED] while its combined revenue from online and retail sales in the District [REDACTED]. One principal of a District high school observed that vaping among students has gotten "progressively worse" over the last four years, and estimated that half of the juniors and seniors were using e-cigarettes.

IV. JUUL Targets Underage Users with Its Product Design and Youth-Oriented Marketing.

23. The rapid expansion of underage use of JUUL products was not an accident. Rather, it is a direct result of JUUL's decision to design and market its product in a way that appealed to new, underage users.

A. JUUL Designed E-Cigarettes It Knew Would Appeal to Underage Users.

24. JUUL designed e-cigarettes to appeal to new, underage users through (i) youth-oriented flavors, (ii) an altered chemical composition more palatable to new smokers, and (iii) a sleek appearance and design.

i. JUUL Marketed Teenage-Friendly Flavors.

25. Flavored e-cigarettes are a gateway for underage tobacco use and a major culprit in the sharp rise of underage e-cigarette consumption. Numerous studies have confirmed this fact. One study found that 81.5% of youth who use e-cigarettes said they do so because the e-cigarettes "come in flavors I like." A study by the FDA found that, among 12- to 17-year-olds who had recently begun using e-cigarettes, 96% had used a flavored e-cigarette the first time they tried the product, and that 97% of the same group reported they had used a flavored e-cigarette in the past month. Still another study shows that 12- to 17-year-olds are the

demographic with the highest percentage of flavored e-cigarette users (31.2%), a saturation rate more than twice as high as among 18- to 24-year-olds (13.6%), and over four times as high as among adults over age 25.

26. The understanding that flavors attract underage users is not new. In 2009, the FDA banned cigarettes containing any artificial or natural flavoring (other than tobacco or menthol) pursuant to the FDA's new authority under the Family Smoking Prevention and Tobacco Control Act. In announcing the ban, the FDA declared that "flavored cigarettes are a gateway for many children and young adults to become regular smokers."

27. Despite this, JUUL designed and marketed its e-cigarettes with an array of youth-oriented flavors, including, "Miint," "Fruut," "Bruule," and "Tobaac." JUUL quickly increased its flavor offerings, including "Cool Cucumber," "Coco Mint," "Apple Orchard," and "Mango." JUUL also indicated an intent to introduce "Guava," "Peanut and Jam," "Apple Crumble," "Apple Cran," "Peach Ginger Tea," "Cinnamon Snap," and "Spicy Watermelon."

28. In November 2018, following media exposure and increased pressure from the FDA and other regulators, JUUL announced it would no longer fill orders from retailers for its Mango, Creme Brulee, Cool Cucumber, and other fruit flavors. JUUL continued to sell its Mint flavored pods until November 2019. These half-measures came too late to stop the significant growth of teen vaping caused by JUUL's conduct.

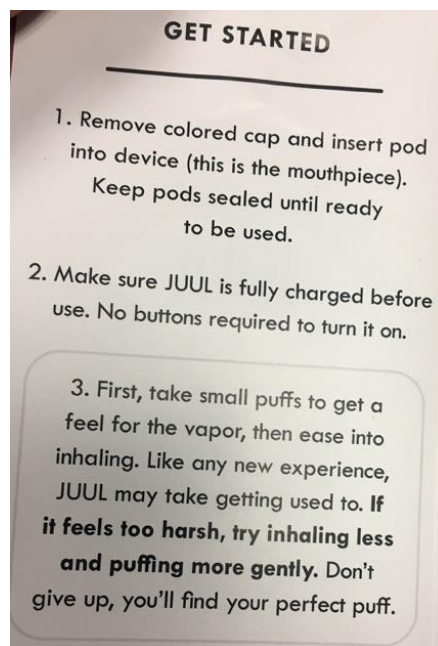
ii. JUUL Developed a Highly Addictive Chemical Formula That Appealed to New Underage Smokers.

29. JUUL also made its products appealing to underage users by altering the chemical composition of the nicotine in its e-cigarettes to be less harsh on consumers' throats, while at the same time delivering high doses of addictive nicotine. This chemical composition—which paired "smooth" consumption with a significant nicotine "kick"—made JUUL products simultaneously

more appealing to non-smokers, such as underage first-time users, while also making the products highly addictive.

30. Again, JUUL borrowed directly from the Big Tobacco playbook, altering the pH level of the nicotine in its e-cigarettes to, as a JUUL engineer described in 2015, make inhalation “smoother.” Experienced smokers are already tolerant of the irritation to the throat and respiratory tract caused by smoking combustible cigarettes, whereas new or inexperienced smokers are not. JUUL’s making its e-cigarettes more palatable by reducing or eliminating their harshness aligns those products towards inexperienced teenagers and non-smoking adults.

31. This alignment was intentional. Indeed, the instructions that JUUL includes with its devices are focused on new or inexperienced smokers. The instructions encourage users, at the start, to “take small puffs” and “get a feel” for the vapor, “then ease into inhaling. . . . If it feels too harsh, try inhaling less and puffing more gently.” Moreover, JUUL’s instructions encouraged these new smokers to keep trying until they acclimated to the addictive device: “Don’t give up, you’ll find your perfect puff.”



32. In addition to making its products “smoother,” JUUL also altered its product to deliver more nicotine than regular cigarettes, increasing the likelihood and speed of addiction. Data JUUL submitted in connection with its patent filing showed that nicotine uptake within 90 seconds of consumption was approximately four times higher when vaping a JUUL product than when smoking a combustible cigarette.

33. Not all e-cigarettes are designed like JUUL. JUUL’s product is unique in its chemical composition as it combines high levels of nicotine with altered pH levels to assure a smooth inhalation. A 2018 study showed that JUUL pods had far more nicotine than competitor products, ranging from twice as much to nineteen times as much nicotine. The study observed that JUUL’s unique chemical composition “may well contribute to the current use prevalence of JUUL products among youth.”

iii. JUUL Designed a Youth-Friendly Device.

34. JUUL also targeted youth in the way it designed its e-cigarette device. JUUL’s physical design is sleek and stylish—created to look like the latest tech invention. Its device resembles an easily concealable USB drive. This design not only permits the device to be recharged through a computer’s USB port, it also appeals to young and tech-savvy teenagers. Indeed, initial reviews of the product included comparisons between JUUL devices and iPhones, and JUUL even marketed the device as “the iPhone of E-cigs.” As one concerned parent wrote to JUUL regarding her 14-year-old son in July 2018: “All he knows of your product is its clever packaging, design, and marketing[,] which seems perfectly targeted to young adults and teenagers. He associates it more with a tech product because of your slick USB charger that you promote.”

35. In addition, the JUUL device has features with no apparent purpose other than targeting youth-oriented tech and gaming culture. For example, the device’s battery indicator light flashes in “party mode” when the user shakes the device. This feature is useless to the proper functioning of the device, but it has served a valuable purpose to JUUL, prompting free viral advertising in the form of numerous internet posts and tutorials written or recorded by

teenagers explaining how to activate the “party mode” feature. One YouTube video of a 17-year-old student explaining how to “keep your juul in party mode” has garnered over 850,000 views.

36. The device is also easy to conceal—given its size and close resemblance to a USB drive—which appeals to underage users seeking to vape without detection by a parent or teacher. Teenagers and others share tips on YouTube about how to sneak a JUUL device into school or hide it at home. One research paper canvassed YouTube in 2018 and found that a search for “stealth vaping” returned 18,200 responsive videos; “JUUL at school” 15,500 videos, “JUUL in class” 6,840 videos, and “hiding JUUL in school” 2,030 videos. Indeed, the design enables students to covertly use JUUL devices behind a teacher’s back in class. As Safe Kids Worldwide, a nonprofit child advocacy organization, put it in advice to school principals, the “thrill of concealing a JUUL becomes part of its allure.”

B. JUUL’s Marketing Campaign Targeted Underage Users.

37. Having designed highly-addictive e-cigarette products it knew appealed to underage inexperienced users, JUUL popularized these products with a marketing campaign directed at District consumers that focused on sexy, cool youth culture.

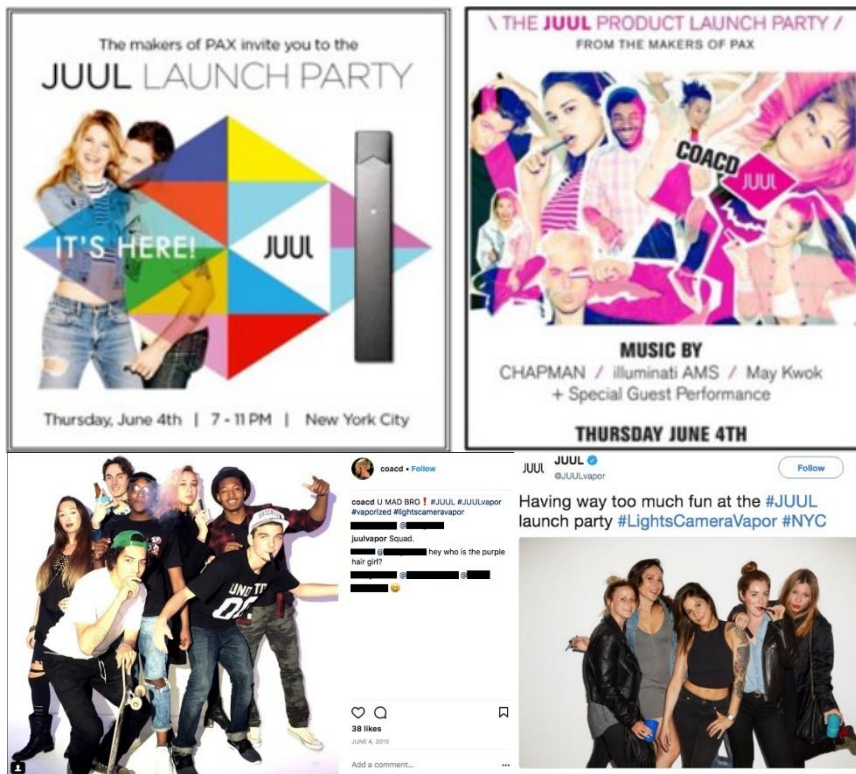
38. JUUL’s marketing borrowed directly from banned strategies that Big Tobacco used to target teenagers and induce underage cigarette use.

39. Rather than treating these banned strategies as a cautionary lesson of what to avoid, JUUL forged ahead with Big Tobacco’s old playbook, including, for example, by marketing to youth through outside billboards, sponsored events, free samples, and paying third-party “influencers” to promote JUUL products through various media with significant youth demographics. Indeed, James Monsees, one of JUUL’s founders, acknowledged in a 2018

interview that the design of JUUL’s advertising had been informed by traditional tobacco marketing strategies and that JUUL mimicked old Big Tobacco advertisements.

i. JUUL Holds Launch Parties with Free Samples.

40. JUUL introduced its vaping device in June 2015 with a launch party and social media campaign filled with young models who resembled teenagers. Guests were encouraged to share photos from the event on their own social media accounts using the hashtag #LightsCameraVapor. Samples of promotional materials for, and photographs from, the launch party follow:

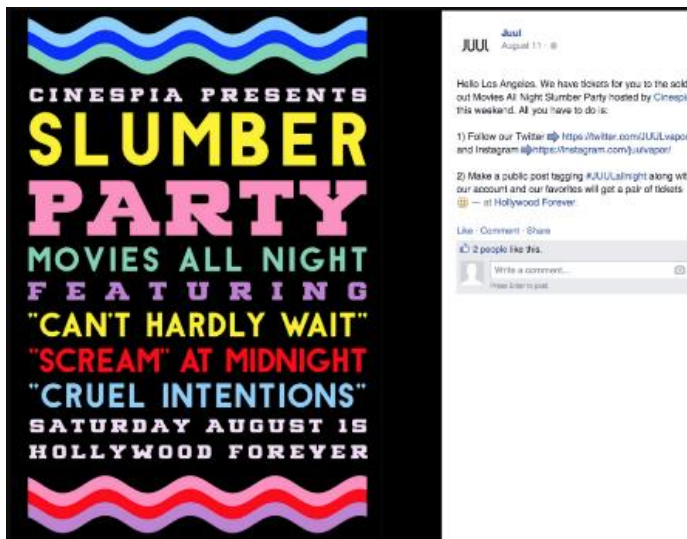


41. Following the launch, JUUL held a series of highly stylized parties, typically with rock music entertainment, in cities across America. Thousands of young people were given free JUUL products, and JUUL posted photos of young people using its e-cigarettes across its social media accounts. The volume of free samples distributed at these events was substantial,

exceeding on average more than 5,000 samples per event, which is tantamount to more than 20,000 packs of cigarettes. Party invitations did not indicate that JUUL products contained nicotine, or that age restrictions applied.

42. One such JUUL event was an all-night “slumber party”—a term that evokes a child or teenage activity—that featured iconic teen movies such as *Can’t Hardly Wait*, *Cruel Intentions*, and *Scream*.

43. Part of JUUL’s strategy was to use event attendees to serve as “brand ambassadors,” spreading JUUL’s message



to their friends via word of mouth and on social media, and using JUUL-related hashtags to generate “buzz” about the product. The JUUL hashtag was used thousands of times by underage social media account holders to tag photos and videos of themselves using the product.

44. JUUL eventually acknowledged that it was unlawful to provide free samples of nicotine products at live events. Notwithstanding this acknowledgement, in December 2017, JUUL tweeted an invitation for a “‘demo event’ for \$1 in Miami.” In April 2018, JUUL promoted an event where new users could learn “how to use your device and sample #juulpod flavors to find your favorite.”

45. Public-health experts have confirmed that JUUL’s advertising campaign—including holding launch parties and emphasizing sweet flavors—made e-cigarettes appealing to underage people who might not have otherwise used these products.

ii. JUUL’s “Vaporized” Campaign and Influencers

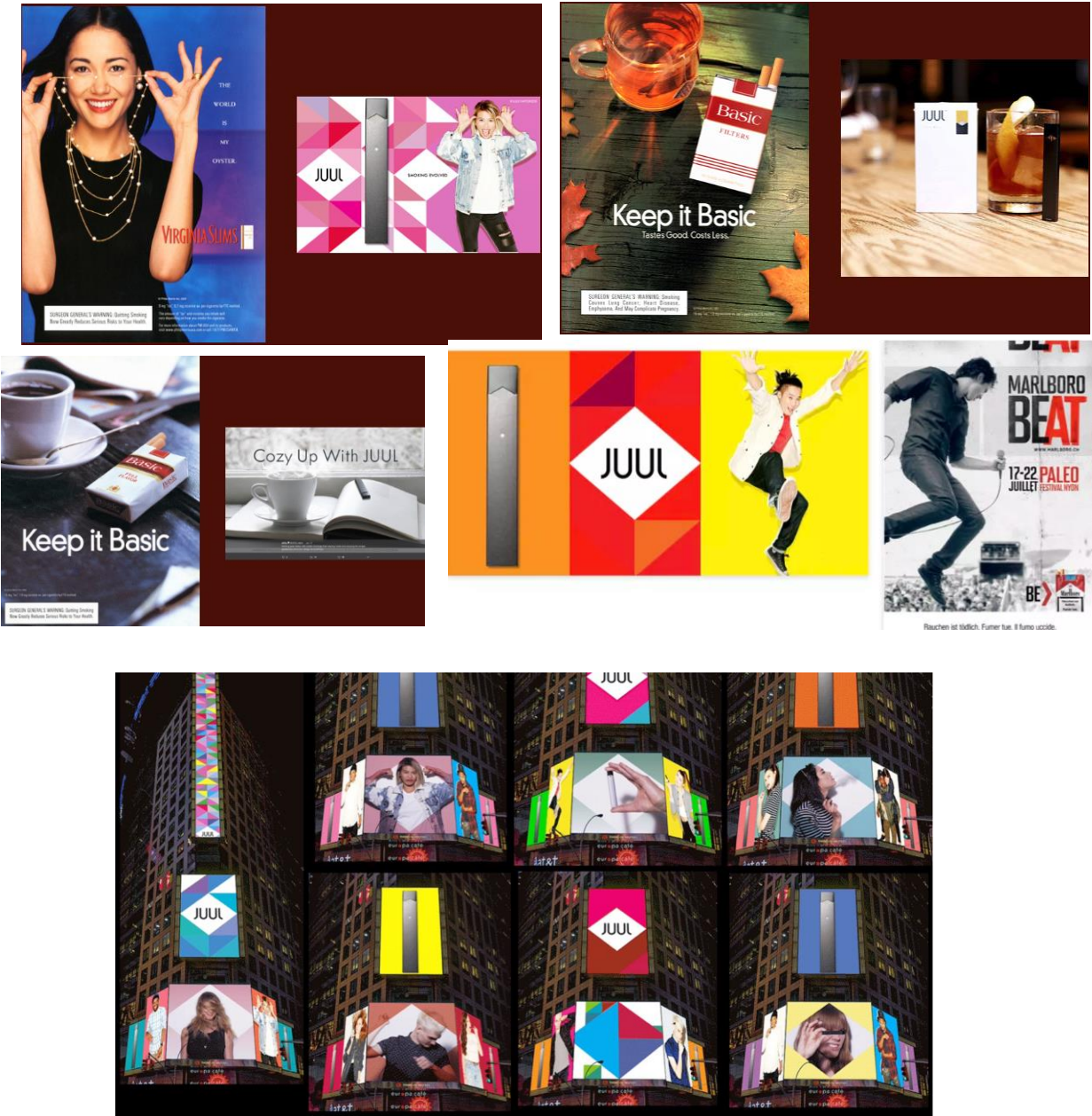
46. In 2015, JUUL launched its “Vaporized” marketing campaign, which featured trendy young models appearing in poses and behaviors characteristic of underage teens.

Examples from the campaign include:



47. A former JUUL employee told Business Insider that the company’s initial marketing was targeted “probably too close to a sensitive demographic to be using those images anymore.” A second JUUL employee acknowledged that one of the women in the advertisements “could have been 18.”

48. Notably, many JUUL advertisements from the Vaporized campaign mimicked Big Tobacco advertisements, including those designed to appeal to teenagers. JUUL ran a full-page spread in *Vice* magazine, which markets itself as the “#1 youth media company” in the world. JUUL also advertised on a 12-screen billboard over Times Square.



49. JUUL’s marketing strategy also included actively promoting its products on Instagram, Twitter, YouTube, and Facebook—all of which at the time of these campaigns had a youthful user base. For instance, in 2016, 76% of American teens age 13-17 used Instagram, 66% used Facebook, and 47% used Twitter.

50. In another form of marketing designed to draw in new underage users, JUUL employed “influencers,” social media users with sizable followings in a target demographic who are paid to promote products to their followers. JUUL and its marketing firms specifically valued influencers because they “appealed to the younger market.”

51. In 2015, JUUL posted a job opening for an “Influencer Marketing Intern” stating that the employee “will create and manage blogger, social media and celebrity influencer engagements.” JUUL also contracted with Grit Creative Group, an advertising agency, to identify social media influencers, aiming to recruit users with at least 30,000 followers to “establish a network of creatives to leverage as loyalists” for its brand.

52. One such influencer with a sizable youth following with whom JUUL contracted was Christina Zayas. JUUL, through a marketing firm, paid Zayas \$1,000 for just one blog post and one Instagram post in late 2017.



iii. JUUL Received Early Confirmation that Its Marketing Was Attracting Youth and Continued Targeting the Demographic.

53. JUUL monitored social media activity and received direct confirmation beginning in 2015 that underage consumers were using and promoting their products.

54. JUUL senior managers knew in 2015 that teenagers were posting images of themselves vaping on social media, using JUUL-related hashtags. Indeed, JUUL amplified teen-oriented messages by reposting them on its own social media pages.

55. One study showed that JUUL's Twitter account was followed by teens and that 25% of those re-tweeting official JUUL tweets were under 18 years old.

56. As early as June 2015, JUUL was warned that its campaign—given the “youth of the men and women depicted in the campaign”—amounted to “irresponsible marketing” that would appeal to underage users.

57. Despite these warnings, JUUL took little to no action to address the rising use and popularity of JUUL products among underage users. Instead, JUUL continued to use marketing strategies that targeted young people, up through at least 2018, and maintained its focus on social media platforms that were and are especially popular among youth, such as Instagram, Facebook, YouTube and Twitter.

58. JUUL complemented this social media marketing blitz with email advertisements that went directly to teenagers. Between 2015 and 2018, JUUL sent at least 189 e-mail marketing blasts to consumers, almost none of which were age restricted. Indeed, underage people who failed JUUL's age verification test online were still automatically added to JUUL's marketing email list. JUUL then sent these underage individuals a series of advertising emails, including a discount coupon to buy a JUUL starter kit.

59. In 2017, a JUUL manager estimated that removing email addresses that could not be age-verified by a third party would result in removing up to 30% of the email addresses from the marketing list. For that reason, the manager suggested continuing to send emails to non-age-verified consumers or risk “losing leads.” As of August 2018, JUUL had about 529,000 email

accounts that were not age-verified, the vast majority of which had received JUUL promotional emails.

60. By the time JUUL caved to media and regulatory pressure to halt its social media onslaught, the damage was done. As Dr. Robert Jackler, a Stanford professor who founded the Stanford Research Into Impact of Tobacco Advertising, explained: “The JUUL hashtag lives on. It’s immortal. It’s still viral in peer-to-peer teen promotion.” “Once [JUUL] lit the match, it took off like a wildfire. . . . The fact that Juul shut down its own social media postings had little effect.” Indeed, JUUL’s hashtags, imagery, and impact continue to have a life of their own. As of October 23, 2019, there were 616,000 posts on Instagram featuring the #juul hashtag.

V. JUUL Deceives the Public about its E-Cigarette Products.

61. In addition to JUUL’s unfair and unconscionable conduct with respect to targeting underage users, JUUL also misled all consumers—minors and adults—about (i) the strength of the nicotine in its products, (ii) the nicotine equivalency of its products to traditional cigarettes, (iii) its product being safe and an effective smoking cessation device that is “safer” than traditional cigarettes, and (iv) its alleged efforts to stop underage smoking.

A. JUUL Makes Deceptive Assertions about Nicotine Content.

62. From its launch in 2015 until at least 2017, JUUL claimed that its replacement pods were “5% strength.” However, this claim included no indication that “5% strength” referred to nicotine content, or that JUUL products contained any nicotine at all. During this time, and up until August 10, 2018, JUUL was not subject to FDA labeling requirements. *See* Final Rule, 81 Fed. Reg. 28,974, 28,988 (May 10, 2016); 21 C.F.R. § 1143.3(a)(1).

63. As a predictable consequence of JUUL’s marketing, many of JUUL’s customers—especially its young customers—were unaware that JUUL contained nicotine. One

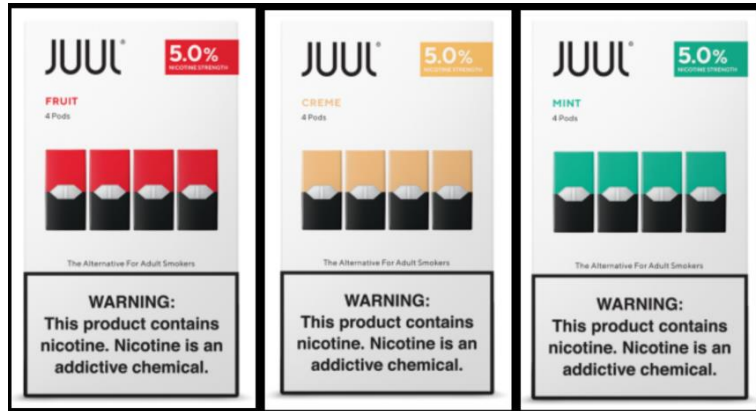
survey in 2017 found that 63% of JUUL users between the ages of 15 and 24 did not know that JUUL products always contain nicotine.

64. As JUUL became subject to FDA labeling requirements in 2018, it updated its packaging, adding an explicit warning in large font indicating: “This product contains nicotine. Nicotine is an addictive chemical.” But this iteration of its packaging continued



to state that JUUL pods were “5.0% strength” without indicating that, or how, “5% strength” correlated with nicotine content.

65. Only later in 2018 did JUUL update its packaging once again to indicate that its product contained “5.0% NICOTINE STRENGTH.”



66. JUUL’s marketing materials still fail to explain that the company calculates the “strength” of a pod in a way that understates the actual nicotine strength of its products in at least three respects.

67. *First*, JUUL’s representation of “5% strength” is misleading because the calculation does not comport with industry standards. When JUUL entered the market, it was standard practice among its e-cigarette competitors to advertise their products’ nicotine concentration (i.e., “strength”) by volume, as the number of milligrams (mg) of nicotine per

milliliter (mL) of liquid in a pod. JUUL, however, calculates nicotine “strength” by weight, i.e., as the number of mg of nicotine per mg of liquid in a pod. The ratio of concentration of nicotine by weight (mg) tends to be smaller than the ratio of concentration by volume (mL). As a result, JUUL’s practice gives consumers the incorrect impression that its product is weaker in nicotine concentration than other products in the market and than an industry-standard calculation would indicate.

68. Following the industry standard approach, JUUL pods have a nicotine concentration of 5.9%, not 5%. At 5.9% strength, JUUL pods have a nicotine level approximately three times higher than that which was common among other e-cigarette products in the market before JUUL’s emergence.

69. *Second*, JUUL products have been found to contain concentrations of nicotine higher than the advertised 5% even when measured by weight. JUUL continues to advertise its “5% strength” when it knows JUUL pods may contain higher nicotine concentrations.

70. *Third*, JUUL’s assertions of 5% nicotine strength are also misleading because they omit an important fact: that the chemical composition of JUUL’s e-liquid causes more nicotine to be absorbed into a user’s bloodstream than an equivalent amount of nicotine used in competitors’ e-cigarettes or in traditional combustible cigarettes.

B. JUUL Made Deceptive Statements that a JUUL Pod is Equivalent to a Pack of Traditional Cigarettes.

71. On its website, in advertisements, and in public statements, JUUL frequently claimed that the amount of nicotine in one JUUL pod is similar to the amount of nicotine contained in one pack of cigarettes or 200 puffs. For example, as part of its online “JUUL Saving Calculator,” JUUL stated that “[o]ne 5% strength JUUL pod is designed to replace one pack of cigarettes in both amount (20 cigarettes~200 puffs) and nicotine strength.”

72. This asserted equivalency between JUUL pods and a pack of cigarettes is deceptive and misleading. While the nicotine contained in each pod, by weight, may or may not be about equal to the amount of nicotine contained in a pack of cigarettes, the true amount of nicotine that a consumer takes into her bloodstream from a JUUL pod is significantly more than if she had smoked a pack of cigarettes.

C. JUUL Misled Consumers with Deceptive Assertions That Its Products Are Safe for Use, Safer than Traditional Cigarettes, and Effective Smoking Cessation Devices.

73. JUUL misled consumers by representing that its product was safe for use, failing to disclose that its product has nicotine and other chemicals, and failing to disclose the harmful effects of nicotine and the other chemicals included in or produced by the use of JUUL products.

74. As explained above, nicotine is highly addictive and is especially harmful for teenagers and adolescents. Scientific research shows that exposure to nicotine at a young age increases the likelihood of abusing other addictive substances.

75. Despite the known dangers of nicotine and its highly addictive quality, JUUL failed to disclose both that its products contained nicotine and the harmful effects of nicotine in advertisements and social media posts until approximately 2017.

76. In addition, JUUL made misrepresentations and omissions to conceal that its products included other potentially dangerous substances, separate and apart from nicotine. Among other chemicals, as early as 2014, JUUL knew that the use of its products may result in the consumption of formaldehyde, a chemical which can cause cancer. In 2016, an internal JUUL communication acknowledged that “Miint and Fruut have pretty high amount[s] of formaldehyde.” Despite this, JUUL represented that its product was safe, claiming publicly that its technology eliminated dangerous chemicals from e-cigarette vapor.

77. JUUL has also deceived consumers by representing that its products are proven to

be safer than traditional cigarettes. Several such deceptive statements were detailed in a September 9, 2019 warning letter that the FDA issued to JUUL ordering JUUL to stop making unproven claims for its products, including:

- a. A JUUL representative telling students during a presentation that JUUL “was much safer than cigarettes”;
- b. The same JUUL representative telling students that JUUL was “totally safe”;
- c. A JUUL representative telling a student that he “should mention JUUL to his [nicotine-addicted] friend . . . because that’s a safer alternative than smoking cigarettes, and it would be better for the kid to use”; and
- d. A JUUL representative telling students that, “FDA was about to come out and say it [JUUL] was 99% safer than cigarettes...and that...would happen very soon.”

78. Building on these deceptive statements about JUUL products being safer than cigarettes, many JUUL advertisements claim that e-cigarettes assist smoking cessation, urging consumers to “make the switch,” “help a smoker switch to JUUL,” or “help mom switch to JUUL.” This “switch” theme, which has featured a series of video testimonials of former smokers crediting JUUL for helping them quit smoking combustible cigarettes appeared on JUUL’s website and in social media channels.

79. JUUL’s “make the switch” campaign misleads consumers into believing that JUUL may be an effective smoking cessation device. The FDA has not approved JUUL as a modified risk tobacco product or as a nicotine replacement therapy.

80. Moreover, studies show that JUUL is a gateway to traditional cigarettes. Teenagers who vape are seven times more likely to smoke traditional cigarettes.

81. JUUL’s representations that its products are safe, safer than traditional cigarettes, and should be used as a smoking cessation device are inaccurate and lack an adequate scientific basis, and thus have the tendency to mislead consumers.

D. JUUL Deceived Consumers Regarding Its Youth Targeting and Its Efforts to Combat Youth Smoking.

82. Many adult users of e-cigarettes care about whether their e-cigarette company targets teenagers and the extent to which the company combats underage e-cigarette use. Thus, an e-cigarette company’s representations concerning its alleged attempts to avoid underage targeting or its efforts to combat youth e-cigarette use are material to purchasers’ decisions to buy from a particular e-cigarette company or from a more ethical competitor. JUUL has made multiple misrepresentations that are material to these consumers.

83. JUUL has and continues to represent that its products are not intended for new or inexperienced smokers. JUUL’s website proclaims that JUUL “was designed with adult smokers in mind.” However, as described above, JUUL was specifically developed, designed, and marketed to attract young and inexperienced smokers through youth-oriented flavors, an altered chemical composition, and a sleek device design.

84. JUUL also represented that its age-verification process is effective in preventing online sales to underage individuals. But, as described further below, JUUL’s age-verification system is faulty and has illegally permitted many minors to purchase JUUL products.

85. Additionally, JUUL touted its secret shopper program as evidence that it was making a serious and concerted effort to stop minors from using its products. This was a program allegedly instituted by JUUL to make undercover purchases from retail establishments in order to identify retailers that were improperly selling JUUL products to underage users. For example, in April 2018, JUUL published a “Comprehensive Strategy to Combat Underage Use” that

included a promise to “[b]uild[] on the company’s efforts to enforce appropriate age verification at retail through its ‘secret shopper’ program.” But as of March 2019, JUUL’s secret shopper program had conducted [REDACTED] compliance checks of District retailers.

VI. JUUL Knowingly Fails to Properly Age Verify Its Customers.

A. JUUL’s Inadequate Age-Verification System Fails to Comply with District Law.

86. District law prohibits the sale of tobacco products to anyone under age 21. D.C. Code § 7-1721.02(a). This prohibition applies to e-cigarettes. *Id.* § 7-1721.01(1). Despite the prohibition, underage teens constitute a significant share of JUUL’s customer base in the District. JUUL not only intentionally designed and deceptively marketed its product to target underage, new smokers, but, in violation of District law, JUUL also failed to properly age verify its sales.

87. From at least 2015 to 2018, JUUL’s online age verification system was insufficient to stop minors from obtaining e-cigarettes through its website.

88. During an initial period following JUUL’s debut, online customers on paxvapor.com were not age verified at all during purchases. When the company instituted an age-verification process in 2016, it resulted in a 26% decrease in customers.

89. In 2016, JUUL instituted a verification system that required consumers to provide their name, address, and date of birth to make online purchases. However, for at least the first year, the age-verification process did not work for consumers living in many locations. In one instance, JUUL’s online checkout page did not block a purchase request associated with a May 11, 2015 date of birth—i.e., that of a baby. One JUUL employee warned the company during this time that at least one customer had “orders ship out in the past” but was “NEVER age verified.”

90. During this time, the system also failed to require a 100% match between the information a customer entered into the system and public records. As a result, many sales were completed even though the information in the public records did not match the information submitted by a customer. For example, at times, JUUL did not require the year of birth submitted to match the year of birth available through public records. JUUL eventually corrected this flaw, causing the age-verification “pass rate” to fall by 5-7%.

91. In addition to these flaws, JUUL’s age-verification system included numerous loopholes that allowed teenagers to purchase products. For example, if, while placing an online order, a customer input a date of birth that reflected an age of under 21, JUUL still permitted the sale, so long as any person over the age of 21 was registered with the same public records information. This allowed underage customers who share the same name with an adult in the same household—for example, with a parent—to circumvent the age-verification process. Veratad, the company JUUL hired to conduct its third-party age verification, informed JUUL about this possible “father/son scenario.”

92. JUUL also provided consumers who failed the age-verification process multiple opportunities for a “do over.” Consumers were first given an opportunity to provide a different mailing address than that which they initially submitted. If they continued to fail age verification, they could try again and again—and again—so long as the consumers kept creating new JUUL accounts. For example, in 2017, one JUUL employee said: “We still don’t really have clarity on when it is/is not appropriate to give the [customer] another chance.” Another JUUL employee responded: “So long as the customer creates a new account with his correct information . . . , he should be fine.” The first employee replied: “Ok cool. This will be the [customer’s] fourth time trying, haha.”

93. District law requires that anyone selling a tobacco product “who has reasonable cause to believe that a person who attempts to purchase the product is under 30 years of age shall require that the purchaser present identification that indicates his or her age,” D.C. Code § 7-1721.02(b)(1). JUUL failed to institute a policy or any procedures to comply with this law. To the contrary, where the name, address, and date of birth submitted by a DC consumer matched publicly available records, JUUL did not require the consumer to upload any photo identification. JUUL’s failure to require photo identification for DC consumers under age 30 was not due to a lack of technological or organizational capability for reviewing consumers’ photo identifications. Indeed, JUUL allowed certain consumers the option of verifying their age with an “ID Upload.”

B. JUUL Prioritizes Sales over Fixing the Inadequacies of Its Age-Verification System.

94. JUUL was well aware of defects in its age-verification system but prioritized reducing “friction” in the online purchasing process over instituting effective age controls. Indeed, Veratad notified JUUL in 2018 that the number of minors attempting to purchase JUUL products through its website was higher than other online access points in the industry.

95. Internal communications demonstrate that JUUL was more concerned with eliminating false positives (i.e., legal purchasers failing verification), which would suppress sales, than with eliminating false negatives in the system (i.e., underage purchasers passing verification). At one point, JUUL’s head of customer service instructed staff to “avoid . . . digging around looking” for evidence of underage purchases.

96. Parents also frequently complained that JUUL’s age-verification process was insufficient. For example, one “parent of a teenager now addicted to e-cigarettes and an active user of Juuls” emailed JUUL in July 2018: “I am writing to let you know that you are not doing a

good job of preventing young people from purchasing Juuls online. My son is going through them quickly and is able to purchase easily. I believe that the only way you will be able to prevent young people from purchasing Juuls, especially online, is to do an ID check, using a government issued ID or driver's [license] to check—believing them online about their age is totally ineffective. They may have a waiting period when you check, but it's worth preventing entire generations from becoming addicted”

97. Internal JUUL communications from the summer of 2017 show that JUUL knew its age controls continued to be defective. For example, a JUUL employee observed that the current wording of JUUL's age-verification webpage “just encourages users to lie.” He also noted that he “entered a fake 1996 bday” and still “passed” age verification. Another employee commented that there were “40 people in checkout right now” to which another responded, “40 teenagers trying to buy 200 juuls.” Still another employee stated that he “put incorrect info for my user and my Age was verified.” And another employee stated he “created a new account, ordered with bad info, and was” age verified, clarifying that “I was verified but the address I entered (and phone number) [were] similar to my current address but not real.”

98. In August 2018, in the context of replicating the age-verification system in the United Kingdom, a JUUL Director expressed reservations about whether JUUL's “[age-verification] criteria is strict enough yet,” reminding other upper-level managers about an experiment he had just conducted that allowed him to circumvent JUUL's age-verification process using an incorrect address and postcode. He reported that the information he submitted on JUUL's website was incorrect, but that JUUL's website treated him as age-verified anyway. He suggested as a next step that the “Address Match . . . needs to require a high level of data

match,” “otherwise we open ourselves up to massive scrutiny from a Daily Mail journalist who comes and passes our [age verification] by using random credentials.”

99. In November 2018, after the FDA and other regulators pressured JUUL to address its problems with youth usage, JUUL announced it was strengthening its online age restrictions by requiring all consumers either to provide the last four digits of their Social Security Number or to upload a government-issued ID. JUUL stated that its age-verification system would include “two-factor authentication, which verifies a user’s identity through their phone number,” and “a real-time photo requirement to match a user’s face against an uploaded I.D.” JUUL also promised to “strictly” limit online customers to two devices and 15 JUUL pod packages per month and no more than 10 devices per year.

100. Despite this announcement, JUUL continues not to require photo identification for all District consumers whose self-reported birthdates indicate they are under age 30 or for whom JUUL has other reason to believe they are under age 30. Instead, where such DC consumers submit the last four digits of their Social Security Number and their information matches public records, JUUL allows them to purchase its products without presenting photo identification.

COUNT ONE

Unfair and Unconscionable Trade Practices Concerning Underage Consumers in Violation of the Consumer Protection Procedures Act

101. The District re-alleges and incorporates by reference paragraphs 1 through 100, as if fully set forth herein.

102. The CPPA is a remedial statute that is to be broadly construed. Its purpose is to assure that a just mechanism exists to remedy all improper trade practices and deter the continuing use of such practices.

103. Merchants who violate the CPPA may be subject to restitution, damages, civil penalties, a temporary or permanent injunction, the costs of the action, and reasonable attorney's fees. D.C. Code § 28-3909.

104. The e-cigarette products that Defendants sell or sold are consumer goods.

105. Defendants are merchants because, in the ordinary course of business, they offer to sell or supply consumer goods.

106. The CPPA prohibits any person from engaging in unfair trade practices. The CPPA also prohibits any person from engaging in "unconscionable" sales where the seller takes advantage of "the inability of the consumer reasonably to protect his interests by reasons of age," D.C. Code § 28-3904(r), (r)(5).

107. Defendants have engaged in unfair and unconscionable practices affecting District consumers, in violation of D.C. Code § 28-3904, by knowingly marketing, selling, and delivering addictive nicotine-based products to underage consumers in the District of Columbia, including by:

- a. Designing e-cigarette products, including their flavors, chemical composition, and appearance, to appeal to underage consumers;
- b. Pursuing marketing strategies and campaigns that they knew would attract underage consumers; and
- c. Using ineffective age-verification techniques for internet sales, including a failure to follow the "reasonable cause" requirements under D.C. Code § 7-1721.02(b), thereby allowing many underage consumers to easily obtain Defendants' products.

COUNT TWO
Misrepresentations and Omissions in Violation
of the Consumer Protection Procedures Act

108. The District re-alleges and incorporates by reference paragraphs 1 through 107, as if fully set forth herein.

109. The CPPA prohibits any person from engaging in deceptive trade practices, including by:

- a. “represent[ing] that goods . . . have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have,” *id.* § 28-3904(a);
- b. “represent[ing] that goods . . . are of particular standard, quality, grade, style, or model, if in fact they are of another,” *id.* § 28-3904(d);
- c. “misrepresent[ing] as to a material fact which has a tendency to mislead,” *id.* § 28-3904(e);
- d. “fail[ing] to state a material fact if such failure tends to mislead,” *id.* § 28-3904(f); and
- e. “us[ing] innuendo or ambiguity as to a material fact, which has a tendency to mislead,” *id.* § 28-3904(f-1).

110. Defendants’ representations—including those regarding the nicotine content and strength of JUUL products, that a JUUL pod is equivalent to a pack of cigarettes, and that JUUL products are safe for use, safer than traditional cigarettes, and can serve as effective smoking cessation devices—are representations that goods have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have, and are unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(a).

111. Defendants' representations—including those regarding the nicotine content and strength of JUUL products, that a JUUL pod is equivalent to a pack of cigarettes, and that JUUL products are safe for use, safer than traditional cigarettes, and can serve as effective smoking cessation devices—are representations that goods are of particular standard, quality, grade, style, or model, when, in fact, they are of another, and are unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(b).

112. Defendants' representations—including those regarding the nicotine content and strength of JUUL products, that a JUUL pod is equivalent to a pack of cigarettes, and that JUUL products are safe for use, safer than traditional cigarettes, and can serve as effective smoking cessation devices—are misrepresentations concerning material facts that have a tendency to mislead consumers and are unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(e).

113. Defendants' representations—including that JUUL products are not intended for new, young, or inexperienced users, and regarding efforts to combat underage use of JUUL products—are misrepresentations concerning material facts that have a tendency to mislead consumers and are unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(e).

114. Defendants' omissions—including Defendants' failure to disclose that JUUL products contain nicotine, the nicotine content and actual strength of JUUL products, the harmful effects of nicotine and other chemicals contained in JUUL products, that the amount of nicotine that a consumer absorbs from a JUUL pod is significantly more than from a pack of cigarettes, and that JUUL has not received FDA approval as a modified risk tobacco product or as a nicotine replacement therapy—concern material facts, the omission of which tended to mislead

consumers, and constitute unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(f).

115. Defendants' statements about the nicotine potency of JUUL products—including statements (i) understating the strength of the nicotine in JUUL products, and (ii) making inaccurate nicotine comparisons to traditional cigarettes—use ambiguities as to material facts that have the tendency to mislead consumers and are unlawful trade practices that violate the CPPA, D.C. Code § 28-3904(f-1).

COUNT THREE
Unlawful Trade Practices Contrary to District Law
in Violation of the Consumer Protection Procedures Act

116. The District re-alleges and incorporates by reference paragraphs 1 through 115, as if fully set forth herein.

117. The CPPA prohibits any person from engaging in unfair or deceptive trade practices, including trade practices that, though not separately enumerated under D.C. Code § 28-3904, violate other District of Columbia law.

118. Defendants have engaged in unlawful, unfair, and deceptive practices affecting District consumers, in violation of D.C. Code § 28-3904, by engaging in trade practices that violate the District of Columbia's tobacco laws, including by:

- a. Selling or furnishing tobacco products to minors, in violation of D.C. Code § 7-1721.02(a); and
- b. Failing to require purchasers to present photo identification where Defendants had reasonable cause to believe the person to be under 30 years of age, in violation of D.C. Code § 7-1721.02(b).

PRAYER FOR RELIEF

WHEREFORE, the District of Columbia respectfully requests this Court enter a judgment in its favor and grant relief against Defendants as follows:

- (a) Preliminarily or permanently enjoin Defendants, pursuant to D.C. Code § 28-3909(a), from violating the CPPA;
- (b) Order Defendants to pay restitution and damages pursuant to D.C. Code § 28-3909(a) and (b);
- (c) Order the payment of civil penalties as permitted by statute pursuant to D.C. Code § 28-3909(b), for Defendants' violations of the CPPA;
- (d) Award the District the costs of this action and reasonable attorney's fees pursuant to D.C. Code § 28-3909(b); and
- (e) Grant such further relief as the Court deems just and proper.

Jury Demand

The District of Columbia demands a trial by jury by the maximum number of jurors permitted by law.

Respectfully submitted,

Dated: November 26, 2019

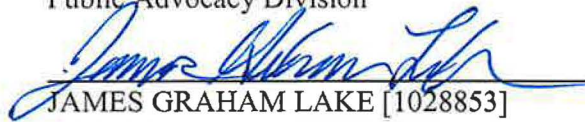
KARL A. RACINE
Attorney General for the District of Columbia

KATHLEEN KONOPKA
Deputy Attorney General
Public Advocacy Division

JIMMY R. ROCK
Assistant Deputy Attorney General
Public Advocacy Division


BENJAMIN WISEMAN [1005442]

Director, Office of Consumer Protection
Public Advocacy Division

A handwritten signature in blue ink, appearing to read "James Graham Lake", is written over a horizontal line.

JAMES GRAHAM LAKE [1028853]

MATTHEW JAMES [1632202]

Assistant Attorneys General

Office of the Attorney General

441 Fourth Street, N.W., Suite 600 South

Washington, D.C. 20001

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Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

District of Columbia

441 4th Street, N.W. Plaintiff
 Washington, D.C. 20001

Case Number _____

JUUL Labs, Inc.

560 20th Street Defendant
 San Francisco, CA 94107

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

James Graham Lake

Clerk of the Court

 Name of Plaintiff's Attorney

441 4th Street NW, Suite 600 South

By _____
Deputy Clerk

Address
 Washington, D.C. 20001

(202) 807-0369

Date _____

Telephone

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IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

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Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

District of Columbia

441 4th Street, N.W. Demandante
Washington, D.C. 20001

Número de Caso: _____

JUUL Labs, Inc.
560 20th Street Demandado
San Francisco, CA 94107

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

James Graham Lake
Nombre del abogado del Demandante

SECRETARIO DEL TRIBUNAL

441 4th Street NW, Suite 600 South
Dirección
Washington, D.C. 20001

Por: _____
Subsecretario

(202) 807-0369
Teléfono

Fecha _____

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IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedir ayuda al respecto.

Vea al dorso el original en inglés
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Telephone: (202) 879-1133 Website: www.dccourts.gov

District of Columbia

441 4th Street, N.W. Plaintiff
 Washington, D.C. 20001 vs.

Case Number _____

PAX, Labs, Inc. Defendant
 660 Alabama St,
 San Francisco, CA 94110,

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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James Graham Lake

 Name of Plaintiff's Attorney
 441 4th Street NW, Suite 600 South

 Address
 Washington, D.C. 20001

 (202) 807-0369

 Telephone

Clerk of the Court

By _____
 Deputy Clerk

Date _____

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District of Columbia

441 4th Street, N.W.
Washington, D.C. 20001

Demandante

Número de Caso: _____

PAX, Labs, Inc.

660 Alabama St,
San Francisco, CA 94110,

Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

James Graham Lake
Nombre del abogado del Demandante

SECRETARIO DEL TRIBUNAL

441 4th Street NW, Suite 600 South
Dirección
Washington, D.C. 20001

Por: _____
Subsecretario

(202) 807-0369
Teléfono

Fecha _____

如需翻译,请打电话 (202) 879-4828

Veillez appeler au (202) 879-4828 pour une traduction

Đề có một bản dịch, hãy gọi (202) 879-4828

반려율을 전화하여 (202) 879-4828 로 문의하십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés
See reverse side for English original

Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

INFORMATION SHEET

District of Columbia _____ Case Number: _____

vs

Date: November 26, 2019

JUUL Labs, Inc. and PAX Labs, Inc.

One of the defendants is being sued in their official capacity.

Name: <i>(Please Print)</i> James Graham Lake	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff
Firm Name: Office of the Attorney General for the District of Columbia	<input type="checkbox"/> Self (Pro Se)
Telephone No.: 202-807-0369 Six digit Unified Bar No.: 1028853	<input type="checkbox"/> Other: _____

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
 Demand: \$ Restitution and Civil Penalties Other: Injunctive Relief

PENDING CASE(S) RELATED TO THE ACTION BEING FILED
 Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar#: _____

NATURE OF SUIT: <i>(Check One Box Only)</i>		
A. CONTRACTS <input type="checkbox"/> 01 Breach of Contract <input type="checkbox"/> 02 Breach of Warranty <input type="checkbox"/> 06 Negotiable Instrument <input type="checkbox"/> 07 Personal Property <input type="checkbox"/> 13 Employment Discrimination <input type="checkbox"/> 15 Special Education Fees	COLLECTION CASES <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent <input type="checkbox"/> 27 Insurance/Subrogation Over \$25,000 Pltf. Grants Consent <input type="checkbox"/> 07 Insurance/Subrogation Under \$25,000 Pltf. Grants Consent <input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only)	<input type="checkbox"/> 16 Under \$25,000 Consent Denied <input type="checkbox"/> 18 OVER \$25,000 Consent Denied <input type="checkbox"/> 26 Insurance/Subrogation Over \$25,000 Consent Denied <input type="checkbox"/> 34 Insurance/Subrogation Under \$25,000 Consent Denied
B. PROPERTY TORTS <input type="checkbox"/> 01 Automobile <input type="checkbox"/> 03 Destruction of Private Property <input type="checkbox"/> 05 Trespass <input type="checkbox"/> 02 Conversion <input type="checkbox"/> 04 Property Damage <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a)		
C. PERSONAL TORTS <input type="checkbox"/> 01 Abuse of Process <input type="checkbox"/> 10 Invasion of Privacy <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice) <input type="checkbox"/> 02 Alienation of Affection <input type="checkbox"/> 11 Libel and Slander <input type="checkbox"/> 18 Wrongful Death (Not Malpractice) <input type="checkbox"/> 03 Assault and Battery <input type="checkbox"/> 12 Malicious Interference <input type="checkbox"/> 19 Wrongful Eviction <input type="checkbox"/> 04 Automobile- Personal Injury <input type="checkbox"/> 13 Malicious Prosecution <input type="checkbox"/> 20 Friendly Suit <input checked="" type="checkbox"/> 05 Deceit (Misrepresentation) <input type="checkbox"/> 14 Malpractice Legal <input type="checkbox"/> 21 Asbestos <input type="checkbox"/> 06 False Accusation <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death) <input type="checkbox"/> 22 Toxic/Mass Tort <input type="checkbox"/> 07 False Arrest <input type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice) <input type="checkbox"/> 23 Tobacco <input type="checkbox"/> 08 Fraud <input type="checkbox"/> 24 Lead Paint		

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

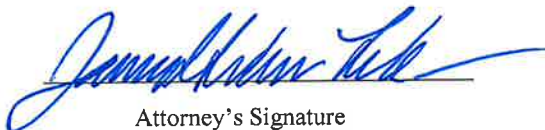
- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA)
(D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 02 Att. Before Judgment | <input type="checkbox"/> 18 Product Liability |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 24 Application to Confirm, Modify,
Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 09 Special Writ/Warrants
(DC Code § 11-941) | <input type="checkbox"/> 29 Merit Personnel Act (OHR) |
| <input type="checkbox"/> 10 Traffic Adjudication | <input type="checkbox"/> 31 Housing Code Regulations |
| <input type="checkbox"/> 11 Writ of Replevin | <input type="checkbox"/> 32 Qui Tam |
| <input type="checkbox"/> 12 Enforce Mechanics Lien | <input type="checkbox"/> 33 Whistleblower |
| <input type="checkbox"/> 16 Declaratory Judgment | |

II.

- | | | |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name | <input type="checkbox"/> 15 Libel of Information | <input type="checkbox"/> 21 Petition for Subpoena
[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic | <input type="checkbox"/> 19 Enter Administrative Order as
Judgment [D.C. Code §
2-1802.03 (h) or 32-151 9 (a)] | <input type="checkbox"/> 22 Release Mechanics Lien |
| <input type="checkbox"/> 08 Foreign Judgment/International | | <input type="checkbox"/> 23 Rule 27(a)(1)
(Perpetuate Testimony) |
| <input type="checkbox"/> 13 Correction of Birth Certificate | <input type="checkbox"/> 20 Master Meter (D.C. Code §
42-3301, et seq.) | <input type="checkbox"/> 24 Petition for Structured Settlement |
| <input type="checkbox"/> 14 Correction of Marriage
Certificate | | <input type="checkbox"/> 25 Petition for Liquidation |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle) | | |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) | | |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other) | | |

D. REAL PROPERTY

- | | |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate | <input type="checkbox"/> 08 Quiet Title |
| <input type="checkbox"/> 12 Specific Performance | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain) | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) | |


Attorney's Signature

November 26, 2019

Date