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[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: JUUL LABS, INC. MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 19-md-02913-WHO

THIS DOCUMENT RELATES TO:
ALL PERSONAL INJURY ACTIONS

**PLAINTIFFS' AMENDED
CONSOLIDATED MASTER
COMPLAINT
(PERSONAL INJURY)**

JURY TRIAL DEMANDED

TABLE OF CONTENTS

1 I. INTRODUCTION 3

2 II. THE PARTIES 7

3 A. PLAINTIFFS 7

4 B. DEFENDANTS 8

5 III. JURIDICION AND VENUE 14

6 IV. FACTUAL ALLEGATIONS 14

7 A. Each Defendant Was Instrumental in Seeking to Develop and Market the
8 Blockbuster Sequel to Combustible Cigarettes, the “Most Successful
9 Consumer Product of All Time.” 14

10 B. Defendants’ Strategy Was to Create a Nicotine Product That Would
11 Maximize Profits Through Addiction. 22

12 C. JLI and BOWEN Designed a Nicotine Delivery Device Intended to Create
13 and Sustain Addiction. 37

14 D. Defendants Developed and Implemented a Marketing Scheme to Mislead
15 Consumers into Believing that JUUL Products Contained Less Nicotine
16 Than They Actually Do and Were Healthy and Safe 70

17 E. Defendants Targeted the Youth Market 103

18 F. JLI Partnered with Veteran Cigarette Industry Distributors and Retailers to
19 Spread and Amplify their Deceptive Messages and Place JUUL Products
20 within Reach of Millions of Customers, Including Kids and Non-Smokers. 151

21 G. ALTRIA Provided Services to JLI to Expand JUUL Sales and Maintain
22 JUUL’s Position as the Dominant E-Cigarette 181

23 H. JLI, ALTRIA, and Others Have Successfully Caused More Young People
24 to Start Using E-Cigarettes, Creating a Youth E-Cigarette Epidemic and
25 Public Health Crisis 188

26 I. JUUL Thrived Due to Extensive Efforts to Delay Meaningful Regulation
27 of its Products 194

28 J. JUUL Usage Increases the Risk of Cardiovascular, Pulmonary,
Neurological, and Other Bodily Injuries 210

V. CAUSES OF ACTION 224

VI. TIMELINESS AND TOLLING OF STATUTES OF LIMITATIONS 285

VII. PRAYER FOR RELIEF 285

1 Pursuant to Federal Rule of Civil Procedure 15(a)(1)(B) and Case Management Order
2 No. 7 (Dkt. No. 405) governing adoption of Master and Short Form Complaints (Personal Injury)
3 (“CMO-7”), the undersigned attorneys for Plaintiffs and the Plaintiffs’ Steering Committee
4 (“PSC”) hereby file this *Amended Consolidated Master Complaint (Personal Injury)* (hereinafter
5 “*Amended PI Master Complaint*”). This *Amended PI Master Complaint* is being filed as an
6 administrative device¹ to set forth potential claims that individual Plaintiffs may assert against
7 DEFENDANTS in this MDL Litigation against the following DEFENDANTS:

- 8 1. JUUL LABS, INC., previously d/b/a as PAX LABS, INC. and PLOOM INC.;
- 9 2. ALTRIA GROUP, INC.;
- 10 3. PHILIP MORRIS USA, INC.;
- 11 4. ALTRIA CLIENT SERVICES LLC;
- 12 5. ALTRIA GROUP DISTRIBUTION COMPANY;
- 13 6. ALTRIA ENTERPRISES LLC;
- 14 7. JAMES MONSEES;
- 15 8. ADAM BOWEN;
- 16 9. NICHOLAS PRITZKER;
- 17 10. HOYOUNG HUH;
- 18 11. RIAZ VALANI;
- 19 12. MOTHER MURPHY'S LABS, INC.;
- 20 13. ALTERNATIVE INGREDIENTS, INC.;
- 21 14. TOBACCO TECHNOLOGY, INC.;
- 22 15. eLIQUITECH, INC.;
- 23 16. MCLANE COMPANY, INC.;
- 24 17. EBY-BROWN COMPANY, LLC;
- 25 18. CORE-MARK HOLDING COMPANY, INC.;
- 26 19. CHEVRON CORPORATION;
- 27 20. CIRCLE K STORES INC.;

28 ¹ See *In re Propulsid Products Liab. Litig.*, 208 F.R.D. 133, 141 (E.D. La. 2002).

- 1 21. SPEEDWAY LLC;
- 2 22. 7-ELEVEN, INC.;
- 3 23. WALMART;
- 4 24. WALGREENS BOOTS ALLIANCE, INC.

5 (collectively referred to as “DEFENDANTS”).

6 This *Amended Master Complaint (Personal Injury)* is an administrative device and sets
7 forth questions of fact and law common to those claims subsumed within the context of this
8 multidistrict proceeding. Plaintiffs seek compensatory and punitive damages, monetary restitution
9 and all other available remedies as a result of injuries caused by DEFENDANTS’ defective
10 products and wrongful conduct. Plaintiffs make the following allegations based upon their
11 personal knowledge and upon information and belief, as well as upon their attorneys’
12 investigative efforts regarding JUUL E-Cigarettes, which includes the JUUL E-Cigarette device
13 (including all components) and JUUL Pods (including all components) which contain an E-
14 Liquid (collectively referred to as “JUUL” or “JUUL Products”).

15 This *Amended Master Complaint (Personal Injury)* does not necessarily include all claims
16 asserted in all of the transferred actions to this Court, nor is it intended to consolidate for any
17 purpose the separate claims of the Plaintiffs herein. It is anticipated that individual plaintiffs may
18 adopt this *Amended Master Complaint (Personal Injury)* and the necessary causes of action
19 herein through use of a separate *Short Form Complaint (Personal Injury)*. Any separate facts and
20 additional claims of individual Plaintiffs will be set forth in the *Short Form Complaint (Personal*
21 *Injury)* filed by the respective Plaintiffs or their counsel. *This Amended Master Complaint*
22 *(Personal Injury)* does not constitute a waiver or dismissal of any actions or claims asserted in
23 those individual actions, nor does any Plaintiff relinquish the right to move to amend their
24 individual claims to seek any additional claims and/or to add additional parties as discovery
25 proceeds and facts and other circumstances may warrant.

26 Plaintiffs plead all Claims and Causes of Action in this *Amended Master Complaint*
27 *(Personal Injury)* in the broadest sense, pursuant to all laws that may apply under choice-of-law
28 principles, including the laws of Plaintiffs’ resident States or other States that are deemed to

1 apply.

2 Plaintiffs, by and through counsel, hereby bring claims against DEFENDANTS, and
3 allege as follows:

4 **I. INTRODUCTION**

5 1. The battle to end nicotine addiction and its associated diseases and death has
6 consumed our nation's public health resources for more than half a century. After five decades
7 of tireless efforts by public health advocates, litigators, and regulators, the war on tobacco was
8 on the path to victory. By 2014, rates of smoking and nicotine addiction in this country were
9 finally at an all-time low, particularly among teenagers. Until now. The United States, closer
10 than ever to consigning the nicotine industry to the dustbin of history, now faces a youth nicotine
11 epidemic of historic proportions. The swift rise in a new generation of nicotine addicts has
12 overwhelmed parents, schools, and the medical community, drawing governmental intervention
13 at nearly every level—but it's too little, too late.

14 2. This public health crisis is no accident. What had been lauded as progress in
15 curbing cigarette use, JUUL LABS INC.'S (JLI) co-founders ADAM BOWEN and JAMES
16 MONSEES viewed as opportunity. Seizing on the decline in cigarette consumption and the lax
17 regulatory environment for e-cigarettes, BOWEN, MONSEES, and investors in their company
18 sought to introduce nicotine to a whole new generation, with JLI as the dominant supplier. To
19 achieve that common purpose, they knew they would need to create and market a product that
20 would make nicotine cool again, without any of the stigma associated with cigarettes. With help
21 from their early investors and board members, who include NICOLAS PRITZKER, HUYOUNG
22 HUH, and RIAZ VALANI (together, the "MANAGEMENT DEFENDANTS"), they succeeded
23 in hooking millions of youth, intercepting millions of adults trying to overcome their nicotine
24 addictions, and, of course, earning billions of dollars in profits.

25 3. Every step of the way, JLI, by calculated intention, adopted the cigarette
26 industry's playbook, in coordination with one of that industry's innovators, cigarette giant
27 ALTRIA. JLI was created in the image of the iconic American cigarette companies, which JLI
28

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