

# Superior Court of the District of Columbia

CIVIL DIVISION - CIVIL ACTIONS BRANCH

INFORMATION SHEET

2023-CAB-006356

GMO FREE USA d/b/a TOXIN FREE USA  
Plaintiff(s)

Case Number: \_\_\_\_\_

vs

Date: Oct. 13, 2023

CAVA GROUP, INC.,  
Defendant(s)

One of the defendants is being sued  
in their official capacity.

|  |   |
|--|---|
| Name: <i>(Please Print)</i><br>Kim E. Richman        | Relationship to Lawsuit<br><input checked="" type="checkbox"/> Attorney for Plaintiff |
| Firm Name:<br>RICHMAN LAW & POLICY                   | <input type="checkbox"/> Self (Pro Se)  |
| Telephone No.: DC Bar No.:<br>(914) 693-2018 1022978 | <input type="checkbox"/> Other: _____   |

TYPE OF CASE:     Non-Jury                       6 Person Jury                       12 Person Jury  
 Demand: \$ \_\_\_\_\_    Other: \_\_\_\_\_

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

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| NATURE OF SUIT: <i>(Check One Box Only)</i>  |   |   |
| <b>CONTRACT</b><br><input type="checkbox"/> Breach of Contract<br><input type="checkbox"/> Breach of Warranty<br><input type="checkbox"/> Condo/Homeowner Assn. Fees<br><input type="checkbox"/> Contract Enforcement<br><input type="checkbox"/> Negotiable Instrument  | <b>COLLECTION/INS. SUB</b><br><input type="checkbox"/> Debt Collection<br><input type="checkbox"/> Insurance Subrogation<br><input type="checkbox"/> Motion/Application for Judgment by Confession<br><input type="checkbox"/> Motion/Application Regarding Arbitration Award | <b>EMPLOYMENT DISPUTE</b><br><input type="checkbox"/> Breach of Contract<br><input type="checkbox"/> Discrimination<br><input type="checkbox"/> Wage Claim<br><input type="checkbox"/> Whistle Blower<br><input type="checkbox"/> Wrongful Termination  |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> Condo/Homeowner Assn. Foreclosure<br><input type="checkbox"/> Declaratory Judgment<br><input type="checkbox"/> Drug Related Nuisance Abatement  | <input type="checkbox"/> Ejectment<br><input type="checkbox"/> Eminent Domain<br><input type="checkbox"/> Interpleader  | <input type="checkbox"/> Other<br><input type="checkbox"/> Quiet Title<br><input type="checkbox"/> Specific Performance   |
| <b>ADMINISTRATIVE PROCEEDINGS</b><br><input type="checkbox"/> Administrative Search Warrant<br><input type="checkbox"/> App. for Entry of Jgt. Defaulted Compensation Benefits<br><input type="checkbox"/> Enter Administrative Order as Judgment<br><input type="checkbox"/> Libel of Information<br><input type="checkbox"/> Master Meter<br><input type="checkbox"/> Petition Other | <input type="checkbox"/> Release Mechanics Lien<br><input type="checkbox"/> Request for Subpoena<br><b>MALPRACTICE</b><br><input type="checkbox"/> Medical – Other<br><input type="checkbox"/> Wrongful Death   | <input type="checkbox"/> <b>FRIENDLY SUIT</b><br><input type="checkbox"/> <b>HOUSING CODE REGULATIONS</b><br><input type="checkbox"/> <b>QUI TAM</b><br><input type="checkbox"/> <b>STRUCTURED SETTLEMENTS</b><br><b>AGENCY APPEAL</b><br><input type="checkbox"/> Dangerous Animal Determination<br><input type="checkbox"/> DCPS Residency Appeal<br><input type="checkbox"/> Merit Personnel Act (OEA)<br><input type="checkbox"/> Merit Personnel Act (OHR)<br><input type="checkbox"/> Other Agency Appeal |
| <input type="checkbox"/> <b>APPLICATION FOR INTERNATIONAL FOREIGN JUDGMENT</b>   |   |   |

# Information Sheet, Continued

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| <b>CIVIL ASSET FORFEITURE</b><br><input type="checkbox"/> Currency<br><input type="checkbox"/> Other<br><input type="checkbox"/> Real Property<br><input type="checkbox"/> Vehicle   | <b>TORT</b><br><input type="checkbox"/> Abuse of Process<br><input type="checkbox"/> Assault/Battery<br><input type="checkbox"/> Conversion<br><input type="checkbox"/> False Arrest/Malicious Prosecution<br><input type="checkbox"/> Libel/Slander/Defamation<br><input type="checkbox"/> Personal Injury<br><input type="checkbox"/> Toxic Mass<br><input type="checkbox"/> Wrongful Death (Non-Medical Malpractice) |   |   |
| <b>NAME CHANGE/VITAL RECORD AMENDMENT</b><br><input type="checkbox"/> Birth Certificate Amendment<br><input type="checkbox"/> Death Certificate Amendment<br><input type="checkbox"/> Gender Amendment<br><input type="checkbox"/> Name Change | <b>GENERAL CIVIL</b><br><input type="checkbox"/> Accounting<br><input type="checkbox"/> Deceit (Misrepresentation)<br><input type="checkbox"/> Fraud<br><input type="checkbox"/> Invasion of Privacy<br><input type="checkbox"/> Lead Paint<br><input type="checkbox"/> Legal Malpractice<br><input type="checkbox"/> Motion/Application Regarding Arbitration Award<br><input type="checkbox"/> Other - General Civil  | <input type="checkbox"/> Product Liability<br><input type="checkbox"/> Request for Liquidation<br><input type="checkbox"/> Writ of Replevin<br><input type="checkbox"/> Wrongful Eviction<br><b>CIVIL I/COMPLEX CIVIL</b><br><input type="checkbox"/> Asbestos<br><b>MORTGAGE FORECLOSURE</b><br><input type="checkbox"/> Non-Residential<br><input type="checkbox"/> Residential | <b>STATUTORY CLAIM</b><br><input type="checkbox"/> Anti - SLAPP<br><input checked="" type="checkbox"/> Consumer Protection Act<br><input type="checkbox"/> Exploitation of Vulnerable Adult<br><input type="checkbox"/> Freedom of Information Act (FOIA)<br><input type="checkbox"/> Other<br><b>TAX SALE FORECLOSURE</b><br><input type="checkbox"/> Tax Sale Annual<br><input type="checkbox"/> Tax Sale Bid Off |
| <b>VEHICLE</b><br><input type="checkbox"/> Personal Injury<br><input type="checkbox"/> Property Damage   | <input type="checkbox"/> <b>TRAFFIC ADJUDICATION APPEAL</b><br><input type="checkbox"/> <b>REQUEST FOR FOREIGN JUDGMENT</b>   |   |   |



Filer/Attorney's Signature

10/13/2023

Date

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

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|--|---|
| <p>GMO FREE USA d/b/a TOXIN FREE USA,<br/>P.O. Box 458, Unionville, CT 06085,</p> <p style="text-align:center">Plaintiff,</p> <p style="text-align:center">v.</p> <p>CAVA GROUP, INC., 14 Ridge Square NW,<br/>Suite 500, Washington, D.C. 20016</p> <p style="text-align:center">Defendant.</p> | <p style="text-align:right">2023-CAB-006356</p> <p style="text-align:center"><b>COMPLAINT</b></p> <p style="text-align:center"><u>DEMAND FOR JURY TRIAL</u></p> |
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**PREAMBLE**

Plaintiff GMO Free USA d/b/a Toxin Free USA (“Toxin Free USA,” “TFUSA” or “Plaintiff”) brings this action against Defendant Cava Group, Inc. (“Cava” or “Defendant”) regarding the false and deceptive marketing and sale of certain food products, including but not limited to Cava’s pita chips, pita bread, cabbage slaw, lentils, and rice (the “Food”)<sup>1</sup> as healthy and sustainable despite the fact that the Foods contain synthetic biocide/pesticide residues and the Foods’ packaging (the “Packaging”) contains man-made per- and polyfluoroalkyl substances (“PFAS”),<sup>2</sup> all of which have negative impacts on human health and the environment. The Food and the Packaging shall hereinafter be collectively referred to as the “Products.” This Complaint is on behalf of the general public of the District of Columbia, in the interest of consumers. This is not a class action, and no class certification will be sought. Toxin Free USA alleges the following based upon personal knowledge, information, belief, and the investigation of counsel:

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<sup>1</sup> Plaintiff TFUSA alleges that any Cava products that contain synthetic biocides/pesticides or per- and polyfluoroalkyl substances are within the scope of this Complaint. The word Products applies to both the food and its packaging. TFUSA has standing to bring this action under both D.C. Code § 28-3905(k)(1)(C) and (k)(1)(D).

<sup>2</sup> All of the chemicals/substances at issue in this action are synthetic/artificial, or in other words, man-made.

## INTRODUCTION

1. Due to concerns about health, sustainability, and the use of synthetically created chemicals in the production of food, a growing number of consumers are considering how their food is processed and prepared.

2. As a result, demand has increased for food products from establishments that provide assurances about how their food is produced and prepared—that is, products that are free from unnatural ingredients, synthetic chemicals, or other remnants of artificial or extensive processing. Consumers are willing to pay more for food that is marketed in this way than they are willing to pay for competing products that do not provide such assurances.

3. Defendant Cava is a fast-casual restaurant chain specializing in Mediterranean cuisine, such as pitas, salads, and bowls with Mediterranean options such as falafel, hummus, grilled chicken and more.

4. Similar to Chipotle, Cava utilizes “assembly-line” ordering, where customers choose the ingredients they want in their meal, along with some prepacked food options.





5. Cava advertises its Products as “healthy” and its business as environmentally sustainable, claiming it is “taking care of . . . the Earth.”<sup>3</sup>

6. TFUSA’s testing reveals that, in contrast to the representations Cava makes, Cava’s Food contains harmful biocides/pesticides, and its Packaging contains dangerous PFAS.

7. For example, one of the biocide/pesticide residues detected is glyphosate, which is considered “probably carcinogenic” by the World Health Organization’s (“WHO”) International Agency for Research on Cancer (“IARC”).<sup>4</sup>

8. Glyphosate is also damaging to the environment.<sup>5</sup>

9. Products with detectible glyphosate and other biocide/pesticide residues are not “healthy” or environmentally sustainable.<sup>6</sup>

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<sup>3</sup> *About Us*, Cava, <https://cava.com/ourstory> (last visited Oct. 13, 2023).

<sup>4</sup> *IARC Monographs Volume 112: evaluation of five organophosphate insecticides and herbicides*, WHO IARC (Mar. 20, 2015), <https://www.iarc.who.int/wp-content/uploads/2018/07/MonographVolume112-1.pdf>

<sup>5</sup> See, e.g., Damian Carrington, *Glyphosate weedkiller damages wild bee colonies, study reveals*, The Guardian (June 2, 2022), <https://www.theguardian.com/environment/2022/jun/02/glyphosate-weedkiller-damages-wild-bumblebee-colonies>.

<sup>6</sup> There has been widespread reporting on the “cocktail effect” of multiple pesticides being found in fruits and vegetables in recent years, making consumers increasingly concerned about and attentive to the presence of pesticides in their produce. See, e.g., *Cocktail of pesticides in almost all oranges and grapes, UK study finds*, The Guardian

10. PFAS are a class of chemicals that have come under serious scrutiny due to their negative impacts on human health and the environment. In fact, on October 18, 2021, underscoring the gravity of the PFAS threat, the Biden-Harris Administration announced accelerated efforts to protect Americans from PFAS, which can cause “severe health problems” and persist in the environment once released, “pos[ing] a serious threat across rural, suburban, and urban areas.”<sup>7</sup>

11. There is also a growing consumer-advocacy movement to eliminate PFAS from various products, including food packaging.<sup>8</sup>

12. Reasonable consumers who relied on Cava’s “healthy” representations would expect that the Food can be safely and healthily consumed, and the Packaging can be safely handled as marketed and sold. The Products, however, are neither safe nor healthy, posing a significant health risk to unsuspecting consumers.

13. Nor are the Products sustainable, because pesticide residues in food show that the Food was not responsibly sourced, and packaging treated with such high levels of PFAS are neither sustainable nor compostable, as Cava claims<sup>9</sup>

14. Neither before nor during the time of purchase does Cava notify consumers that the Products are unsafe, unhealthy, and unsustainable.

15. Cava’s representations mislead D.C. consumers into believing that the Products are *not* made with environmentally damaging, toxic chemicals like PFAS and biocides/pesticides, when

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(Sept. 29, 2021), <https://www.theguardian.com/environment/2021/sep/29/cocktail-pesticides-almost-all-oranges-grapes-uk-study>.

<sup>7</sup> *FACT SHEET: Biden-Harris Administration Launches Plan to Combat PFAS Pollution*, The White House (Oct. 18, 2021), <https://bit.ly/3DZvZba>.

<sup>8</sup> Elicia Mayuri Cousins et al., *Risky Business? Manufacturer and Retailer Action to Remove Per- and Polyfluorinated Chemicals From Consumer Products*, 29(2) *NEW SOL.S: J. Env’t. & Occupational Health Pol’y* 242 (2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8193156/>.

<sup>9</sup> *Managing PFAS Chemicals in Composting and Anaerobic Digestion*, BioCycle (Jan. 21, 2020), <https://www.biocycle.net/managing-pfas-chemicals-composting-anaerobic-digestion/>.

in fact, the Products *are* made with such chemicals. Thus, Cava’s marketing of the Products is false and misleading to D.C. consumers.

16. By deceiving consumers about the nature, quality, and/or ingredients of the Products, Cava is able to sell a greater volume of the Products, to charge higher prices for the Products, and to take away market share from competing products, thereby increasing its own sales and profits.

17. Cava’s false and misleading representations and omissions violate the District of Columbia Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901, *et seq.*

18. Because Cava’s advertising of the Products tends to mislead and is materially deceptive about the true nature, quality, and ingredients of the Products, TFUSA brings this deceptive advertising case under the CPPA on behalf of their members and the general public and seeks relief including an injunction to halt Cava’s false marketing and sale of the Products, which Cava markets as “healthy” and environmentally sustainable.

19. Accordingly, as explained in detail below, Cava purposefully and misleadingly cultivates an image of the Products as a healthy and sustainable alternative for consumers who wish to avoid synthetic chemicals and artificial or unsafe additives.

### **STATUTORY FRAMEWORK**

20. This action is brought under the D.C. CPPA, D.C. Code § 28-3901, *et seq.*

21. The CPPA makes it a violation for “any person” to, *inter alia*:

Represent that goods or services have a source, sponsorship, approval, certification, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have;

Represent that goods or services are of a particular standard, quality, grade, style, or model, if in fact they are of another;

Misrepresent as to a material fact which has a tendency to mislead;

Fail to state a material fact if such failure tends to mislead;

Use innuendo or ambiguity as to a material fact, which has a tendency to mislead; or

Advertise or offer goods or services without the intent to sell them or without the intent to sell them as advertised or offered.

D.C. Code § 28-3904(a), (d), (e), (f), (f-1), (h).

22. A violation of the CPPA may occur regardless of “whether or not any consumer is in fact misled, deceived or damaged thereby.” *Id.* § 28-3904.

23. The CPPA “establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.” *Id.* § 28-3901(c). The statute “shall be ***construed and applied liberally*** to promote its purpose.” *Id.* (emphasis added).

24. Because Toxin Free USA is a public interest organization, it may act on behalf of the general public and bring any action that an individual consumer would be entitled to bring:

[A] public interest organization may, on behalf of the interests of a consumer or a class of consumers, bring an action seeking relief from the use by any person of a trade practice in violation of a law of the District if the consumer or class could bring an action under subparagraph (A) of this paragraph for relief from such use by such person of such trade practice.

*Id.* § 28-3905(k)(1)(D)(i). Subparagraph (A) provides: “A consumer may bring an action seeking relief from the use of a trade practice in violation of a law of the District,” and pursuant to § 28-3901(c), placing misinformation into the D.C. marketplace is a trade practice in violation of the CPPA. Accordingly, Toxin Free USA has standing to challenge Cava’s misrepresentations about the Products in the District.

25. A public interest organization may act on behalf of the interests of consumers, *i.e.*, the general public of the District of Columbia, so long as the organization has “sufficient nexus to the interests involved of the consumer or class to adequately represent those interests.” *Id.* § 28-



3905(k)(1)(D)(ii). Toxin Free USA is an organization dedicated to consumer advocacy and has previously represented consumers in similar actions under the CPPA. TFUSA, thus, has a sufficient nexus to consumers to adequately represent their interests.

26. In addition, because Toxin Free USA is a nonprofit organization, it also has standing under the CPPA to act on behalf of itself and the general public and bring an action as a “tester” organization:

A nonprofit organization may, on behalf of itself or any of its members, or on any such behalf and on behalf of the general public, bring an action seeking relief from the use of a trade practice in violation of a law of the District, including a violation involving consumer goods or services that the organization purchased or received in order to test or evaluate qualities pertaining to use for personal, household, or family purposes.

*Id.* § 28-3905(k)(1)(C).

27. This is not a class action, or an action brought on behalf of any specific consumer, but an action brought by Toxin Free USA on behalf of the general public, *i.e.*, D.C. consumers generally. No class certification will be requested.

28. This action does not seek damages. Instead, Toxin Free USA seeks to end the unlawful conduct directed at D.C. consumers, *i.e.*, Cava’s false and deceptive labeling and marketing of the Products. Remedies available under the CPPA include “[a]n injunction against the use of the unlawful trade practice.” *Id.* § 28-3905(k)(2)(D), (F). Toxin Free USA also seeks declaratory relief in the form of an order holding Cava’s conduct to be unlawful in violation of the CPPA.

### **FACT ALLEGATIONS**

#### **I. Cava Represents That the Products Are Healthy and Sustainable.**

29. To entice consumers, Cava heavily relies on marketing its Products as “healthy” and “sustainable.”

30. For instance, Cava states on its website that it believes in “[s]erving delicious food that helps more people eat well and live well.”<sup>10</sup>

31. Cava also states that its mission is “to bring heart, **health**, and humanity to food.”<sup>11</sup>

32. Additionally, Cava has a webpage dedicated to sustainability commitments.<sup>12</sup>

33. The “Sustainability” webpage also explains Cava’s health promise to consumers, which includes references to the high quality of their Food ingredients.<sup>13</sup>

## HEALTH

**Since our beginning, CAVA has been committed to the well-being of people and the planet.**

We care deeply about the quality of our food, where it comes from, and how it’s created.

We are dedicated to working with farmers who share our values. We strive to source dairy products from farmers who don’t treat their cows with rbST, and as certain suppliers come on board, we ask them to verify their sustainability and sourcing credentials, including animal welfare.

We use clean-label-friendly ingredients. The chickpeas we use to make our packaged CAVA hummus are certified organic, and we also offer multiple fountain sodas that are made with Fair Trade Certified sugar. We also use seasonal promotions to drive awareness of our plant-based offerings.

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<sup>10</sup> *About Us*, *supra*, note 3.

<sup>11</sup> *Id.* (emphasis added).

<sup>12</sup> *Sustainability*, Cava, <https://cava.com/sustainability> (last visited Oct. 13, 2023).

<sup>13</sup> *Id.*

34. Along with its “Sustainability” webpage, Cava also has a “Corporate Overview” page, which positions itself as a company focused on “healthful food,” “health and wellness food,” and “healthy living.”<sup>14</sup>

## CORPORATE OVERVIEW

CAVA is the category-defining Mediterranean fast-casual restaurant brand, bringing together healthful food and bold, satisfying flavors at scale. Our brand and our opportunity transcend the Mediterranean category to compete in the large and growing limited-service restaurant sector as well as the health and wellness food category. CAVA serves guests across gender lines, age groups, and income levels and benefits from generational tailwinds created by consumer demand for healthy living and a demographic shift towards greater ethnic diversity. We meet consumers’ desires to engage with convenient, authentic, purpose-driven brands that view food as a source of self-expression. The broad appeal of our food combined with these favorable industry trends drive our vast opportunity for continued growth.

35. Not only is the Food advertised as healthy and sustainable, but the Packaging is also advertised as sustainable.

36. On August 5, 2020, Cava publicly stated, “[a]s part of our ongoing environmental and social responsibility efforts we are actively working to ensure our sustainable packaging *continues* to be responsibly sourced, compostable, functional, and *now* PFAS-free. We will eliminate PFAS for our food packaging by mid-2021, and will publicly share progress on our commitment in the year ahead.”<sup>15</sup>

August 5, 2020

## Eliminating PFAS From Our Food Packaging

At CAVA, we care about our impact on our communities and on the world at large. As part of our ongoing environmental and social responsibility efforts we are actively working to ensure our sustainable packaging continues to be responsibly sourced, compostable, functional, and now PFAS free. We will eliminate PFAS from our food packaging by mid-2021, and will publicly share progress on our commitment in the year ahead.

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<sup>14</sup> *Corporate Overview*, Cava, <https://investor.cava.com/overview/default.aspx> (last visited Oct. 13, 2023).

<sup>15</sup> *Newsroom*, Cava, <https://web.archive.org/web/20220324103526/https://cava.com/newsroom> (last visited Oct. 13, 2023) (emphasis added).

37. Upon information and belief, Cava did not share any public-facing update relating to PFAS in its Packaging until March 1, 2022, well after the “mid-2021” deadline referenced in its August 5, 2020 press release.

38. As such, Cava purposefully led consumers to believe that its Packaging would be PFAS-free before mid-2021 by posting the August 5, 2020 press release and failing to inform consumers that Cava did not remove PFAS from its Packaging.

39. Cava constantly moves the goalposts for its promise to remove PFAS from its packaging, and despite promising to “periodically keep our guests updated on our progress,” Cava has not published a new press release since October 14, 2022.<sup>16</sup>

40. Cava has not substantially publicized its failure to meet its own stated PFAS removal deadlines, meaning some consumers may reasonably believe that the Packaging is PFAS-free based upon the August 5, 2020 press release and other representations made by Cava about its Packaging.

41. For example, Cava refers to its packaging as “sustainable.” However, packaging that contains any PFAS is inherently unsustainable.

42. Cava also claims that its packaging is sustainable due to being compostable, but packaging containing PFAS are not compostable.<sup>17</sup>

43. Further, Cava couples its direct marketing with public statements about its dedication to health and sustainability.

44. For instance, Cava’s CEO, Brett Schulman, has echoed that “[p]eople are eating out more, and they’re seeking higher-quality ingredients. When we take these naturally healthy nutritional

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<sup>16</sup> *PFAS Update*, Cava (Oct. 14, 2022), <https://cava.com/news/pfas-update> (promising to remove PFAS by the “end of 2022.”). *Contra Newsroom*, *supra* note 15 (promising to eliminate PFAS by “mid-2021.”).

<sup>17</sup> *Supra* note 9.

profiles, great flavors, and fulfilling foods to a reasonable price point, we're solving a problem for a variety of consumers on the go."<sup>18</sup>

45. Mr. Schulman has also represented that Cava is "better for your body," while noting that "consumers are mindful about what they're ingesting[,]"<sup>19</sup> which he says requires "an atmosphere of transparency[.]"<sup>20</sup>

46. Mr. Schulman has stated that, at Cava, "[w]e want to show consumers that sustainable behavior can be the norm, easy, enjoyable and cost less."<sup>21</sup>

47. All of these statements made by Cava are consumer-facing and are more public than Cava's press release about its outdated and unfulfilled PFAS-elimination promise.

48. Cava's misleading advertising relating to health and sustainability has been incredibly successful, as evidenced by the extensive profile of Cava written by Menus of Change, run by the Culinary Institute of America: "Cava Grill . . . targets health-conscious consumers" and "emphasizes local sourcing and the quality of what it sources. *The chain sells diners on transparency, simplicity, and purity.*"<sup>22</sup>

## **II. The Food Contains Synthetic Biocides and Pesticides.**

49. As explained, *supra* § I, Cava markets its Food Products as healthy.

50. TFUSA facilitated biocide/pesticide residue testing on Cava's food Products and obtained the following results:

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<sup>18</sup> *What Inspires Cava CEO Brett Schulman*, QSR Magazine (Oct. 2017), <https://www.qsrmagazine.com/start-finish-what-inspires-execs/what-inspires-cava-ceo-brett-schulman>.

<sup>19</sup> Gary Stern, *Cava: Healthy Mediterranean Chain Expanding and Acquiring*, Forbes (Nov. 15, 2019), <https://www.forbes.com/sites/garystern/2019/11/15/cava-healthy-mediterranean-chain-expanding-and-acquiring/?sh=3987bf901434>.

<sup>20</sup> QSR, *supra* note 18.

<sup>21</sup> Suzanna Blake, *How Some Operators are Striving for Better Sustainability Standards*, QSR (Jan. 2022), <https://www.qsrmagazine.com/content/how-some-operators-are-striving-better-sustainability-standards>.

<sup>22</sup> *Cava Grill*, Menus of Change, <https://www.menusofchange.org/case-studies/cavagrill> (last visited Oct. 13, 2023) (emphasis added).

| Product      | Chemical           | Amount (ppb) |
|--------------|--------------------|--------------|
| Pita Chips   | Piperonyl butoxide | 10           |
| Pita Chips   | Glyphosate         | 26           |
| Cabbage Slaw | Imazalil           | 10           |
| Pita         | Piperonyl butoxide | 12           |
| Pita         | Glyphosate         | 29           |
| Lentils      | Glyphosate         | 25           |
| Rice         | Isoprothiolane     | 106          |
| Rice         | Tebuconazole       | 16           |
| Rice         | Tricyclazole       | 20           |

51. As explained, *infra* § III, these biocides/pesticides have adverse impacts on human health and the environment, especially due to their bioaccumulative effects, which increases the amount of exposure to these chemicals over time.

### **III. The Food is not “Healthy” or “Sustainable.”**

52. Food grown using biocides/pesticides is not only unsustainable, but also expose consumers to risk of adverse health effects.

53. Here, TFUSA’s testing revealed the following biocides/pesticides in the Products: glyphosate, imazalil, piperonyl butoxide, isoprothiolane, tebuconazole, and tricyclazole.

54. Glyphosate, for example, has shown to be carcinogenic.<sup>23</sup>

55. As stated by scientists in the International Journal of Molecular Science, “it is unequivocal that exposure to glyphosate, alone or in commercial formulations, can produce important

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<sup>23</sup> WHO IARC, *supra* note 4.

alterations in the structure and function of the nervous system of humans, rodents, fish, and invertebrate animals.”<sup>24</sup>

56. Recent research has also shown that glyphosate can infiltrate the brain and “increases pro-inflammatory cytokine TNF $\alpha$ ,” which can cause neurodegenerative disorders such as Alzheimer’s disease.<sup>25</sup>

57. In fact, several juries have found a connection between glyphosate and non-Hodgkin’s lymphoma.<sup>26</sup>

58. Glyphosate has also been shown to be destructive to marine ecosystems due to its effects on “aquatic microbial communities.”<sup>27</sup>

59. Additionally, “the decrease of North America’s Monarch butterfly populations from the mid [ ] 1990s has been related [partly] to use of glyphosate-based herbicides.”<sup>28</sup>

60. Meanwhile, imazalil is classified by the U.S. Environmental Protection Agency (“EPA”) as “likely to be carcinogenic to humans.”<sup>29</sup>

61. Imazalil can also “bind to hormone receptors and alter the production of estrogen,” “disrupt the endocrine system,” and “harm the reproductive system.”<sup>30</sup>

62. Piperonyl Butoxide may damage human organs and is a “possible human carcinogen.”<sup>31</sup>

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<sup>24</sup> Carmen Costas-Ferreira et al., *Toxic Effects of Glyphosate on the Nervous System: A Systematic Review*, 23(9) Int’l J. Molecular Sci. 4605 (2022), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9101768/>.

<sup>25</sup> Joanna K. Winstone et al., *Glyphosate infiltrates the brain and increases pro-inflammatory cytokine TNF $\alpha$ : implications for neurodegenerative disorders*, 19 J. Neuroinflammation 193 (2022), <https://jneuroinflammation.biomedcentral.com/articles/10.1186/s12974-022-02544-5>.

<sup>26</sup> Patricia Cohen, *\$2 Billion Verdict Against Monsanto Is Third to Find Roundup Caused Cancer*, New York Times (May 13, 2019), <https://www.nytimes.com/2019/05/13/business/monsanto-roundup-cancer-verdict.html>.

<sup>27</sup> Kavita Gandhi et al., *Exposure risk and environmental impacts of glyphosate: Highlights on the toxicity of herbicide co-formulants*, 4 Environmental Challenges 100149 (2021), <https://www.sciencedirect.com/science/article/pii/S2667010021001281>.

<sup>28</sup> *Id.*

<sup>29</sup> EPA R.E.D. Facts, Imazalil 1 (2005), <https://archive.epa.gov/pesticides/reregistration/web/pdf/2325fact.pdf>.

<sup>30</sup> Alexis Temkin et. al., *Tests Find Hormone-Disrupting Fungicides on Most Citrus Fruit Samples*, Environmental Working Group (Mar. 15, 2023), <https://www.ewg.org/foodnews/citrus.php>.

<sup>31</sup> Beyond Pesticides, *Piperonyl Butoxide (PBO)*, Chemical Watch Factsheet (2006), <https://www.beyondpesticides.org/assets/media/documents/pesticides/factsheets/Piperonyl%20Butoxide.pdf>.

63. Isoprothiolane is known to be hazardous to aquatic environments.<sup>32</sup>
64. Tebuconazole is yet another “possible human carcinogen.”<sup>33</sup>
65. The WHO classifies tricyclazole as “moderately hazardous.”<sup>34</sup>
66. Finally, various studies have found links between biocide/pesticide exposure and a myriad of health issues, such as “cardiovascular disease,” “brain and nervous system problems,” and “poorer lung function.”<sup>35</sup>

#### IV. The Packaging Contains PFAS.

67. As explained *supra* § I, Cava markets the Packaging as sustainable and emphasizes the compostability of its Packaging.

68. But, at least by 2020, Cava was aware of material information<sup>36</sup> indicating that the Products were unsustainable, unhealthy and/or unfit for consumption/use because the Packaging Products in which they were contained—and that are essential and integral to delivering the Food Products to the consuming public—were *not* free of PFAS.

69. Also, considering Cava never fulfilled its PFAS promise, *supra* ¶¶ 36-40, it inherently admits that its packaging still contains these chemicals.

70. In addition to Cava’s own admissions, TFUSA’s independent testing also found evidence of PFAS in Cava’s Packaging Products.

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<sup>32</sup> Manoharan Saravanan et al., *Ecotoxicological impacts of isoprothiolane on Freshwater Fish cyprinus carpio fingerlings: A multi-biomarker assessment*, 58 *Journal of the Korean Society for Applied Biological Chemistry* 491–499 (2015), <https://apblbiolchem.springeropen.com/articles/10.1007/s13765-015-0066-2>.

<sup>33</sup> *Tebuconazole*, EPA Archives (1996), <https://archive.epa.gov/pesticides/chemicalsearch/chemical/foia/web/pdf/128997/128997-065.pdf>.

<sup>34</sup> *The WHO Recommended Classification of Pesticides by Hazard and Guidelines to Classification*, WHO (2019), <https://iris.who.int/bitstream/handle/10665/332193/9789240005662-eng.pdf?sequence=1>.

<sup>35</sup> Catherine Roberts, *Stop Eating Pesticides*, Consumer Reports (Aug. 27, 2020), <https://www.consumerreports.org/health/food-contaminants/stop-eating-pesticides-a1094738355/>.

<sup>36</sup> *Our Work: Phasing Out PFAS in Retail Food Packaging*, Toxic Free Future, <https://toxicfreefuture.org/our-work-phasing-out-pfas-in-retail-food-packaging/> (last visited Sept. 26, 2023).



71. Specifically, TFUSA facilitated its own testing of the Packaging Products and found 228 parts per million (“ppm”) of organofluorine in the Cava Pita Chip Bag.

72. This result is significant because any amount over 100 ppm of organofluorine (also known as organic fluorine) indicates the presence of PFAS, as explained below.

73. “Since the world hasn’t found a way to test which of 9,000 PFAS are in products, the best current test methods [for PFAS] look for fluorine.”<sup>37</sup> Also, “when measuring organofluorine in the environment one can assume that it originates from an anthropogenic source.”<sup>38</sup>

74. It impossible to test for each PFAS chemical and there are also several unknown PFAS that have yet to be identified.<sup>39</sup>

75. “The problem is the overwhelming majority of PFAS compounds are proprietary” that even “regulatory agencies can’t find what they don’t know exist.”<sup>40</sup>

76. Thus, the best way to screen a product for PFAS contamination is through a Total Organic Fluorine (“TOF”) test. The TOF test measures the amount of fluorine in a sample and then measures the amount of inorganic fluorine. Despite its misleading name, inorganic fluorine refers to the type of fluorine that is naturally occurring in the environment. With both the fluorine and inorganic fluorine results, the TOF method show how much organic fluorine, or synthetic fluorine, is in a sample.

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<sup>37</sup> Jessian Choy, *New Independent Study Confirms PFAS in Thinx, Other Products*, Sierra Club (June 3, 2021), <https://www.sierraclub.org/sierra/ask-ms-green/new-independent-study-confirms-pfas-thinx-other-products>.

<sup>38</sup> Alina Koch, *et al.*, *Towards a comprehensive analytical workflow for the chemical characterisation of organofluorine in consumer products and environmental samples*, 123 *TrAC Trends in Analytical Chemistry* 115423 (2020), <https://doi.org/10.1016/j.trac.2019.02.024> (“[N]o single analytical method is versatile and robust enough to identify and quantify the vast number of PFASs, as well as other fluorine-containing agrochemicals or pharmaceuticals that might be present in a sample.”).

<sup>39</sup> See Bernd Göckener *et al.*, *Exploring unknown per- and polyfluoroalkyl substances in the German environment – The total oxidizable precursor assay as helpful tool in research and regulation*, 782 *Sci. Total Env’t* 146825 (2021), <https://www.sciencedirect.com/science/article/pii/S0048969721018957>.

<sup>40</sup> Leah Burrows, *Uncovering hidden forever chemicals*, Harvard University (Mar. 5, 2021), <https://seas.harvard.edu/news/2021/03/uncovering-hidden-forever-chemicals> (explaining that “any amount of organofluorine detected in the environment is sure to be human made.”).

77. “[T]est[ing] products for their total organic fluorine content . . . is the simplest way to assess a material’s total PFAS content. That’s because all PFAS contain organic fluorine, and there are few other sources of the compound.”<sup>41</sup>

78. The Biodegradable Products Institute (“BPI”) has adopted 100 ppm as a threshold. Likewise, the Supply Chain Solutions Center (“SPSC”) notes that it “recommends that companies systematically screen [their products] using a total fluorine method and investigate levels over 100 [ppm], which indicates intentional use.”<sup>42</sup>

79. “The total fluorine method measures all forms of PFAS in the fibers and does not identify individual PFAS. It is an effective screening tool to detect intentionally added PFAS, and results should prompt a discussion with the supplier[.]”<sup>43</sup>

80. The Cancer Free Economy Network supports this conclusion, declaring “there are few standardized PFAS test methods.”<sup>44</sup> Accordingly, researchers may rely on “total fluorine tests [which] are indirect methods designed to measure a representative element indicative of PFAS.”<sup>45</sup>

81. Rainier Lohmann, Director of University of Rhode Island’s Lohmann Lab, supports these conclusions, stating that “[i]f a product is showing really high fluorine levels, companies really can’t claim they didn’t use PFAS.”<sup>46</sup>

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<sup>41</sup> Kevin Loria, *Dangerous PFAS Chemicals Are in Your Food Packaging*, Consumer Reports (Mar. 24, 2022), <https://www.consumerreports.org/pfas-food-packaging/dangerous-pfas-chemicals-are-in-your-food-packaging-a3786252074/>.

<sup>42</sup> *Testing for PFAS in food packaging*, Supply Chain Solutions Center, [https://supplychain.edf.org/resources/testing-for-pfas-in-food-packaging/#:~:text=The%20total%20fluorine%20method%20provides,certification%20program%](https://supplychain.edf.org/resources/testing-for-pfas-in-food-packaging/#:~:text=The%20total%20fluorine%20method%20provides,certification%20program%20) (last visited Oct. 27, 2023).

<sup>43</sup> *Id.*

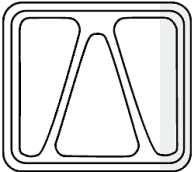
<sup>44</sup> Cancer Free Economy Network, *A Short Guide To Common Testing Methods For Per- And Polyfluoroalkyl Substances* (PFAS) 1 (2020), [https://www.bizngo.org/images/ee\\_images/uploads/resources/CFE\\_PFAS\\_Testing\\_FactSheet\\_Final.pdf](https://www.bizngo.org/images/ee_images/uploads/resources/CFE_PFAS_Testing_FactSheet_Final.pdf).

<sup>45</sup> *Id.*

<sup>46</sup> Jackie Salo, *Chipotle, Sweetgreen bowls are linked to cancer-causing chemicals*, NY Post (Aug. 7, 2019), <https://nypost.com/2019/08/07/chipotle-sweetgreen-bowls-are-linked-to-cancer-causing-chemicals/>.

82. California, for instance, **has banned PFAS in food packaging**, and uses the TOF method as the standard for this regulation. See Cal. Health & Safety Code Div. 104, Pt. 3, Ch. 15, Art. 1, § 109000 (“The presence of PFAS in a product or product component at or above 100 parts per million, as measured in total organic fluorine.”).

83. Not only has TFUSA’s testing revealed the presence of organofluorine in the food packaging Products over the 100 ppm threshold, but a Consumer Reports study investigating food packaging also found over 100 ppm of organic fluorine in most of Cava’s packaging.<sup>47</sup>

| Cava   |                                      |     |       |
|--|--------------------------------------|-----|-------|
|  | Fiber tray for kids meal             | ■ ■ | 548.0 |
|  | Fiber bowl for grains, salad         | ■ ■ | 508.3 |
|  | Wrapper for mini Pita, pita Sandwich | ■ ■ | 280.0 |
|  | Bag for pita chips                   | ■ ■ | 260.0 |
|  | Wrapper for pitas                    | ■ ■ | 202.0 |
|  | Wrapper for sides                    |     | 13.3  |

84. The same study noted that in Denmark, 20 ppm of organic fluorine is the threshold for determining the presence of PFAS.<sup>48</sup>

85. Toxic Free Future (unrelated to TFUSA despite its similar name) also screened the Products for PFAS and received positive results.<sup>49</sup>

86. Not only do PFAS have negative effects on human health, but they are unsustainable, as explained *infra* § V.

<sup>47</sup> Loria, *supra* note 41. In response to this report, Cava implicitly acknowledges that the TOF method was a valid method for screening products for PFAS.

<sup>48</sup> *Id.*

<sup>49</sup> See *Packaged in Pollution*, Toxic Free Future, <https://toxicfreefuture.org/research/packaged-in-pollution/> (last visited Oct. 13, 2023); *Packaged in Pollution detailed results*, Toxic Free Future, (Excel Spreadsheet available at <https://toxicfreefuture.org/research/packaged-in-pollution/results/>) (on record with Plaintiff).

## V. PFAS Have Negative Impacts on Human Health and the Environment.

87. PFAS have adverse effects on human health and the surrounding environment.

88. Research into PFAS has been plagued by corporate secrecy, and new information about the dangers of these substances is revealed almost every day.<sup>50</sup>

89. By way of background, the PFAS family of chemicals was accidentally discovered in 1938 by a scientist working at E.I. du Pont de Nemours and Company (“DuPont”). In the decades following that discovery, DuPont and The 3M Company (“3M”) became the primary manufacturers of PFAS.

90. For decades, DuPont, 3M, and other manufacturers were aware that PFAS persist indefinitely in the environment, they bioaccumulate in blood, and they pose a substantial threat to human health and the environment.

91. The manufacturers concealed and downplayed the threat to human health and the environment presented by PFAS. They withheld data and research regarding the toxicity of PFAS from the public and from regulators. Regulators continue to play catch-up in addressing the threat to human health and the environment presented by PFAS because DuPont and other manufacturers concealed the dangers associated with these substances.

92. Documents uncovered in lawsuits against PFAS manufacturers revealed that these companies had “preliminary evidence of PFAS toxicity as early as the 1960s.”<sup>51</sup> In 1981, for

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<sup>50</sup> See, e.g., *Hardwick v. 3M Co.*, 589 F. Supp. 3d 832, 840, 869 (S.D. Ohio 2022) (certifying class in case where plaintiff alleged that PFAS manufacturer “engaged in a systematic effort to conceal and deny the dangers of PFAS”); *In re Aqueous Film-Forming Foams Prods. Liab. Litig.*, MDL No. 2:18-mn-2873, 2022 U.S. Dist. LEXIS 168634, at \*33, 48 (D.S.C. Sept. 16, 2022) (denying defendant PFAS manufacturer’s summary judgment motion in matter concerning non-disclosure of “health and environmental effects of” certain types of PFAS).

<sup>51</sup> Jeffrey Kluger, *Companies Knew the Dangers of PFAS ‘Forever Chemicals’—and Kept Them Secret*, Time (Jun. 1, 2023), <https://time.com/6284266/pfas-forever-chemicals-manufacturers-kept-secret/>. This article also notes that even PFAS manufacturers agree that “[t]he higher the level of fluorine, the higher the level of PFAS, and the greater the risk of all of the illnesses associated with the chemicals.” Further, this article highlights the “[p]ublic demand is leading to a growing market for PFAS-free products,”

instance, DuPont removed women workers from its PFAS production lines after “eight recently pregnant coworkers” gave birth to babies with birth defects, including one who had two PFAS chemicals “in [their] cord blood.”<sup>52</sup>

93. Though much of the toxicological research to date has focused on certain types of PFAS, DuPont and other manufacturers themselves state that the entire PFAS family of chemicals, not just specific types, are “hazardous substances.”<sup>53</sup>

94. The EPA also currently advises the public about the health threats presented by the PFAS family as a whole: “peer-reviewed scientific studies have shown that exposure to certain levels of PFAS may lead to:

- Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.
- Increased risk of some cancers, including prostate, kidney, and testicular cancers.
- Reduced ability of the body’s immune system to fight infections, including reduced vaccine response.
- Interference with the body’s natural hormones.
- Increased cholesterol levels and/or risk of obesity.”<sup>54</sup>

95. In light of these health concerns, several states have enacted regulations regarding PFAS in consumer products.<sup>55</sup>

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<sup>52</sup> *Id.*

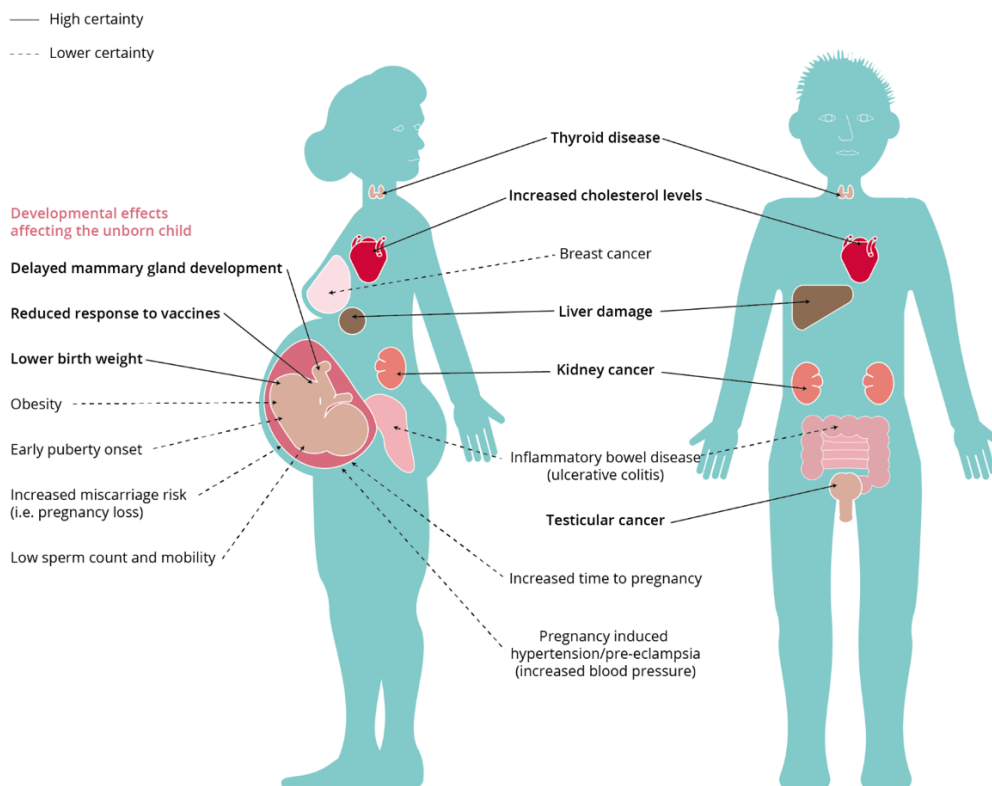
<sup>53</sup> *N.J. Dept. of Env’t. Protection, et al. v. E. I. duPont de Nemours and Co., et al.*, 2:19-cv-14758, ECF No. 118 at 12.

<sup>54</sup> *Our Current Understanding of the Human Health and Environmental Risks of PFAS*, EPA, <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas> (last visited Oct. 13, 2023.)

<sup>55</sup> *See, e.g., supra* ¶ 82; *see also* Me. Rev. Stat. Tit. 38 § 1614, Victor Y. Xu, *Minnesota and Washington Blitz PFAS in Products; Maine Backpedals*, Marten Law, (Jun. 15, 2023), [https://www.martenlaw.com/news-and-insights/minnesota-and-washington-blitz-pfas-in-products-maine-backpedals#\\_ftnref11](https://www.martenlaw.com/news-and-insights/minnesota-and-washington-blitz-pfas-in-products-maine-backpedals#_ftnref11); *PFAS in Apparel Law*, N.Y.S. Dep’t of Env’t Conservation, <https://www.dec.ny.gov/chemical/128082.html> (last visited Oct. 13, 2023).

96. Moreover, the following figure from the European Environmental Agency (“EEA”) shows the “[e]ffects of PFAS on human health:”<sup>56</sup>

**Figure 1. Effects of PFAS on human health**



97. In addition, the EPA advises that “[b]ecause children are still developing, they may be more sensitive to the harmful effects of chemicals such as PFAS.”<sup>57</sup>

98. For the past 14 years, PFAS manufacturers have started making a new kind of PFAS with a shorter chain of carbon atoms<sup>58</sup> known as Gen X.<sup>59</sup>

<sup>56</sup>*Emerging Chemical Risks in Europe – ‘PFAS,’* European Environment Agency, (Dec. 12, 2019), <https://www.eea.europa.eu/publications/emerging-chemical-risks-in-europe>.

<sup>57</sup> *Our Current Understanding of the Human Health and Environmental Risks of PFAS*, EPA, <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas> (last visited Oct. 13, 2023.)

<sup>58</sup> PFAS with six carbon atoms are known as “short-chain,” whereas those with eight are called “long-chain.”

<sup>59</sup> Sharon Lerner, *Chemours Claims Toxic Pfas Chemical Genx Protects The Climate*, The Intercept (Apr. 11 2022), <https://theintercept.com/2022/04/11/pfas-genx-chemours-climate-crisis/>.

99. Like the previous generation of PFAS chemicals, Gen X poses the same toxicity concerns.<sup>60</sup> In fact, last year, the EPA released a drinking water health advisory for Gen X, a short-chain PFAS, based upon animal toxicity studies that have linked Gen X with “health effects on the liver, the kidney, the immune system, and developmental effects, as well as cancer.”<sup>61</sup>

100. Additionally, PFAS in packaging have been shown to migrate into the food products that it contacts.<sup>62</sup>

101. On March 3, 2020, a cohort of scientists released a report in *Environmental Health* called “Impacts of food contact chemicals on human health: a consensus statement.”<sup>63</sup>

102. The report states, “[w]e describe areas of certainty, like the fact that chemicals migrate from food contact articles into food. . . . This phenomenon is known as migration and has been studied since the 1950s.”<sup>64</sup>

103. The report concludes, “[t]o summarize, we are concerned that current chemical risk assessment for food contact chemicals does not sufficiently protect public health. . . . There is clear scientific evidence that chemicals migrate from food contact artifacts, and it is likely that the majority of the human population is affected by these exposures.”<sup>65</sup> Other researchers agree.<sup>66</sup>

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<sup>60</sup> *Id.* (“[A]dditional research [handed over] to the EPA [] showed that the toxicity profile of [Gen X] in fact did match that of [older PFAS].”).

<sup>61</sup> *Questions and Answers: Drinking Water Health Advisories for PFOA, PFOS, GenX Chemicals and PFBS*, EPA, <https://www.epa.gov/sdwa/questions-and-answers-drinking-water-health-advisories-pfoa-pfos-genx-chemicals-and-pfbs> (last visited Oct. 13, 2023).

<sup>62</sup> Heidelore Fiedler, et al., *A Critical Review of a Recommended Analytical and Classification Approach for Organic Fluorinated Compounds with an Emphasis on Per- and Polyfluoroalkyl Substances*, 17 *Integrated Env’t Assessment and Mgmt.* 331 (2020), <https://doi.org/10.1002/ieam.4352> (explaining PFAS’ mobility).

<sup>63</sup> Jane Muncke et al., *Impacts of food contact chemicals on human health a consensus statement*, 19 *Env’t Health* 25 (2020), <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-020-0572-5>.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> See, e.g., *New study calls for mitigation, monitoring of common grease-proofing food packaging chemicals*, Iowa State University (Oct. 19, 2021), <https://www.news.iastate.edu/news/2021/10/19/pfas2021>.

104. Current-use PFAS are actually more mobile than older types of PFAS that used to be used in packaging. These current PFAS “can migrate more readily into food,” and once digested by humans, can bioaccumulate.<sup>67</sup> The chart below illustrates this migration.



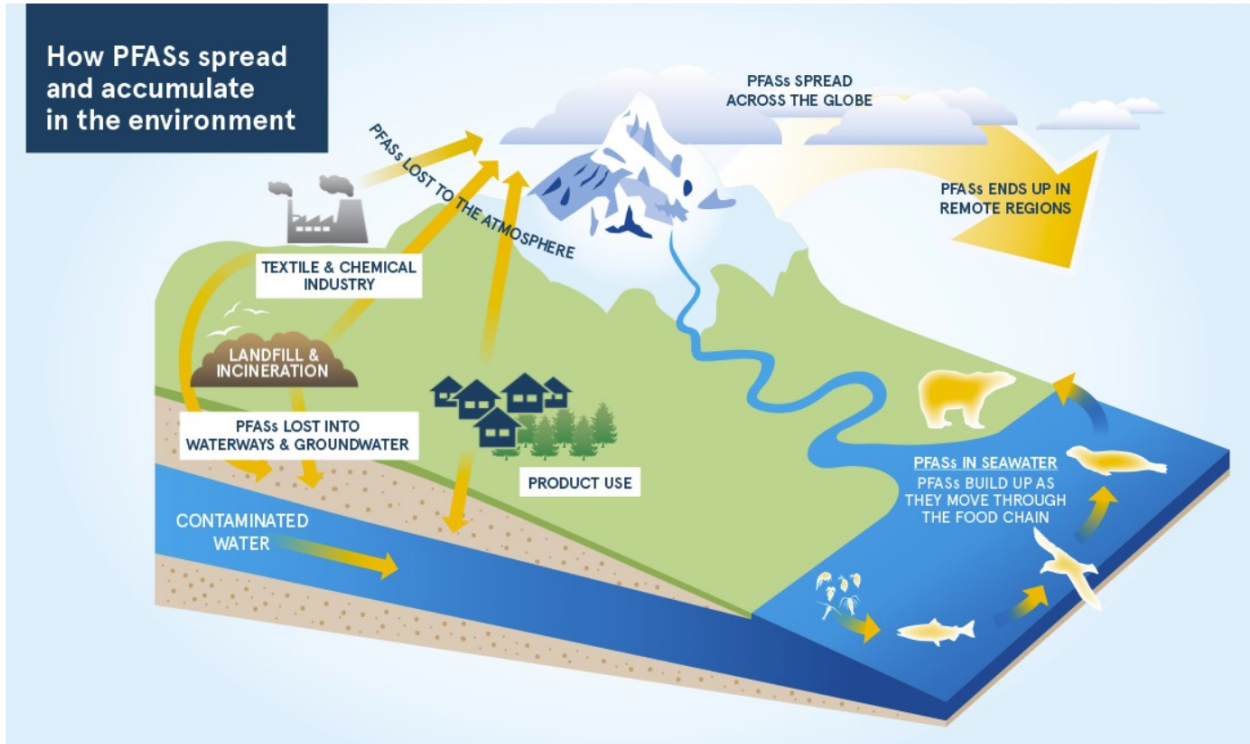
105. PFAS also wreak havoc on the environment.

106. PFAS are non-biodegradable “forever chemicals,” which accumulate in the environment and thus are unsustainable, as shown in this diagram.<sup>68</sup>

<sup>67</sup> *Get the Facts: PFAS in food packaging*, Toxic Free Future, <https://toxicfreefuture.org/federal-policy/pfas-in-food-packaging/> (last visited Oct. 13, 2023).

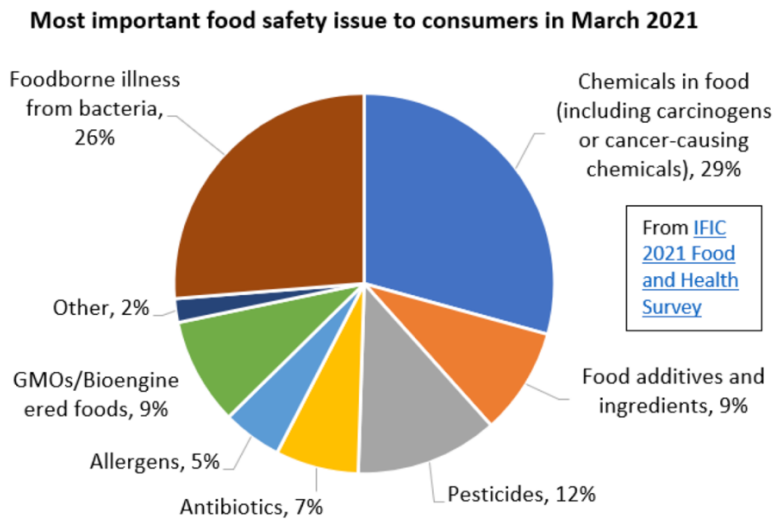
<sup>68</sup> *PFAS 101: What are Polyfluoroalkyl Substances & What Do They Have To Do With Packaging?*, Source Green, <https://www.sourcegreenpackaging.com/pfas-101-polyfluoroalkyl-forever-chemicals/> (last visited Oct. 13, 2023).





## VI. Cava's Representations Are Material to D.C. Consumers.

107. Consumers care about whether the products they use contain toxic or harmful chemicals including pesticides.<sup>69</sup>



<sup>69</sup> Tom Neltner, *Chemicals in food continue to be a top food safety concern among consumers*, Environ. Defense Fund (Sept. 16, 2021), <https://blogs.edf.org/health/2021/09/16/chemicals-in-food-continue-to-be-a-top-food-safety-concern-among-consumers/>.

108. In a survey of more than 1,000 consumers, nearly all participants (98%) indicated they were interested in knowing about the presence of harmful chemicals in everyday products.<sup>70</sup>

109. “At least 70 percent of the survey respondents across the markets surveyed want to be healthier,” and “[s]ustainability ranks high as a consumer goal in the United States (64 percent).”<sup>71</sup>

110. Also, “68% [of Americans] would pay more for sustainable products.”<sup>72</sup>

111. In fact, environmental, social, and governance (“ESG”) claims, such as sustainability, have an outsized importance to consumers regarding food purchases.<sup>73</sup>

112. Further, the Federal Trade Commission (“FTC”) has released “Green Guides” that caution marketers not to make unqualified general environmental benefit claims because “it is highly unlikely that marketers can substantiate all reasonable interpretations of these claims.”<sup>74</sup>

113. Not only are chemicals in food is the “top safety concern” for consumers,<sup>75</sup> but 82% of consumers agree that “it is important for brands to balance safety and concern for the environment when designing product packaging.”<sup>76</sup>

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<sup>70</sup> Sabrina Hartmann et al., *Interested Consumers’ Awareness of Harmful Chemicals in Everyday Products*, 29 *Env’t Sci. Eur.* 1, 4 (2017), <https://enveurope.springeropen.com/articles/10.1186/s12302-017-0127-8>.

<sup>71</sup> Anne Grimmelt, et al., *Hungry and confused: The winding road to conscious eating*, McKinsey & Co. (Oct. 5, 2022), <https://www.mckinsey.com/industries/consumer-packaged-goods/our-insights/hungry-and-confused-the-winding-road-to-conscious-eating>.

<sup>72</sup> Computer Generated Solutions Inc., *Interest in Sustainability Surges for Consumer Products*, <https://www.cgsinc.com/en/resources/interest-sustainability-surges-consumer-products> (last visited Oct. 13, 2023).

<sup>73</sup> *Consumers care about sustainability—and back it up with their wallets*, McKinsey & Co. (Feb. 6, 2023), <https://www.mckinsey.com/industries/consumer-packaged-goods/our-insights/consumers-care-about-sustainability-and-back-it-up-with-their-wallets>. (“[P]roducts making ESG-related claims generated outsize growth in 11 out of 15 food categories.”)

<sup>74</sup> FTC Green Guides, 16 C.F.R. § 260.4(b) (2012).

<sup>75</sup> Neltner, *supra* note 69.

<sup>76</sup> *New Consumer Packaging Trends Are Changing the Game for Food & Beverage Processors*, Gray, <https://www.gray.com/insights/new-consumer-packaging-trends-are-changing-the-game-for-food-beverage-processors/> (last visited Oct. 13, 2022).

## VII. Reasonable D.C. Consumers Do Not Expect Harmful Chemicals in “Healthy” or “Sustainable” Products.

114. As explained, *supra* § VI, consumers are concerned about health, sustainability, and generally avoiding unsafe chemicals.

115. Not only do consumers seek out “healthy” representations, but many consumers see “healthy” foods as “safer” and see pesticides as a factor that impacts the “healthiness” of a food product.<sup>77</sup>

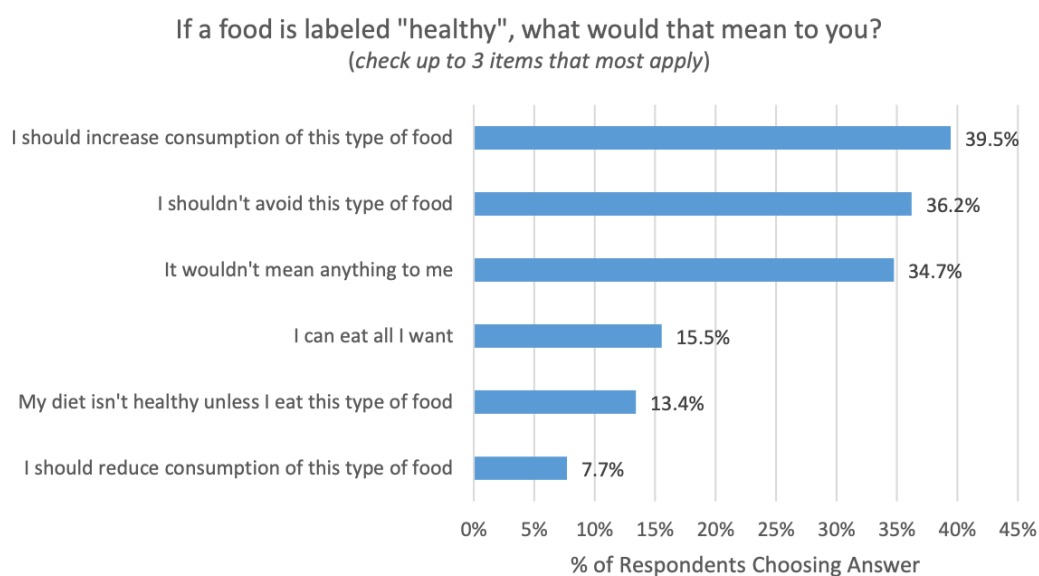


Figure 33. Behavioral implications of healthy food labels

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<sup>77</sup> Jayson L. Lusk, Ph.D, *Consumer Perceptions of Healthy and Natural Food Labels*, Corn Refiners Association (Jan. 15, 2019), [https://static1.squarespace.com/static/502c267524aca01df475f9ec/t/5c4df49440ec9a53af435ab4/1548612761167/report\\_revised.pdf](https://static1.squarespace.com/static/502c267524aca01df475f9ec/t/5c4df49440ec9a53af435ab4/1548612761167/report_revised.pdf).

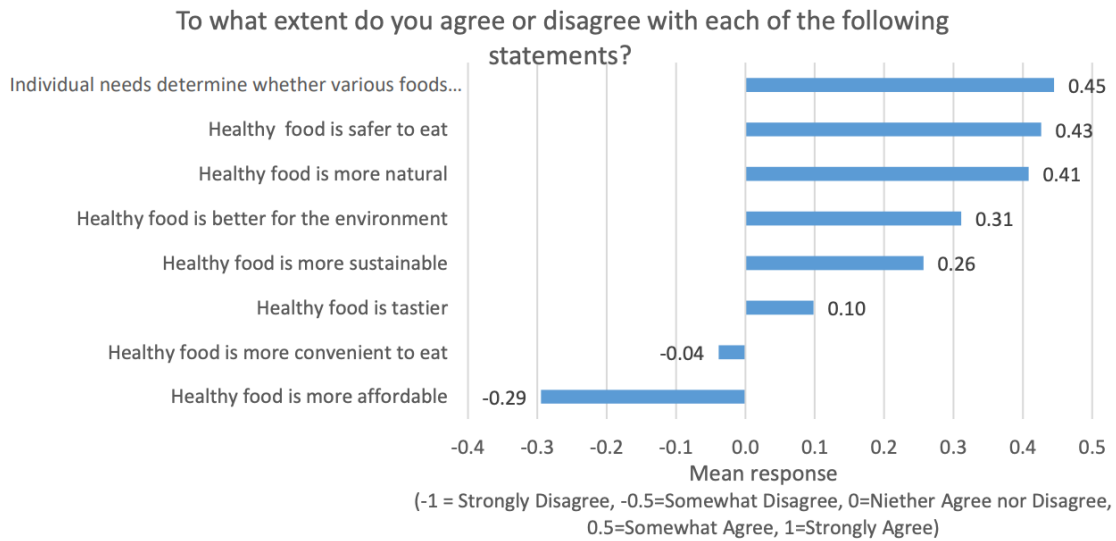


Figure 34. Beliefs about healthy food

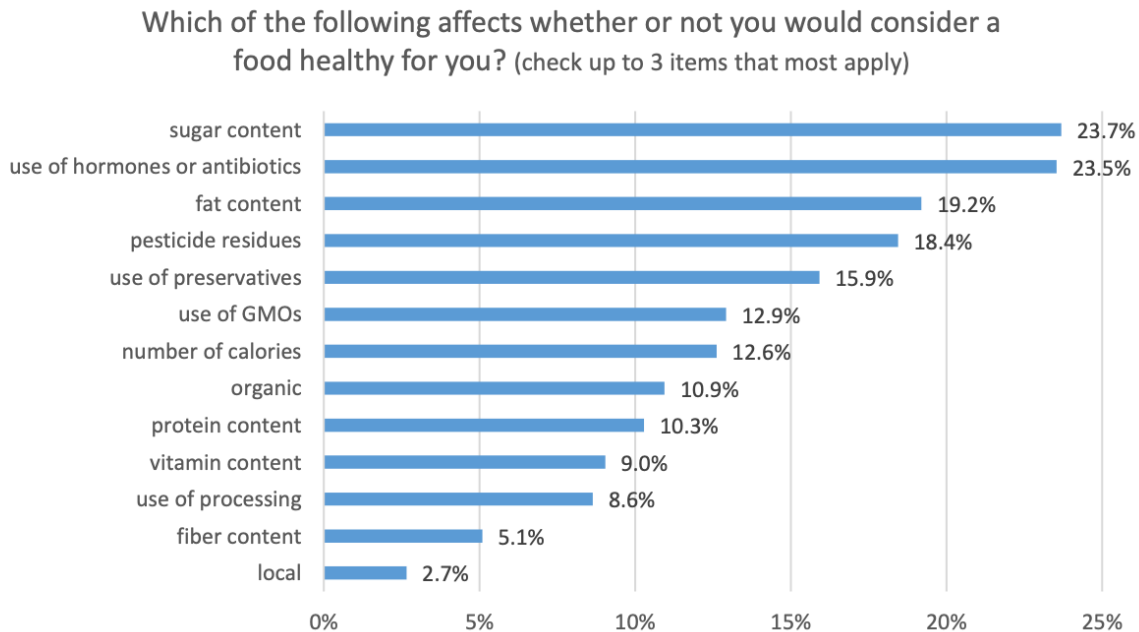


Figure 25. Factors affecting consumers' perception of a foods' healthiness

116. One study also found that 42.6% of consumers associate “sustainable food” with the avoidance of “GMOs *and pesticides*.”<sup>78</sup>

117. So, not only are Cava’s representations material to consumers, but the presence of biocides/pesticides and PFAS are contrary to consumer perceptions of safe, healthy, and sustainable food.

118. D.C. consumers cannot discover the true nature of the Products from reading Cava’s website or marketing materials. Ordinary consumers do not have the ability to test food and food packaging, nor do they possess sufficient knowledge regarding the risks posed by biocides/pesticides and PFAS.

119. Cava is deceptively and misleadingly concealing material facts about the Products.

120. Cava knows<sup>79</sup> what representations it makes when marketing the Products. Cava also knows how the Products are sourced and produced. Cava thus knew, or should have known, the facts demonstrating that the Products are falsely represented to D.C. consumers.

121. In fact, Cava has seemingly publicly responded to some of these public-facing reports regarding PFAS.<sup>80</sup>

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<sup>78</sup> *One Bite At A Time: Consumers And The Transition To Sustainable Food*, The European Consumer Organisation (June 2020), [https://www.beuc.eu/sites/default/files/publications/beuc-x-2020-042\\_consumers\\_and\\_the\\_transition\\_to\\_sustainable\\_food.pdf](https://www.beuc.eu/sites/default/files/publications/beuc-x-2020-042_consumers_and_the_transition_to_sustainable_food.pdf).

<sup>79</sup> See Loria, *supra* note 41; Toxic Free Future, *supra* note 49.

<sup>80</sup> Toxic-Free Future (@SaferChemicals), X (Aug. 6, 2020, 1:18 PM), <https://twitter.com/SaferChemicals/status/1291423330969489408>; see also *supra* notes 16, 47.



**Toxic-Free Future**  
@SaferChemicals



NEWS: In response to our study with @SaferChemicals, @cava announced it will eliminate #PFAS from its food packaging by mid-2021! And in March @sweetgreen announced it will phase out PFAS this year. Will other chains follow their lead? @McDonalds @BurgerKing @Wendys #MindTheStore



1:18 PM · Aug 6, 2020



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122. In making the false, misleading, and deceptive representations and omissions at issue, Cava also knew and intended that consumers would choose to buy, and would pay more for, products represented to be healthy and sustainable, furthering Cava's private interest of increasing the sales of its Products and decreasing the sales of its competitors' products that are truthfully marketed.

123. Cava was further incentivized to falsely market the Products as it became a publicly owned company this past May.<sup>81</sup>

124. In its Registration Statement filed with the Securities and Exchange Commission (“SEC”), Cava yet again reiterated that it is a company focused on “health” and “sustainability.”<sup>82</sup>

125. ESG investing, in particular, is a growing field and is expected to increase at a “faster pace” than other assets and wealth management markets.<sup>83</sup>

126. D.C. Consumers are at risk of real, immediate, and ongoing harm if the Products continue to be sold with the misleading representations.

### **JURISDICTION AND VENUE**

127. This Court has personal jurisdiction over the parties in this case. Toxin Free USA consents to this Court having personal jurisdiction over the organization.

128. This Court has personal jurisdiction over Defendant Cava because Cava has purposefully directed its conduct to the District and availed itself to the benefits and protections of District of Columbia law.

129. Defendant Cava has its corporate headquarters in the District and aims its marketing at consumers within the District. The Products can be, and are, purchased in the District by D.C. consumers. Cava has eight restaurant locations in the District.

130. This Court has subject-matter jurisdiction over this action under the CPPA, D.C. Code § 28-3901, *et seq.*

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<sup>81</sup> Cava Group, Inc., *Registration Statement*, SEC (May 19, 2023), <https://www.sec.gov/Archives/edgar/data/1639438/000162828023018945/cava-sx1.htm> (noting “[i]n addition, the health and environmental risks of organic fluorine and per- and polyfluoroalkyl substances (“PFAS”) have been the subject of increased regulatory scrutiny and litigation involving us and others in the restaurant industry.”)

<sup>82</sup> *Id.*

<sup>83</sup> *ESG-focused institutional investment seen soaring 84% to US\$33.9 trillion in 2026, making up 21.5% of assets under management: PwC report*, PwC (Oct. 10, 2022), <https://www.pwc.com/gx/en/news-room/press-releases/2022/awm-revolution-2022-report.html>.

## PARTIES

131. Toxin Free USA, also known as GMO Free USA, is a 501(c)(3) non-profit organization whose mission is to harness independent science and agroecology concepts to advocate for clean and healthy food and ecological systems. TFUSA educates consumers about the potential hazards of synthetic ingredients, pesticides and biocides, and genetically engineered organisms.

132. In 2020, Plaintiff expanded its public education mission beyond GMOs and GMO-related pesticides, establishing Toxin Free USA as a complementary arm to its existing GMO Free USA organization on the basis that it is impossible to have clean food and a clean environment without addressing the many toxins beyond GMOs and pesticides, such as PFAS chemicals, that have become pervasive in our food system and environment.

133. TFUSA performs its work and advocates for consumers throughout the United States, including in the District of Columbia.

134. TFUSA's website, publications, public education, research, network building, and mobilization activities provide an important service to consumers and community activists every month.

135. On September 27, 2022, TFUSA purchased the Products at Cava's Columbia Heights location within the District of Columbia.

136. On October 4, 2022, testing commissioned by TFUSA through a third-party lab revealed the presence of harmful biocides in the Food Products.

137. On October 17, 2022, testing commissioned by TFUSA through a third-party lab revealed the presence of organic fluorine, an indicator of PFAS, in the Packaging Products.

138. On April 13, 2023, TFUSA sent Cava a presuit notice of its claims.



139. TFUSA also signed onto a settlement demand letter sent to Cava on June 7, 2023 and participated in a mediation with Cava on September 19, 2023.

140. The Parties were not able to resolve TFUSA's claims.

141. Defendant Cava is incorporated in Delaware and headquartered in the District of Columbia.

142. Cava markets and sells the Products in stores and online throughout the United States, including in the District of Columbia, where it maintains its corporate headquarters.

143. Through its misrepresentations, Cava has caused harm to the general public of the District of Columbia.

### **CAUSE OF ACTION**

#### ***Violations of the District of Columbia Consumer Protection Procedures Act***

144. Plaintiff Toxin Free USA incorporates by reference all the allegations of the preceding paragraphs of this Complaint.

145. TFUSA is a nonprofit, public-interest organization that brings these claims on behalf of the general public of D.C. consumers. *See* D.C. Code § 28-3905(k)(1)(D).

146. Through § 28-3905(k)(1)(D), the CPPA explicitly allows for public-interest standing and allows a public-interest organization to stand in the shoes of a consumer to seek relief from any violation of the CPPA.

147. Through § 28-3905(k)(1)(C), the CPPA explicitly allows nonprofit organizations acting on behalf of the general public to establish “tester” standing.

148. Defendant Cava is a “person” and a merchant that provides “goods” within the meaning of the CPPA. *See id.* §§ 28-3901(a)(1), (3), (7).

149. As alleged in this Complaint, Cava has falsely and deceptively represented that the Products are “healthy” and sustainable when, in reality, the Products contain synthetic

biocides/pesticides and PFAS, both of which have negative impacts on human health and the environment, and also, both of which a reasonable consumer would not consider to be healthy or sustainable.

150. Cava has violated the CPPA by “represent[ing] that goods . . . have a source . . . [or] characteristics . . . that they do not have”; “represent[ing] that goods . . . are of a particular standard, quality, grade, style, or model, if in fact they are of another”; “misrepresent[ing] as to a material fact which has a tendency to mislead”; “fail[ing] to state a material fact if such failure tends to mislead”; “us[ing] innuendo or ambiguity as to a material fact, which has a tendency to mislead”; and “advertis[ing] . . . goods . . . without the intent to sell them as advertised.” *See id.* §§ 28-3904(a), (d), (e), (f), (f-1), (h).

#### **JURY TRIAL DEMANDED**

151. Toxin Free USA hereby demands a trial by jury.

#### **PRAYER FOR RELIEF**

*Wherefore*, Plaintiff TFUSA prays for judgment against Defendant Cava and request the following relief:

- A. A declaration that Cava’s conduct is in violation of the CPPA;
- B. An order enjoining Cava’s conduct found to be in violation of the CPPA; and
- C. An order granting TFUSA costs and disbursements, including reasonable attorneys’ fees and expert fees, and prejudgment interest at the maximum rate allowable by law.

DATED: October 13, 2023

**RICHMAN LAW & POLICY**



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**Superior Court of the District of Columbia  
Civil - Civil Actions Branch  
500 Indiana Ave NW, Room 5000, Washington DC 20001  
(202) 879-1133 | [www.dccourts.gov](http://www.dccourts.gov)**

**Case Number:** 2023-CAB-006356

**Case Caption:** Gmo Free USA v. CAVA GROUP, INC.

**INITIAL ORDER**

|   |   |  |
|---|---|--|
| <b>Initial Hearing Date:</b><br>Friday, 01/12/2024                | <b>Initial Hearing Time:</b><br>9:30 AM | <b>Courtroom Location:</b><br>Remote Courtroom 516 |
| <b>Please see attached instructions for remote participation.</b> |   |  |
| Your case is assigned to Associate Judge Donald Walker Tunnage.   |   |  |

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure (“Super. Ct. Civ. R.”) 40-1, it is hereby ORDERED as follows:

- 1) This case is assigned to the judge and calendar designated above. All future filings in this case shall bear the calendar number and judge’s name along with the case number in the caption.
- 2) Within 60 days of the filing of the complaint, plaintiff must file proof of service on each defendant of copies of the summons, the complaint, and this Initial Order. The court will dismiss the claims against any defendant for whom such proof of service has not been filed by this deadline, unless the court extended the time for service under Rule 4.
- 3) Within 21 days of service (unless otherwise provided in Rule 12), each defendant must respond to the complaint by filing an answer or other responsive pleading. The court may enter a default and a default judgment against any defendant who does not meet this deadline, unless the court extended the deadline under Rule 55(a).
- 4) At the time stated below, all counsel and unrepresented parties shall participate in a hearing to establish a schedule and discuss the possibilities of settlement. Counsel shall discuss with their clients before the hearing whether the clients are agreeable to binding or non-binding arbitration. This order is the only notice that parties and counsel will receive concerning this hearing.
- 5) If the date or time is inconvenient for any party or counsel, the Civil Actions Branch may continue the Conference once, with the consent of all parties, to either of the two succeeding days when the calendar is called. To reschedule the hearing, a party or lawyer may call the Branch at (202) 879-1133. Any such request must be made at least seven business days before the scheduled date. No other continuance will be granted except upon motion for good cause shown.
- 6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge’s Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court’s website <http://www.dccourts.gov/>.

Chief Judge Anita M. Josey-Herring

**To Join by Computer, Tablet, or Smartphone:**

- 1) Copy and Paste or Type the link into a web browser and enter the Webex Meeting ID listed below.

Link: dccourts.webex.com/meet/ctb516

Meeting ID: 129 776 4396

- 2) When you are ready, click “Join Meeting”.
- 3) You will be placed in the lobby until the courtroom clerk gives you access to the hearing.

**Or to Join by Phone:**

- 1) Call 202-860-2110 (local) or 844-992-4726 (toll-free)
- 2) Enter the Webex Meeting ID listed above followed by “##”

**Resources and Contact Information:**

- 1) For best practices on how to participate in Webex Meetings, click here <https://www.webex.com/learn/best-practices.html>.
- 2) For technical issues or questions, call the Information Technology Division at 202-879-1928 and select option 2.
- 3) For case questions, call the Civil Actions Branch Clerk’s Office at (202) 879-1133.

## ACCESSIBILITY AND LANGUAGE ACCESS

### **Persons with Disabilities:**

If you have a disability as defined by the American Disabilities Act (ADA) and you require an accommodation, please call 202-879-1700 or email [ADACoordinator@dcsc.gov](mailto:ADACoordinator@dcsc.gov) . The D.C. Courts does not provide transportation service.

### **Interpreting and Translation Services:**

The D.C. Courts offers free language access services to people having business with the court who are deaf or who are non-English speakers. Parties to a case may request free translations of court orders and other court documents. To ask for an interpreter or translation, please contact the Clerk's Office listed for your case. For more information, visit <https://www.dccourts.gov/language-access>.

### **Servicios de interpretación y traducción:**

Los Tribunales del Distrito de Columbia ofrecen servicios gratuitos de acceso al idioma a las personas sordas o que no hablan inglés que tienen asuntos que atender en el tribunal. Las partes de un caso pueden solicitar traducciones gratuitas de las órdenes judiciales y otros documentos del tribunal. Para solicitar un intérprete o una traducción, póngase en contacto con la Secretaría de su caso.

Para más información, visite <https://www.dccourts.gov/language-access>.

El acceso al idioma es importante para los Tribunales del Distrito de Columbia. Puede dar su opinión sobre los servicios de idiomas visitando <https://www.dccourts.gov/services/information-and-resources/interpreting-services#language-access>.

### **የቃልና የጽሑፍ ትርጓሜ አገልግሎቶች:**

የዲ.ሲ. ፍርድ ቤቶች መስማት ለተሳናቸውና የእንግሊዝኛ ቋንቋ ተናጋሪ ላልሆኑ በፍርድ ቤቱ ጉዳይ ላላቸው ሰዎች ነጻ የቋንቋ ተደራሽነት አገልግሎቶች ያቀርባል። ተከራካሪ ወገኖች የፍርድ ቤት ትእዛዞችና ሌሎች የፍርድ ቤት ሰነዶች በነጻ እንዲተረጎሙላቸው መጠየቅ ይችላሉ። የቃል ወይም የጽሑፍ ትርጓሜ ለመጠየቅ እባክዎን በመዝገብዎ የተዘረዘረውን የጸሀፊ ቢሮ (ክለርክ'ስ ኦፊስ) ያናግሩ። ለተጨማሪ መረጃ <https://www.dccourts.gov/language-access> ይጎብኙ።

የቋንቋ ተደራሽነት ለዲ.ሲ. ፍርድ ቤቶች አስፈላጊ ነው። የቋንቋ አገልግሎቶች በተመለከተ አስተያየትዎን <https://www.dccourts.gov/services/information-and-resources/interpreting-services#language-access> በመጎብኘት መስጠት ይችላሉ።

# Tips for Attending Remote Hearings - Civil Division

Your court hearing may be held remotely. This means that you will participate by phone or by video conference instead of coming to the courthouse. Here are some tips on how to prepare.

## How do I know if I have a remote hearing?


The Court will contact you to tell you that your hearing is remote. They may contact you by sending you an email, letter in the mail, or by calling you.



## How do I take part in a remote hearing?

The Court will give you step-by-step instructions on how to take part in the remote hearing.

If you lose your written notice, call the Civil Actions Clerk's Office for instructions at:

 202-879-1133

## Is there anything that I should do before the day of the hearing?


- Let the court know immediately if you cannot join a hearing because you do not have a phone or computer.

 Civil Actions Clerk's Office: 202-879-1133

- You may want to contact an attorney for legal help.
- You can also find the list of legal services providers at [dcourts.gov/coronavirus](https://dcourts.gov/coronavirus) by clicking on the link that says, "List of Legal Service Providers for Those Without an Attorney."
- Evidence: if you want the judge to review photos or documents, ask the judge how to submit your evidence.
- Witnesses: tell the judge if you want a witness to testify at your hearing.
- Accommodations & Language Access: let the court know if you need an interpreter or other accommodation for your hearing.

## Tips for the Hearing



- Join the hearing a few minutes early!
- Charge your computer or phone and make sure you have enough minutes to join the call. Find a private and quiet space. If possible, be alone in a room during the hearing. Try to limit distractions as much as possible. If others are in the room with you, ask if they can be quiet during the hearing.
- Mute your microphone when you are not talking. Mute all sounds on your phone or computer.
- Say your name before you speak so the record is clear. Be prepared to identify your role in the hearing (e.g., observer, plaintiff, defendant, witness, etc.). 
- Speak slowly and clearly so everyone hears what you are saying.
- Pause before speaking in case there is a lag. Use a headset or headphones if you can. This will free up your hands and sound better.
- Try not to talk over anyone else. Only one person can speak at a time. If you talk while someone else is talking, the judge will not be able to hear you.
- Have all your documents for the hearing in front of you. Have a pen and paper to take notes.
- If you are not ready for your hearing or want to speak with an attorney, you can ask the judge to postpone your hearing for another date.
- If your sound or video freezes during the hearing, use the chat feature or call the Clerk's Office to let them know that you are having technical issues.

## Special Tips for Video Hearings

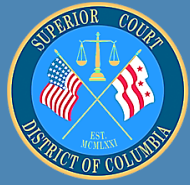
[\(Click here for more information\)](#)



- Download the court's hearing software, WebEx, in advance and do a test run! The Court will provide you with a WebEx link in advance of the hearing.
- Set up the camera at eye level. If you are using your phone, prop it up so you can look at it without holding it.
- Look at the camera when you speak and avoid moving around on the video.
- Wear what you would normally wear to court.
- Sit in a well-lit room with no bright lights behind you.
- If possible, find a blank wall to sit in front of. Remember the judge will be able to see everything on your screen, so pick a location that is not distracting.



# District of Columbia Courts



## Tips for Using DC Courts Remote

The DC Courts have **remote hearing sites** available in various locations in the community to help persons who may not have computer devices or internet service at home to participate in scheduled remote hearings. The Courts are committed to enhancing access to justice for all.

There are six remote access sites throughout the community which will operate: **Monday – Friday, 8:30 am – 4:00 pm.**

### The remote site locations are:

|   |
|---|
| <p><b>Remote Site - 1</b><br/>Balance and Restorative Justice Center<br/>1215 South Capitol Street, SW<br/>Washington, DC 20003</p> |
| <p><b>Remote Site - 2</b><br/>Balance and Restorative Justice Center<br/>1110 V Street, SE<br/>Washington, DC 20020</p>             |
| <p><b>Remote Site - 3</b><br/>Balance and Restorative Justice Center<br/>118 Q Street, NE<br/>Washington, DC 20002</p>              |



|  |
|--|
| <p><b>Remote Site - 4</b><br/>Balance and Restorative Justice Center<br/>920 Rhode Island Avenue, NE<br/>Washington, DC 20018</p>  |
| <p><b>Remote Site - 5</b><br/>Reeves Center<br/>2000 14<sup>th</sup> Street, NW, 2<sup>nd</sup> Floor<br/>Community Room<br/>Washington, DC 20009</p>  |
| <p><b>Remote Site - 6</b><br/>Reeves Center<br/>2000 14<sup>th</sup> Street, NW, Suite 300N<br/>Office of the Tenant Advocate<br/>Washington, DC 20009<br/><i>*** No walk-ins at this location ***</i></p> |

If you want to use a remote site location for your hearing, call **202-879-1900** or email [DCCourtsRemoteSites@dcsc.gov](mailto:DCCourtsRemoteSites@dcsc.gov) **at least 24 hours before your hearing to reserve a remote access computer station.** If you require special accommodations such as an interpreter for your hearing, please call **202-879-1900 at least 24 hours in advance of your hearing so the Courts can make arrangements.**

**\*You should bring the following items when you come to your scheduled site location\***

1. Your **case number** and any **hyperlinks** provided by the Courts for your scheduled hearing.
2. Any documents you need for the hearing (evidence), including exhibits, receipts, photos, contracts, etc.
3. Materials for notetaking, including pen and paper.

**\*Safety and security measures are in place at the remote sites.**

**Contact information to schedule your remote access computer station:**

Call: **202-879-1900**

Email: [DCCourtsRemoteSites@dcsc.gov](mailto:DCCourtsRemoteSites@dcsc.gov)





# Tribunales del Distrito de Columbia

## Consejos para usar los sitios de audiencia remota de los Tribunales de DC



Los Tribunales de DC disponen de **sitios de audiencia remota** en distintos centros de la comunidad para ayudar a que las personas que no tienen dispositivos informáticos o servicio de Internet en su casa puedan participar en audiencias remotas programadas. Los Tribunales honran el compromiso de mejorar el acceso de toda la población a la justicia.

En toda la comunidad hay seis sitios de acceso remoto que funcionarán de **lunes a viernes, de 8:30 am a 4:00 pm**.

### Los centros de acceso remoto son:

|  |
|--|
| <p><b>Sitio Remoto - 1</b><br/>Balance and Restorative Justice Center<br/>1215 South Capitol Street, SW<br/>Washington, DC 20003</p> |
| <p><b>Sitio Remoto - 2</b><br/>Balance and Restorative Justice Center<br/>1110 V Street, SE<br/>Washington, DC 20020</p>             |
| <p><b>Sitio Remoto - 3</b><br/>Balance and Restorative Justice Center<br/>118 Q Street, NE<br/>Washington, DC 20002</p>              |



|   |
|---|
| <p><b>Sitio Remoto - 4</b><br/>Balance and Restorative Justice Center<br/>920 Rhode Island Avenue, NE<br/>Washington, DC 20018</p>  |
| <p><b>Sitio Remoto - 5</b><br/>Reeves Center<br/>2000 14<sup>th</sup> Street, NW, 2<sup>nd</sup> Floor<br/>Community Room<br/>Washington, DC 20009</p>  |
| <p><b>Sitio Remoto - 6</b><br/>Reeves Center<br/>2000 14<sup>th</sup> Street, NW, Suite 300N<br/>Office of the Tenant Advocate<br/>Washington, DC 20009<br/><i>*No se puede entrar sin cita previa*</i></p> |

Si desea usar un sitio remoto para su audiencia, llame al **202-879-1900** o envíe un mensaje de correo electrónico a [DCCourtsRemoteSites@dcsc.gov](mailto:DCCourtsRemoteSites@dcsc.gov) **al menos 24 horas antes de la audiencia, para reservar una estación de computadora de acceso remoto**. Si necesita adaptaciones especiales, como un intérprete para la audiencia, llame al **202-879-1900 al menos 24 horas antes de la audiencia para que los Tribunales puedan hacer los arreglos necesarios**.

**\*Cuando concurra al sitio programado debe llevar los siguientes artículos\***

1. Su **número de caso** y todos los **hipervínculos** que le hayan proporcionado los Tribunales para la audiencia programada.
2. Cualquier documento que necesite para la audiencia (prueba), incluidos documentos probatorios, recibos, fotos, contratos, etc.
3. Materiales para tomar nota, como papel y lápiz.

**\*Los sitios de acceso remoto cuentan con medidas de seguridad y protección.**

**Información de contacto para programar su estación de computadora de acceso remoto:**

Teléfono: **202-879-1900**

Correo electrónico: [DCCourtsRemoteSites@dcsc.gov](mailto:DCCourtsRemoteSites@dcsc.gov)