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7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **OAKLAND DIVISION**

10 KENNETH WILKERSON )  
11 )  
12 Plaintiff, ) Civil Action No.: 4:21-cv-05859  
13 v. )  
14 ) JURY TRIAL DEMANDED  
15 COMBE INCORPORATED; COMBE )  
16 PRODUCTS, INC.; COMBE )  
17 LABORATORIES, INC.; )  
COMBE INTERNATIONAL LLC )  
f/k/a COMBE INTERNATIONAL LTD; and )  
WALGREEN CO.; )  
Defendants. )

18  
19 **COMPLAINT**

20 Plaintiff, Kenneth Wilkerson, by and through his undersigned counsel, brings this action  
21 against Defendants Combe Incorporated, Combe Products, Inc., Combe Laboratories, Inc.,  
22 Combe International, LLC, and Walgreen Co. and allege as follows:

23 **NATURE OF THE ACTION**

24 1. This is an action for damages suffered by Plaintiff Kenneth Wilkerson, an  
25 African American man, as a direct and proximate result of the Defendants' negligent and  
26 wrongful conduct in connection with the design, development, manufacture, testing, packaging,  
27 promoting, marketing, distribution, labeling, and/or sale of the hair care products and hair dyes  
28

1 known as Just For Men<sup>®</sup> and/or other Just For Men<sup>®</sup> branded products herein collectively  
2 referred to as Just For Men<sup>®</sup>.

3           2. As set forth herein, Defendants knew that Just For Men<sup>®</sup> hair care products cause  
4 a disproportionately high rate of adverse events in African American men. Despite this  
5 knowledge, Defendants aggressively targeted the African American community in their  
6 marketing and advertising.  
7

8           3. As a result of his Just For Men<sup>®</sup> use, Plaintiff Kenneth Wilkerson has been left  
9 with severe and permanent facial and scalp injuries:



20           4. Just For Men<sup>®</sup> hair care products and dyes are manufactured and/or sold by  
21 Combe Incorporated, Combe Products, Inc., Combe Laboratories, Inc., and/or Combe  
22 International LLC (formerly known as Combe International LTD).

23           5. At all times relevant hereto, Just For Men<sup>®</sup> was designed, developed,  
24 manufactured, tested, packaged, promoted, marketed, distributed, labeled, and/or sold by  
25 Defendants Combe Incorporated, Combe Products, Inc., Combe Laboratories, Inc., and/or  
26 Combe International LLC.  
27

28           6. At all times relevant hereto, Defendant Walgreen Co. promoted, marketed and/or

1 sold Just For Men<sup>®</sup> products.

2 **PARTIES, JURISDICTION, AND VENUE**

3 7. The Plaintiff, Kenneth Wilkerson, is and was at all times relevant hereto, a  
4 resident of Contra Costa County, California. He purchased Just For Men<sup>®</sup> at Walgreens stores in  
5 El Sobrante and Pinole, California.

6 8. Defendants marketed, promoted, and/or sold Just For Men<sup>®</sup> hair care products  
7 and dyes throughout the United States and the State of California.

9 9. The amount in controversy, exclusive of interest and costs, exceeds the  
10 jurisdictional minimum of this Court.

11 10. This court has personal jurisdiction over the Defendants pursuant to and  
12 consistent with California's long arm statute (Cal. Code Civ. Proc. § 410.10) and the  
13 Constitutional requirements of Due Process in that the Defendants, acting through their agents or  
14 apparent agents, committed one or more of the following:

- 15
- 16 a. The transaction of any business within the state;
  - 17 b. The making of any contract within the state;
  - 18 c. The commission of a tortious act within this state; and
  - 19 d. The ownership, use, or possession of any real estate situated within this state.
- 20

21 11. Requiring Defendants to litigate these claims in California does not offend  
22 traditional notions of fair play and substantial justice and is permitted by the United States  
23 Constitution. Defendants derive substantial revenue from the sale of Just For Men<sup>®</sup> products  
24 within the State of California. All of Plaintiff's claims arise in part from conduct Defendants  
25 purposely directed to California including but not limited to the sale and marketing of Just For  
26 Men<sup>®</sup> products.

27 12. Defendant Combe Incorporated is a Delaware corporation which has its principal  
28

1 place of business at 1101 Westchester Ave., White Plains, New York 10604.

2 13. At all times relevant hereto the Defendant Combe Incorporated was engaged in  
3 the business of designing, developing, manufacturing, testing, packaging, promoting, marketing,  
4 distributing, labeling, and/or selling Just For Men<sup>®</sup> hair care and dye products.

5 14. Upon information and belief, at all relevant times, Defendant Combe Incorporated  
6 was present and doing business in the State of California.

7 15. At all relevant times, Defendant Combe Incorporated transacted, solicited, and  
8 conducted business in the State of California and derived substantial revenue from such business.

9 16. At all times relevant hereto, Defendant Combe Incorporated expected or should  
10 have expected that its acts would have consequences within the United States of America, and  
11 the State of California in particular.

12 17. Defendant Combe Products, Inc. is a Delaware corporation which has its principal  
13 place of business at El Duque Industrial Park Carr. 971 Calle A, Naguabo, Puerto Rico 00718.

14 18. At all times relevant hereto Defendant Combe Products, Inc. was engaged in the  
15 business of designing, developing, manufacturing, testing, packaging, promoting, marketing,  
16 distributing, labeling, and/or selling Just For Men<sup>®</sup> hair care and dye products.

17 19. Upon information and belief, at all relevant times, Defendant Combe Products,  
18 Inc. was present and doing business in the State of California.

19 20. At all relevant times, Defendant Combe Products, Inc. transacted, solicited, and  
20 conducted business in the State of California and derived substantial revenue from such business.

21 21. At all times relevant hereto, Defendant Combe Products, Inc. expected or should  
22 have expected that its acts would have consequences within the United States of America, and  
23 the State of California in particular.

24 22. Defendant Combe Laboratories, Inc. is an Illinois corporation which has its  
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26  
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1 principal place of business at 200 Shellhouse Dr., Rantoul, Illinois 61866.

2 23. At all times relevant hereto, Defendant Combe Laboratories, Inc. was engaged in  
3 the business of designing, developing, manufacturing, testing, packaging, promoting, marketing,  
4 distributing, labeling, and/or selling Just For Men<sup>®</sup> hair care and dye products.

5 24. Upon information and belief, Defendant Combe Laboratories, Inc. was  
6 specifically engaged in the business of product returns, packaging and repackaging, research,  
7 and product testing for Defendants' Just for Men<sup>®</sup> hair care and dye products.

8 25. Upon information and belief, at all relevant times, Defendant Combe  
9 Laboratories, Inc. was present and doing business in the State of California.

10 26. At all relevant times, Defendant Combe Laboratories, Inc. transacted, solicited,  
11 and conducted business in the State of California and derived substantial revenue from such  
12 business.  
13

14 27. At all times relevant hereto, Defendant Combe Laboratories, Inc. expected or  
15 should have expected that its acts would have consequences within the United States of America,  
16 and the State of California in particular.

17 28. Defendant Combe International LLC is a Delaware corporation which has its  
18 principal place of business at 1101 Westchester Ave., White Plains, New York 10604.

19 29. At all times relevant hereto Defendant Combe International LLC was engaged in  
20 the business of designing, developing, manufacturing, testing, packaging, promoting, marketing,  
21 distributing, labeling, and/or selling Just For Men<sup>®</sup> hair care and dye products.

22 30. Upon information and belief, at all relevant times, Defendant Combe International  
23 LLC was present and doing business in the State of California.

24 31. At all relevant times, Defendant Combe International LLC transacted, solicited,  
25 and conducted business in the State of California and derived substantial revenue from such  
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27  
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