

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA**

**Shirley Dixon,**

**Plaintiff,**

**v.**

**L'ORÉAL USA, INC., L'ORÉAL USA  
PRODUCTS, INC., GODREJ SON  
HOLDINGS, INC., and LUSTER  
PRODUCTS, INC.,**

**Defendants.**

Civil Action

Jury Trial Demanded

**COMPLAINT**

COMES NOW Plaintiff Shirley Dixon by and through her attorneys, NS PR Law Services LLC, and for their cause of actions makes the following Complaint (“Complaint”) against L’Oréal USA, INC., L’Oréal USA Products, Inc., Godrej SON Holdings, Inc., and Luster Products, Inc., (“Defendants”) alleging as follows:

**I. NATURE OF ACTION**

1. This action arises out of Plaintiff Shirley Dixon’s diagnosis of Uterine Cancer and Uterine Fibroids resulting in a hysterectomy. Plaintiff’s Uterine Cancer and Uterine Fibroids resulting in a hysterectomy diagnosis were directly and

proximately caused by her regular and prolonged exposure to endocrine disrupting chemicals found in Defendants' hair care products.

2. Plaintiff brings this action against Defendants for claims arising from the direct and proximate result of Defendants to include their directors, agents, heirs, assigns, and/or their corporate predecessors' negligent, willful, and wrongful conduct in connection with the design, development, manufacture, testing, packaging, promoting, marketing, distribution, labeling, and/or sale of the products known as Hair Relaxer, Hair Lotion, Leave-in Conditioner, (together, the "Products") by L'Oréal, its subsidiaries, Godrej SON Holdings, Inc., Johnson Products Company, Inc., and Luster Products, Inc.

## **II. PARTIES**

3. Plaintiff is a citizen of Florida and resident of the city of Margate.

4. Defendant L'Oréal USA, Inc. is, and at all times relevant to this action, is incorporated in Delaware with its principal place of business and headquarters located at 757 Fifth Avenue, New York, New York 10017. Process may be served upon its registered agent, Corporation Service Company, 80 State Street, Albany, New York 12207.

5. Defendant L'Oréal USA, Products, Inc., and at all times relevant to this action is incorporated in Delaware with its principal place of business and headquarters located at 10 Hudson Yards 347 10<sup>th</sup> Avenue, New York, New York

10001. Process may be served upon its registered agent, Corporation Service Company, 80 State Street, Albany, New York 12207.

6. Defendant Godrej SON Holdings, Inc., and at all times relevant to this action, is incorporated in Georgia with its principal place of business and headquarters located at 64 Ross Road, Savannah, Georgia 31405. Process may be served upon its registered agent, Corporation Service Company at 2 Sun Court, Suite 400, Peachtree Corner, Georgia 30092.

7. Defendant Luster Products, Inc., and at all times relevant to this action, is incorporated in Illinois with its principal place of business and headquarters located at 1104 West 43<sup>rd</sup> St., Chicago, Illinois 60609. Process may be served upon its registered agent, Joseph D. Palmisano, 19 S Lasalle St., Suite 900, Chicago, Illinois 60603.

8. No Defendant in this action is incorporated in the State of Florida, maintains a principal place of business in the State of Florida, or has members who are citizens of the State of Florida. As Plaintiff is a citizen of the State of Florida, complete diversity exists in this action.

9. During portions of her life, Plaintiff purchased and used Defendants' Products in the state of Florida.

10. As a result of their product use, Plaintiff was exposed to parabens, phthalates, bisphenol A, harmful antimicrobials, ethanolamines, alkylphenols,

glycol ethers, cyclosiloxanes, benzophenone, formaldehyde, lye, and other harmful chemicals (together, the “Toxic Compounds”).

11. As a result of Plaintiff’s toxic exposure, she developed and was diagnosed with Uterine Cancer and Uterine Fibroids resulting in a hysterectomy.

12. Portions of the damages alleged herein occurred within the State of Florida.

13. Prior to the date that Plaintiff was exposed to these toxic agents, Defendants possessed medical and scientific data from which Defendants knew or should have known that these toxic agents were hazardous to the life, health, and safety of persons who were exposed to them

14. At all pertinent times, all Defendants were engaged in the research, development, manufacture, design, testing, sale, and marketing of the Products, and introduced such products into interstate commerce with knowledge and intent that such products be sold in the State of Florida.

15. At all times material hereto, Defendants developed, tested, assembled, manufactured, packaged, labeled, prepared, distributed, marketed, supplied, and/or sold the defective Products.

16. Defendants placed their defective hair product into the stream of interstate commerce which was used by the Plaintiff from (Products; Dates of Use; Frequency of Use):

- (a) L'Oréal Hair Relaxer; 1979-2019; Bimonthly
- (b) Godrej SON Holdings, Inc., Hair Relaxer; 1979-1981; Bimonthly
- (c) Luster Products, Inc., Hair Relaxer; 1979-2000; Bimonthly
- (d) Luster Products, Inc., Hair Lotion; 1979-2019; Daily

### **III. FACTS COMMON TO ALL COUNTS**

#### **1. Marketing**

17. Black and Brown people make up approximately 13% of the U.S. population, but by one estimate, “African American” spending accounts for as much as 22% of the \$42 billion-a-year personal care products market, suggesting that they buy and use more of such products – including those with potentially harmful ingredients– than Americans as a whole (Thandisizwe Chimurenga, *How Toxic is Black Hair Care?*, New America Media, Feb. 2, 2012, [americamedia.org/2012/02/skin-deep-in-more-ways-than-one.php](http://americamedia.org/2012/02/skin-deep-in-more-ways-than-one.php); Personal Care Products Manufacturing Industry Profile, Dun & Bradstreet First Research, August 2016, [www.firstresearch.com/Industry-Research/Personal-Care-Products-Manufacturing.html](http://www.firstresearch.com/Industry-Research/Personal-Care-Products-Manufacturing.html))

18. In the U.S. alone, Black consumers spend over \$1 trillion each year, with a significant amount of that spending toward hair care products.

19. In 2020, the global Black Hair care market was estimated at \$2.5 billion

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