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14 Attorneys for Plaintiff,  
15 JASON OLIVE

16 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
17 COUNTY OF LOS ANGELES

18 JASON OLIVE, an individual,

19 Plaintiff,

20 vs.

21 GENERAL NUTRITION  
22 CENTERS, INC., a Delaware  
23 corporation; and DOES 1-10,  
24 inclusive,

25 Defendants.

CASE NO.

COMPLAINT FOR:

1. COMMON LAW MISAPPROPRIATION OF LIKENESS;
2. VIOLATION OF CALIFORNIA CIVIL CODE §3344 (STATUTORY MISAPPROPRIATION OF LIKENESS); and
3. RESTITUTION FOR UNJUST ENRICHMENT.

DEMAND FOR JURY TRIAL

BC482686

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

APR 11 2012

John A. Clarke, Executive Officer/Clerk  
BY: Margen Julliano, Deputy

CIT/CASE: BC482686 LEA/DEF#:  
RECEIPT #: CCH47728049  
DATE PAID: 04/11/12 03:06:57 PM  
PAYMENT: \$395.00  
RECEIVED:  
CHECK: 395.00  
CASH:  
CHARGE:  
CARD:

ORIGINAL

1 Plaintiff Jason Olive alleges on information and belief as follows:

2 1. Plaintiff Jason Olive ("Olive" or "Plaintiff") is, and at all relevant  
3 times was, an individual who resides in the County of Los Angeles.

4 2. Defendant General Nutrition Centers, Inc. ("GNC"), on information  
5 and belief, is, and at all relevant times was, a corporation organized under the laws  
6 of the state of Delaware that regularly conducts business in the County of Los  
7 Angeles. On information and belief, GNC is a wholly owned operating subsidiary  
8 of General Nutrition Corporation. The Court has personal jurisdiction over GNC  
9 because GNC continuously and systematically conducts substantial business  
10 throughout Los Angeles County and the State of California by advertising,  
11 marketing, offering for sale, and selling its goods to wholesalers, retailers, and  
12 individuals who reside in Los Angeles County.

13 3. As of December 31, 2011, GNC had more than 7,600 physical store  
14 locations, of which more than 5,900 retail locations are in the United States  
15 (including 924 franchise and 2,125 Rite Aid franchise store-within-a-store  
16 locations) and franchise operations in 53 countries including distribution centers  
17 where retail sales are made.

18 4. Defendants Does 1 through 10 are sued herein by fictitious names for  
19 the reason that their true names are unknown to Plaintiff. Plaintiff will seek to  
20 leave to amend this complaint to allege the true names and capacities of these  
21 Defendants when the same have been ascertained. Plaintiff is informed and  
22 believes and based thereon alleges that these fictitiously named Defendants are  
23 responsible in some manner for the actions and damages alleged herein.

24 5. Plaintiff is further informed and believes and based thereon alleges  
25 that Defendants at all times herein alleged were the agents, employees, servants,  
26 joint venturers and/or co-conspirators of each of the other remaining Defendants,  
27 and that in doing the things herein alleged were acting in the course and scope of  
28 such agency, employment, joint venture and/or conspiracy.

1           6. Plaintiff is further informed and believes and based thereon alleges  
2 that the acts and conduct herein alleged of each such Defendant were known to,  
3 authorized by, directed by, and/or ratified by the other Defendants, and each of  
4 them, and the officers, directors and/or managing agents of GNC and that they  
5 acted in conspiracy with each other so all of said Defendants are jointly and  
6 severally liable to Plaintiff hereunder.

7  
8                   **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

9           7. Plaintiff is a highly successful model and actor who is recognizable  
10 from his appearances in advertising campaigns and on television. His image has  
11 significant commercial value.

12           8. On or about September 24, 2010, Plaintiff agreed to have photographs  
13 taken of him for commercial use by GNC and its affiliates. Plaintiff granted GNC  
14 and its affiliates the right to use his image, likeness and photograph for print media,  
15 internet and internal corporate purposes "for a period of one (1) year from the first  
16 usage/insertion date, ("Term")" in exchange for \$4,000 plus an \$800 agency fee in  
17 a written document called "Photograph and Likeness Release." Therein, GNC and  
18 its affiliates also obtained an option "upon written notice given to" Plaintiff "prior  
19 to the end of the Term to renew [the] grant of rights for a period of one (1) year  
20 upon the payment of \$4,000 plus a 20% (\$800) agent's fee when applicable." The  
21 Term expired no later than January 14, 2012. On information and belief, the Term  
22 expired before January 14, 2012. GNC did not give Plaintiff or his agent written  
23 notice "prior to the end of the Term" that GNC wanted to renew the grant of rights  
24 for an additional one year.

25           9. Defendants extensively used, and continue to use, Plaintiff's image  
26 and photograph without Plaintiff's consent for advertising purposes beyond the  
27 Term. On information and belief, such uses of Plaintiff's image and photograph  
28 include but are not limited to: many different variations of photographs of Plaintiff

1 on large in-store wall displays, in-store poster displays, in-store merchandising  
2 racks, point-of-sale displays, plastic bags given to customers after purchase,  
3 billboards, bus stop posters, website, corporate documents provided to the public.  
4

5 **FIRST CAUSE OF ACTION**

6 **COMMON LAW MISAPPROPRIATION OF LIKENESS**

7 **(Against All Defendants)**

8 10. All previous allegations are realleged and incorporated herein by  
9 reference.

10 11. Defendants used Plaintiff's image and photograph beyond the Term  
11 without his permission in order to promote GNC.

12 12. Defendants' use of Plaintiff's image and photograph after the Term  
13 was without his consent or authorization.

14 13. Defendants' knowing use of Plaintiff's image and photograph to  
15 promote GNC was to Defendants' commercial or other benefit.

16 14. As a proximate result of the foregoing, Plaintiff has suffered actual  
17 damages, including emotional distress damages, in an amount according to proof at  
18 trial but in any event in excess of the jurisdictional threshold of the Superior Court.  
19 In addition, Defendants have been unjustly enriched by the use of Plaintiff's image  
20 and photograph. Therefore, Plaintiff seeks disgorgement of profits and/or that a  
21 constructive trust be imposed on the monies obtained by Defendants from the  
22 unauthorized use.

23 15. Defendants' conduct as described herein was done with a conscious  
24 disregard of the rights of Plaintiff, with the intent to vex, annoy, and/or harass  
25 Plaintiff and to unjustly profit from Plaintiff's image and photograph. Such  
26 conduct was unauthorized and constitutes oppression, fraud, and/or malice under  
27 California Civil Code §3294, entitling Plaintiff to an award of punitive damages in  
28 an amount appropriate to punish or set an example of the Defendants in an amount

1 to be determined at trial.

2 16. The harm these wrongful acts will cause to Plaintiff is both great and  
3 irreparable. The conduct described above is ongoing, and injunctive relief is  
4 necessary to prevent and restrain further use of Plaintiff's image and photograph by  
5 Defendants. Plaintiff requests that the Court enter preliminary and permanent  
6 injunctions to prohibit Defendants from using Plaintiff's image and photograph in  
7 connection with GNC in all media.

8  
9 **SECOND CAUSE OF ACTION**

10 **VIOLATION OF CAL. CIVIL CODE §3344**

11 **(Against All Defendants)**

12 17. All previous allegations are realleged and incorporated herein by  
13 reference.

14 18. Defendants knowingly used Plaintiff's image and photograph beyond  
15 the Term without his permission for purposes of advertising and solicitation of  
16 GNC products and franchisees.

17 19. Defendants' use of Plaintiff's image and photograph after the Term  
18 was without his consent or authorization.

19 20. Defendants' knowing use of Plaintiff's image and photograph to  
20 promote GNC was for purposes of advertising or selling or soliciting purchases of  
21 products and/or franchises.

22 21. As a proximate result of the foregoing, Plaintiff has suffered actual  
23 damages, including emotional distress damages, in an amount according to proof at  
24 trial but in any event in excess of the jurisdictional threshold of the Superior Court.  
25 In addition, Defendants have been unjustly enriched by the use of Plaintiff's image  
26 and photograph. Therefore, Plaintiff requests that a constructive trust be imposed  
27 on the monies obtained by Defendants from the unauthorized use.

28 22. Defendants' conduct as described herein was done with a conscious

1 disregard of the rights of Plaintiff, with the intent to vex, annoy, and/or harass  
2 Plaintiff and to unjustly profit from Plaintiff's image and photograph. Such  
3 conduct was unauthorized and constitutes oppression, fraud, and/or malice under  
4 California Civil Code §3294, entitling Plaintiff to an award of punitive damages in  
5 an amount appropriate to punish or set an example of the Defendants in an amount  
6 to be determined at trial.

7 23. The harm these wrongful acts will cause to Plaintiff is both great and  
8 irreparable. The conduct described above is ongoing, and injunctive relief is  
9 necessary to prevent and restrain further use of Plaintiff's image and photograph by  
10 Defendants. Plaintiff requests that the Court enter preliminary and permanent  
11 injunctions to prohibit Defendants from using Plaintiff's image and photograph in  
12 connection with GNC in all media.

13 24. Plaintiff also seeks an award of attorneys' fees and costs per Civil  
14 Code §3344(a).

15  
16 **THIRD CAUSE OF ACTION**

17 **RESTITUTION FOR UNJUST ENRICHMENT**

18 **(Against All Defendants)**

19 25. All previous allegations are realleged and incorporated herein by  
20 reference.

21 26. Defendants have made an unpermitted use of Plaintiff's image and  
22 photograph beyond the Term to exploit their products and services.

23 27. Defendants used Plaintiff's image and photograph to their commercial  
24 benefit, all for the purpose of making profits for themselves.

25 28. Defendants have been unjustly enriched by the use of Plaintiff's image  
26 and photograph. Therefore, Plaintiff seeks restitution for the benefit derived from  
27 Defendants' use in an amount that is in excess of the jurisdictional threshold of the  
28 Superior Court.

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1 DATED: April 9, 2012

JOHNSON & JOHNSON LLP

2  
3 By 

Douglas L. Johnson  
Attorneys for Plaintiff

4  
5  
6 **DEMAND FOR JURY TRIAL**

7 Plaintiff hereby demands a trial by jury.

8  
9 DATED: April 9, 2012

JOHNSON & JOHNSON LLP

10  
11 By 

Douglas L. Johnson  
Attorneys for Plaintiff



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Douglas L. Johnson (SBN 209216) JOHNSON & JOHNSON LLP 439 North Canon Drive, Suite 200, Beverly Hills, California, 90210		FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES  APR 11 2012  John A. Clarke, Executive Officer/Clerk BY <u>[Signature]</u> Deputy Juliana Julliano							
TELEPHONE NO.: (310) 975-1080      FAX NO.: (310) 975-1095 ATTORNEY FOR (Name): Plaintiff Jason Olive		CASE NUMBER:   JUDGE: <b>BC482686</b> DEPT:							
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Central									
CASE NAME: <b>Jason Olive v. General Nutrition Centers, Inc. et al.</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>CIVIL CASE COVER SHEET</b></td> <td colspan="2" style="text-align: center;"><b>Complex Case Designation</b></td> </tr> <tr> <td style="width: 50%; padding: 5px;"> <input checked="" type="checkbox"/> <b>Unlimited</b>            (Amount demanded exceeds \$25,000)         </td> <td style="width: 50%; padding: 5px;"> <input type="checkbox"/> <b>Limited</b>            (Amount demanded is \$25,000 or less)         </td> <td style="width: 50%; padding: 5px;"> <input type="checkbox"/> <b>Counter</b>    <input type="checkbox"/> <b>Joinder</b>            Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)         </td> <td style="width: 50%;"></td> </tr> </table>				<b>CIVIL CASE COVER SHEET</b>		<b>Complex Case Designation</b>		<input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000)	<input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)
<b>CIVIL CASE COVER SHEET</b>		<b>Complex Case Designation</b>							
<input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000)	<input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)	<input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)							

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a. ☒ monetary    b. ☒ nonmonetary; declaratory or injunctive relief    c. ☒ punitive
4. Number of causes of action (specify): 3
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related cases. (You may use form CM-015.)

Date: April 9, 2012  
 Douglas L. Johnson

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

### NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)  
Employment  
Wrongful Termination (36)  
Other Employment (15)

## Contract

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

## Real Property

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

## Unlawful Detainer

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

## Judicial Review

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

## Enforcement of Judgment

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

## Miscellaneous Civil Petition

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

SHORT TITLE:

Olive v. General Nutrition Centers, Inc.

CASE NUMBER

BC482686

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

**This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.**

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 5-7 ☐ HOURS/ ☒ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE:

Olive v. General Nutrition Centers, Inc.

CASE NUMBER

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category/No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE:

Olive v. General Nutrition Centers, Inc.

CASE NUMBER

Judicial Review

Provisionally Complex Litigation

Enforcement of Judgment

Miscellaneous Civil Complaints

Miscellaneous Civil Petitions

A Civil Case Cover Sheet Category/No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3/Above)
Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE:

Olive v. General Nutrition Centers, Inc.

CASE NUMBER

**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

**REASON:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

☐1. ☒2. ☐3. ☐4. ☐5. ☐6. ☐7. ☐8. ☐9. ☐10.

ADDRESS:

3509 Purdue Ave.

CITY:

Los Angeles

STATE:

CA

ZIP CODE:

90066

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central                      District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: April 9, 2012

  
(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.