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

MIGUEL RODRIGUEZ, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

JUST BRANDS USA, INC., JUST  
BRANDS FL, LLC, JUST BRANDS,  
INC., JUST CBD, LLC, and SSGI  
FINANCIAL SERVICES, INC.,

Defendants.

Case No. 2:20-cv-4829

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMANDED**

1 Plaintiff Miguel Rodriguez brings this action on behalf of himself and all  
2 others similarly situated against Defendants Just Brands USA, Inc. (“Just Brands  
3 USA”), Just Brands FL, LLC (“Just Brands FL”), Just Brands, Inc. (“Just Brands”),  
4 Just CBD, LLC (“Just CBD”), and SSGI Financial Services, Inc. (“SSGI”)  
5 (collectively, “Defendants”), each of whom collectively does business as “JustCBD.”  
6 Plaintiff makes the following allegations pursuant to the investigation of his counsel  
7 and based upon information and belief, except as to the allegations specifically  
8 pertaining to himself, which are based on personal knowledge.

### 9 NATURE OF THE ACTION

10 1. This is a putative class action lawsuit on behalf of purchasers of  
11 JustCBD-branded products against Defendants for manufacturing, distributing, and  
12 selling underfilled cannabidiol (“CBD”) products (collectively, the “CBD Products”  
13 or “Products,” as enumerated below). CBD is commonly used to treat anxiety,  
14 insomnia, depression, diabetes, PTSD, and chronic pain. CBD is sold in a variety of  
15 forms, including compounds, tinctures, and edibles. CBD can be administered by  
16 inhalation of smoke or vapor. Alternatively, food and beverage items can be infused  
17 with CBD as an alternative means of ingesting the substance.

18 2. Defendants’ labeling and packaging repeatedly overstate the quantity of  
19 CBD contained in their Products. As discussed below, the labeling and packaging of  
20 the CBD Products are replete with representations and warranties, namely that the  
21 Products purportedly contain specific amounts of CBD (the “CBD Claims”).<sup>1</sup>  
22 However, the CBD Products contain only a fraction of the CBD advertised on  
23 Defendants’ website and on the Products’ labeling and packaging. In fact, some of  
24 Defendants’ Products contain no CBD whatsoever. For example, pursuant to  
25

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26 <sup>1</sup> Specifically, the CBD Claims include the following: “25mg CBD,” “50mg CBD,”  
27 “65mg CBD,” “100mg CBD,” “200mg CBD,” “250mg CBD,” “360mg CBD,”  
28 “500mg CBD,” “550mg CBD,” “750mg CBD,” “1000mg CBD,” “1500mg CBD,”  
29 and “3000mg CBD.”

1 independent lab testing commissioned by Plaintiff’s counsel, the “JustCBD Honey  
2 Liquid Tincture,” which purports to contain “100mg CBD” in the bottle, actually  
3 contains just 48.92mg CBD per bottle. This represents an underfill of approximately  
4 51%. As another example, the “JustCBD Apple Rings Gummies,” which  
5 purportedly contains “250mg CBD,” in fact contains a non-detectable quantity of  
6 CBD.<sup>2</sup> This represents an underfill of 100%. By misrepresenting the true quantity  
7 of CBD in their CBD Products, Defendants are able to charge a substantial price  
8 premium on account of these fictitious CBD quantity claims.

9 3. Defendants’ multiple and prominent systematic mislabeling of the  
10 Products form a pattern of unlawful and unfair business practices that harms the public.

11 4. For all the reasons set forth herein, including but not limited to  
12 Defendants’ misrepresentations regarding the quantity of CBD in its products,  
13 Plaintiff seeks relief in this action individually, and as a class action on behalf of  
14 similarly situated purchasers of Defendants’ products, for: (i) breach of express  
15 warranty; (ii) unjust enrichment; (iii) fraud; (iv) violation of California’s Consumers  
16 Legal Remedies Act, Cal. Civ. Code §§ 1750 *et seq.* (“CLRA”); (v) violation of  
17 California’s Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200 *et seq.*  
18 (“UCL”); (vi) violation of California’s False Advertising Law, Cal. Bus. & Prof.  
19 Code §§ 17500 *et seq.* (“FAL”); and (vii) violation of the Florida Deceptive and  
20 Unfair Trade Practices Act, Fla. Stat. §§ 501.201, *et seq.* (“FDUTPA”).

### 21 THE PARTIES

22 5. Plaintiff Miguel Rodriguez is a citizen of California who resides in Van  
23 Nuys, California. On October 2, 2018, Plaintiff Rodriguez purchased “JustCBD  
24 Signature CBD Cartridges” in the Pineapple Express and Northern Lights flavors.  
25 On March 17, 2019, Plaintiff Rodriguez purchased “JustCBD CBD Gummies  
26 1000mg” and “JustPets Dog Treats.”

27  
28 <sup>2</sup> AL screens CBD at a limit of detection of 0.4mg/g.

1           6.       On both occasions, Plaintiff Rodriguez purchased his JustCBD products  
2 from Defendants' website justcbdstore.com. Before purchasing his JustCBD-  
3 branded products, Plaintiff Rodriguez reviewed product information and images,  
4 including the CBD Claim featured on the product packaging, which promised  
5 specific quantities of CBD. When purchasing his CBD Products, Plaintiff Rodriguez  
6 also reviewed the accompanying labels, disclosures, warranties, and marketing  
7 materials, and understood them as representations and warranties by Defendants that  
8 the Products contained the quantities of CBD advertised. Plaintiff Rodriguez relied  
9 on these representations and warranties in deciding to purchase Defendants' CBD  
10 Products over comparable products. Accordingly, these representations and  
11 warranties were part of the basis of the bargain, in that he would not have purchased  
12 the CBD Products on the same terms had he known these representations were not  
13 true. However, Plaintiff Rodriguez may purchase the CBD products in the future  
14 under the reasonable belief that the CBD Claims have been corrected. In making his  
15 purchases, Plaintiff Rodriguez paid a substantial price premium due to the false and  
16 misleading CBD Claims. However, Plaintiff Rodriguez did not receive the benefit of  
17 his bargain, because Defendants' CBD Products do not contain anywhere near the  
18 quantities of CBD advertised. Plaintiff Rodriguez also understood that in making the  
19 sale, his retailer was acting with the knowledge and approval of Defendants and/or as  
20 the agent of Defendants. Plaintiff Rodriguez further understood that each purchase  
21 involved a direct transaction between himself and Defendants, because the CBD  
22 Products came with packaging and other materials prepared by Defendants,  
23 including representations and warranties regarding the CBD Claims.

24           7.       Defendant Just Brands USA, Inc. ("Just Brands USA"), is a Florida  
25 corporation with its principal place of business in Coral Springs, Florida. Just  
26 Brands USA manufactures, sells, and/or globally distributes JustCBD-branded  
27 products, and is responsible for the advertising, marketing, and packaging of CBD-  
28 infused edibles, oils, tinctures, creams, and vapes, including the CBD Products. Just

1 Brands USA manufactured, marketed, and/or sold the CBD Products during the  
2 relevant class period. The planning and execution of the advertising, marketing,  
3 labeling, packaging, testing, and/or corporate operations concerning the CBD  
4 Products and the CBD Claims was primarily carried out at Just Brands USA's  
5 headquarters and facilities within Florida, as is most, or all, of the CBD Products'  
6 manufacturing and assembly.

7 8. Defendant Just Brands FL, LLC ("Just Brands FL"), is a Florida  
8 corporation with its principal place of business in Coral Springs, Florida. Just  
9 Brands FL manufactures, sells, and/or globally distributes JustCBD-branded  
10 products, and is responsible for the advertising, marketing, and packaging of CBD-  
11 infused edibles, oils, tinctures, creams, and vapes, including the CBD Products. Just  
12 Brands FL manufactured, marketed, and/or sold the CBD Products during the  
13 relevant class period. The planning and execution of the advertising, marketing,  
14 labeling, packaging, testing, and/or corporate operations concerning the CBD  
15 Products and the CBD Claims was primarily carried out at Just Brands FL's  
16 headquarters and facilities within Florida, as is most, or all, of the CBD Products'  
17 manufacturing and assembly.

18 9. Defendant Just Brands, Inc. ("Just Brands"), is a Florida corporation  
19 with its principal place of business in Hollywood, Florida. Just Brands  
20 manufactures, sells, wholesales, and/or globally distributes JustCBD-branded  
21 products, and is responsible for the advertising, marketing, and packaging of CBD-  
22 infused edibles, oils, tinctures, creams, and vapes, including the CBD Products. Just  
23 Brands manufactured, marketed, and/or sold the CBD Products during the relevant  
24 class period. The planning and execution of the advertising, marketing, labeling,  
25 packaging, testing, and/or corporate operations concerning the CBD Products and the  
26 CBD Claims was primarily carried out at Just Brands headquarters and facilities  
27 within Florida, as is most, or all, of the CBD Products' manufacturing and assembly.  
28

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