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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

MICHELENE COLETTE and
LETICIA SHAW, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

CV SCIENCES, INC., a California
Corporation,

Defendant.

Civil Action

No.: _____

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

CLASS ACTION COMPLAINT

Plaintiffs Michelene Colette and Leticia Shaw (collectively, “Plaintiffs”),
through their undersigned attorneys, Barbat, Mansour & Suci PLLC, Kohn, Swift
& Graf, P.C. and Greg Coleman Law PC, brings this Class Action Complaint
against Defendant CV Sciences, Inc. (“Defendant”), individually and on behalf of

1 all others similarly situated, and complain and allege upon personal knowledge as
2 to themselves and their own acts and experiences and, as to all other matters, upon
3 information and belief, including investigation conducted by their attorneys:
4

5 **NATURE OF THE ACTION**

6 1. This is a civil class action brought individually by Plaintiffs on behalf
7 of consumers who purchased Defendant’s “CBD Sprays”, “CBD Oil Drops”,
8 “CBD Gummies”, “CBD Capsules”, and “CBD Softgels” (collectively the “CBD
9 Products” or the “Products”)¹, all of which are promoted as products containing
10 cannabidiol (CBD), for personal use and not for resale.
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12 2. Defendant’s Products, however, are illegal to sell.
13

14 3. Defendant formulates, manufactures, advertises, and sells the CBD
15 Products throughout the United States, including in the State of California and
16 Arizona.
17

18 4. The CBD (cannabidiol) Product market is a multibillion-dollar business
19 enterprise that is lucrative for its market participants and is expected to further
20 expand into a \$16 billion-dollar industry by 2025.²
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22
23
24
25 ¹ The Products contain numerous different flavors and dosages.

26 ² <https://www.forbes.com/sites/irisdorbian/2019/03/12/cbd-market-could-pull-in-16-blm-by-2025-says-study/#69e764bb3efd> Last Visited November 30, 2019
27

1 \$5,000,000, exclusive of interest and costs, and there are numerous Class members
2 who are citizens of states other than Defendant's state of citizenship.

3 11. This Court has personal jurisdiction over Defendant in this matter. The
4 acts and omissions giving rise to this action occurred in the state of California.
5 Defendant has been afforded due process because it has, at all times relevant to this
6 matter, individually or through its agents, subsidiaries, officers and/or
7 representatives, operated, conducted, engaged in and carried on a business venture
8 in this state and/or maintained an office or agency in this state, and/or marketed,
9 advertised, distributed and/or sold products, committed a statutory violation within
10 this state related to the allegations made herein, and caused injuries to Plaintiff and
11 putative Class Members, which arose out of the acts and omissions that occurred in
12 the state of California, during the relevant time period, at which time Defendant was
13 engaged in business activities in the state of California.
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18 12. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2) and
19 (c) because a substantial part of the events or omissions giving rise to Plaintiff's
20 claims occurred in this District and because Defendant transacts business and/or has
21 agents within this District and has intentionally availed itself of the laws and markets
22 within this district.
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PARTIES

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2 13. Plaintiff Michelene Colette is a citizen of Arizona who resides in
3 Oracle, Arizona. Plaintiff purchased Defendant’s CBD Spray product from
4 Defendant’s CBD sales representative in New York. Plaintiff purchased
5 Defendant’s CBD Spray approximately two years ago for approximately \$60. If
6 Plaintiff knew the Products were not legally sold in the United States, Plaintiff would
7
8 have not purchased them.
9

10 14. Plaintiff Leticia Shaw is a citizen of California who resides in Los
11 Angeles, California. On September 27, 2018, Plaintiff Shaw purchased Defendant’s
12 CBD Oil Softgels 15mg Gold Formula from Defendant’s website,
13 <https://pluscbdoil.com/>, for a total cost of \$90.53, including tax and shipping. If
14 Plaintiff knew the Products were not legally sold in the United States, Plaintiff would
15
16 have not purchased them.
17

18 15. Defendant CV Sciences, Inc. is a California corporation with its
19 principal place of business at 10070 Barnes Canyon Rd., San Diego, CA 92121.
20

FACTUAL ALLEGATIONS

21
22 16. At all relevant times, Defendant has marketed its Products in a
23 consistent and uniform manner. Defendant sells the Products in all 50 states on its
24 website and through various distributors and sales channels.
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26
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