

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARY JIRICEK,

Plaintiff,

v.

L'ORÉAL USA, INC.; L'ORÉAL USA
PRODUCTS, INC.; WELLA OPERATIONS US,
LLC; WELLA PROFESSIONALS; COTY, INC.;
KOHLBERG KRAVIS ROBERT & CO. a/k/a Kkr
& Co., Inc.; GOLDWELL NEW YORK;
BRISTOL-MYERS SQUIBB; PROCTOR &
GAMBLE HAIR CARE, LLC; CLAIROL;
COSMOPROF SERVICES USA, LLC; SALLY
BEAUTY HOLDINGS, INC.; and JOHN DOE
CORPORATIONS 1-100, inclusive,

Defendants.

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)
)
) C.A. No. 1:25-cv-10299
)
)

NOTICE OF REMOVAL

TO: THE JUDGES FOR THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

PLEASE TAKE NOTICE, that Defendants L'Oréal USA, Inc. and L'Oréal USA Products, Inc. (collectively, "L'Oréal" or "Removing Defendants") by and through undersigned counsel, hereby removes this action entitled *Mary Jiricek v. L'Oréal USA, Inc., et al.* filed in the Supreme Court of the State of New York, New York, Index No. 0165812/2025, to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. §§ 1332, 1441.¹ As required by 28 U.S.C. § 1446(a), Removing Defendant sets forth below a short and plain statement of the grounds for removal:

¹ By removing this action to this Court, Removing Defendants do not waive any defenses, objections, or responsive pleadings available under State or Federal law. Defendant expressly reserves the right to move for dismissal of some or all of Plaintiff's claims and/or seek dismissal for lack of personal jurisdiction, improper venue, forum *non conveniens*, res judicata, or on any other applicable grounds.

BACKGROUND AND PROCEDURAL HISTORY OF THE REMOVED ACTION

1. On December 5, 2025, Mary Jiricek filed a Summons with Notice in the Supreme Court of the State of New York, New York County, Index No. Unassigned, naming the Removing Defendants as well as Wella Operations US, LLC; Wella Professionals; Coty, Inc.; Kohlberg Kravis Robert & Co. a/k/a Kkr & Co., Inc.; Goldwell New York; Bristol-Myers Squibb; Procter & Gamble Hair Care, LLC; Clairol; Cosmoprof Services USA, LLC; Sally Beauty Holdings, Inc.; and John Doe Corporations 1-100, inclusive, (collectively, “Defendants”). Pursuant to 28 U.S.C. § 1446(a), a true and legible copy of Plaintiff’s Summonses with Notice on the Removing Defendants are attached hereto as Exhibits A and B. *See Exhibit A* (L’Oréal USA, Inc. Summons with Notice, Index No. Unassigned at “Notice”), *Exhibit B* (L’Oréal USA Products, Inc Summons with Notice, Index. No. Unassigned at “Notice”). A Complaint has not been filed.

2. Plaintiff filed the Summons with Notice in the Supreme Court of the State of New York, County of New York (the “State Court Action”) and describes the “nature of this action” as a product liability case seeking “recovery of damages resulting from Plaintiff’s bladder cancer, which was proximately caused by negligent, willful, and wrongful acts and/or omissions of Defendants ... in connection with ... defective hair dye products.” *See Exhibits A-B*. Plaintiff further seeks past and future general damages, past and future economic and special damages, past and future medical expenses, past and future pain and suffering damages, punitive or exemplary damages, attorneys’ fees, costs, and interest. *See id.*

3. On December 5, 2025 Plaintiff attempted service of the Summonses with Notice, Index Nos. Unassigned, on Removing Defendants. *See Exhibits A-B*.

4. On December 9, 2025, Plaintiff filed Affirmations of Service for Removing Defendants, stating a Registered Agent had effectuated service of the Summonses with Notice on

Removing Defendants “conformed with index number and date of filing endorse[d] thereon.” *See Exhibit C* (L’Oréal USA, Inc. Affirmation of Service) and *Exhibit D* (L’Oréal USA Products, Inc. Affirmation of Service).

5. To date, Removing Defendants have not received service of a Summons with Notice with the subsequently assigned Index No. 165812/2025.

6. On December 9, 2025, Affirmations of Service were also filed for some of the additionally named Defendants. *See Exhibit E* (Wella Professionals Affirmation of Service), *Exhibit F* (Coty, Inc. Affirmation of Service), *Exhibit G* (Kohlberg Kravis Robert & Co. a/k/a Kkr & Co., Inc. Affirmation of Service), *Exhibit H* (Goldwell New York Affirmation of Service).

7. Removing Defendants file this Notice of Removal with the consent of all purportedly served Defendants.

GROUND FOR REMOVAL

8. This action may be removed under 28 U.S.C. § 1441(a) because this Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a). There is complete diversity of citizenship between the parties, and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

9. Generally, a Notice of Removal must be filed within 30 days after the receipt by a defendant of the initial pleadings. 28 U.S.C. § 1446(b)(1). The Supreme Court has clarified that the 30-day period does not begin to run until the plaintiff has effectuated formal service of process. *Murphy Bros. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354, (1999).

10. In New York, where only a Summons with Notice has been served, the 30-day period is not triggered unless it “enables the defendant to ‘intelligently ascertain’ removability from the face of [the initial] pleading, so that in its petition for removal[, the] defendant can make

a short and plain statement of the grounds for removal as required [by] 28 U.S.C. § 1446(a).” *See Whitaker v. Am. Telecasting, Inc.*, 261 F.3d 196, 206 (2d Cir. 2001) (internal quotation omitted).

11. Plaintiff filed the Summonses with Notice on Removing Defendants on or about December 5, 2025. *See* Exhibits A-B. However, the Summonses with Notice did not include Plaintiff’s residence, thereby preventing Removing Defendants to fully ascertain removability from the face of this initial pleading. Additionally, the as-filed Affirmations of Service of the Summons with Notice for Removing Defendants, which purportedly include an assigned index number, do not include Plaintiffs’ residence. *See* Exhibits C-D.

12. Therefore, Removing Defendants have timely filed this Notice of Removal as the 30-day period for removal has not yet been triggered.

13. As Plaintiff filed the State Court Action in the Supreme Court of the State of New York, County of New York, pursuant to 28 U.S.C. § 1441(a), venue properly lies in the United States District Court for the Southern District of New York, the district embracing New York County.

14. As further explained below, this Court has original jurisdiction over this action pursuant to 28 U.S.C. §§ 1332(a) and 1441 because each of the requirements for removal are satisfied: (1) complete diversity exists among the parties prior to any forum defendant being properly joined and served in accordance with *Gibbons v. Bristol-Myers Squibb Co.*, 919 F.3d 699 (2d Cir. 2019); (2) complete diversity exists among the parties as detailed *infra* in ¶ 35; and (3) the amount in controversy exceeds \$75,000, exclusive of interests, fees, and costs.

15. Thus, removal is proper pursuant to 28 U.S.C. §§ 1332(a), 1441, and 1446.

COMPLETE DIVERSITY OF CITIZENSHIP EXISTS

A. Complete Diversity of Citizenship Exists Under *Gibbons v. Bristol-Myers Squibb Co.*

16. The Summonses with Notice on Removing Defendants includes no allegations regarding Plaintiff's citizenship.

17. But based on Removing Defendants independent research, Plaintiff is a resident of Illinois. See **Exhibit I**, Lexis Public Records Search (redacted). For purposes of this Notice, Plaintiff's residence is sufficient to establish that Plaintiff is a citizen of Illinois. See, e.g., *Diego Beekman Mut. Hous. Ass'n Hous. Dev. Fund Corp. Hdfc. v. Dish Network, L.L.C.*, No. 15 Civ. 1094, 2016 WL 1060328, at *7 (S.D.N.Y. Mar. 15, 2016) (“[A]n individual’s residence at the time a lawsuit is commenced provides *prima facie* evidence of his domicile – which in turn determines citizenship.”) (citation and internal quotation omitted).

18. The Summons with Notice does purport to identify the mailing addresses for each of the Defendants, which are identified as corporations and limited liability companies, but none of their respective places of citizenship are included.

19. For purposes of this Notice of Removal only, Removing Defendants will assume the citizenship of the Defendants aligns with the mailing addresses identified in the Summons with Notice—all of which have an identified New York address. See Exhibits A-B at “To Defendants.”

20. Therefore, under the Second Circuit Court of Appeal’s decision in *Gibbons v. Bristol-Myers Squibb Co.*, 919 F.3d 699 (2d Cir. 2019), complete diversity exists because Plaintiff is a citizen of Illinois and no forum defendant has been properly joined and served with an initial pleading from which removability may be ascertained.

21. The “forum defendant rule” provides that “[a] civil action otherwise removable solely on the basis of [diversity] ... may not be removed if any of the parties in interest properly

joined and served as defendants is a citizen of the State in which such action is brought.” 28 U.S.C. § 1441(b)(2).

22. As none of the named Defendants have been “properly joined and served,” pursuant to 28 U.S.C. § 1441(b), this action is removable even assuming all of the Defendants are citizens of the State of New York where this action was brought.

23. In *Gibbons v. Bristol-Myers Squibb*, the Second Circuit decisively resolved the “split among district courts” regarding the application of the forum defendant rule in situations such as this where a plaintiff filed an action in the state where a named defendant is a citizen, holding that “28 U.S.C. § 1441(b)(2) is no barrier to the removal.” 919 F.3d 699, 705 (2d Cir. 2019).

24. The Second Circuit explained that “[b]y its text, then, Section 1441(b)(2) is inapplicable until a home-state defendant has been served in accordance with state law.” *Id.* “Put simply, the result here – that a home-state defendant may in limited circumstances remove actions filed in state court on the basis of diversity of citizenship – is authorized by the text of Section 1441(b)(2) and is neither absurd nor fundamentally unfair.” *Id.* at 707. Thus, “the forum defendant rule “is inapplicable until a home-state defendant has been served in accordance with state law.” *Uzoigwe v. Charter Commc'ns, LLC*, No. 24-1399-cv, 2025 WL 1257578, at *1 (2d Cir. May 1, 2025) (internal citations omitted).

25. The Second Circuit has applied precedent from the Supreme Court of the United States to hold that when dealing with issues of statutory construction, when the language in the statute is unambiguous, the court’s sole function is to enforce the statute according to its plain terms. *Salazar v. Nat'l Basketball Ass'n*, 118 F.4th 533, 550 (2d Cir. 2024) (citing *Bostock v.*

Clayton County, Georgia, 590 U.S. 644, 653 (2020); *see also id.* at 674 (“[W]hen the meaning of the statute’s terms is plain, [the court’s] job is at an end.”)).

26. The language of 28 U.S.C. § 1441 is unambiguous. Removal is prohibited *only* where a defendant, who is a resident of the forum state, has been “properly joined and served.” 28 U.S.C. § 1441(b).

27. For this reason, the Second Circuit has held that it had “no reason to depart from [Section 1441(b)(2)’s] express language,” which permits “a home-state defendant” to “remove actions filed in state court on the basis of diversity of citizenship [because it] is authorized by the text of Section 1441(b)(2) and is neither absurd nor fundamentally unfair.” *Gibbons*, 919 F.3d at 707.

28. Moreover, in line with Second Circuit precedent, multiple New York federal courts have applied the plain language of the federal removal statute to permit removal of an action before a forum defendant was properly joined and served. *See, e.g., Henderson v. Radegen Sports Mgmt. LLC, et al.*, No. 25 CIV 1020 (AT), 2025 WL 3482782, at *1 (S.D.N.Y. Dec. 3, 2025) (denying motion to remand based on the forum defendant rule because “[i]n *Gibbons*, the Second Circuit held that the unambiguous test of § 1442(b)(2) provides that the forum defendant rule is ‘inapplicable until a home-state defendant has been served in accordance with state law.’”) (quoting *Gibbons*, 919 F.3d at 705)); *Cavanaugh v. Northwell Health, Inc.*, No. 21-CV-1381 (EK)(ARL), 2025 WL 904314, at *4 n. 3 (E.D.N.Y. Mar. 24, 2025) (“[I]n its removal notice, [Defendant] averred that it had not yet been joined or served in the state court action. ... This turns out to matter, given the text of the home-state defendant rule: the rule is ‘inapplicable until a home-state defendant has been served in accordance with state law; until then, a state court lawsuit is removal under Section 1441(a),’ even by the home-state defendant itself, ‘so long as a

federal district court can assume jurisdiction over the action.’’) (quoting *Gibbons*, 919 F.3d at 705)); *Doe v. Roman Catholic Diocese of Erie, Pennsylvania*, No. 3:20-CV-0257 (LEK) (ML), 2021 WL 790834, at *4 (N.D.N.Y. Mar. 2, 2021) (denying motion to remand a removed action by a forum defendant, in part, because “removal [was] proper, as it occurred before [the] Forum Defendant had been ‘properly joined and served.’”) (quoting *Gibbons*, 919 F.3d at 705)); *Castro v. Colgate-Palmolive Co.*, No. 19-CV-279 (JLS), 2020 WL 2059741, at *3 (W.D.N.Y. Apr. 29, 2020) (“The Second Circuit’s reasoning leaves no play in the joints that would help [Plaintiffs] here. ... [The Second Circuit] makes clear that snap removal is, in itself, the limited circumstances that allows a home-state defendant to do what otherwise would be prohibited by the plain test of Section 1441(b)(2).’’).

29. Accordingly, in line with Second Circuit precedent as applied by multiple courts within this Circuit, there is no limitation on Removing Defendants’ right to remove based on either its purported New York citizenship, or the purported New York citizenship of any of the other named defendants.

B. Doe Defendants are Disregarded for Diversity Purposes

30. Any potential “Doe” defendants are nominal to this action and do not defeat diversity jurisdiction.

31. “Until [plaintiff] has identified the Doe defendants or stated an actionable claim against these fictitious parties, at least as to class or category or participation in acts alleged in the complaint, the Doe defendants must be regarded as nominal and not competent to defeat diversity jurisdiction.” *Lee v. Jarecki*, No. 18 CIV. 9400 (CM), 2019 WL 948881, at *5 (S.D.N.Y. Feb. 14, 2019) (citing *Block v. First Blood Assocs.*, 691 F. Supp. 685, 697 (S.D.N.Y. 1988)).

32. Plaintiff does not make any specific allegations against any potential “Doe”

defendants. *See* Exhibits A-B, Summonses with Notice as to Removing Defendants, generally. Thus, the presence of “Doe” defendants does not defeat diversity jurisdiction.

C. Complete Diversity Exists

33. “For diversity purposes, a corporation is deemed to be a citizen both of the state in which it has its principal place of business and of any state in which it is incorporated.” *Universal Licensing Corp. v. Paola del Lungo S.p.A.*, 293 F.3d 579, 581 (2d Cir. 2002); 28 U.S.C. § 1332(c)(1).

34. For diversity purposes, “a limited liability company [] takes the citizenship of each of its members.” *Bayerische Landesbank, New York Branch v. Aladdin Cap. Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012) (citing *Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51-52 (2d Cir. 2000)).

35. The diversity requirement of 28 U.S.C. § 1332(a)(1) is satisfied given that Plaintiff is a citizen of Illinois (based on Removing Defendants’ good faith efforts to discern this information in the absence of Plaintiff stating her residence in the Summonses with Notice on Removing Defendants), and because independent of the assumption of New York citizenship for all Defendants for purposes of this Notice of Removal as to the forum defendant rule, as demonstrated below, complete diversity exists as all the named defendants are citizens of states different than Illinois where Plaintiff resides.

a. Bristol-Myers Squibb is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in New Jersey. Thus, for diversity purposes Bristol-Myers Squibb is a citizen of Delaware and New Jersey and is completely diverse from Plaintiff.

b. Coty, Inc. is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in New York. Thus, for diversity purposes Coty, Inc. is a citizen of Delaware and New York and is completely diverse from Plaintiff.

c. The erroneously named Goldwell New York and Cosmoprof Services US LLC are not separate entities, but brand names under Sally Beauty Holdings, Inc. Sally Beauty Holdings Inc. is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in Texas. Thus, for diversity purposes the erroneously named Goldwell New York and Cosmoprof Services US LLC and Sally Beauty Holdings, Inc. are citizens of Delaware and Texas and are completely diverse from Plaintiff.

d. Kohlberg Kravis Robert & Co. a/k/a KKR & Co., Inc. is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in New York. Thus, for diversity purposes KKR & Co., Inc. is a citizen of Delaware and New York and is completely diverse from Plaintiff.

e. The erroneously named defendant Wella Professionals is correctly named Wella Operations US LLC. The erroneously named defendant Clairol is not a separate entity, but a brand name under Wella Operations US LLC. Wella Operations US LLC is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in California. Its sole member is Waves UK DivestCo Ltd, which is established under the law of the United Kingdom. Thus, for diversity purposes, the erroneously named Clairol and Wella Operations US LLC are citizens of Delaware, California, and the United Kingdom and are completely diverse from Plaintiff.

f. Procter & Gamble Hair Care, LLC is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in Ohio. Procter & Gamble Hair Care LLC is a wholly owned subsidiary of P&G Hair Care Holding, Inc., its sole member, which is, at the time of removal, and was, at the time this action was initiated, incorporated in Delaware and maintains a principal place of business in Ohio. Thus, for diversity purposes, Procter & Gamble Hair Care, LLC is a citizen of Delaware and Ohio and is completely diverse from Plaintiff.

THE AMOUNT IN CONTROVERSY EXCEEDS \$75,000

36. In the Summonses with Notice on Removing Defendants, Plaintiff claims damages in excess of the \$75,000 threshold in 28 U.S.C. § 1332(a). For purposes of this Notice of Removal only, Removing Defendants accept this representation as true, and that the amount of damages Plaintiff seeks exceeds \$75,000. Removing Defendants do not admit or concede the truth of any of Plaintiff's claims or that Plaintiff is entitled to relief in that amount or any amount whatsoever. Indeed, Removing Defendants expressly deny all of Plaintiff's allegations, contentions, purported causes of actions, claims, and damages, and reserve all defenses and rights.

37. "If removal of a civil action is sought on the basis of the jurisdiction conferred by section 1332(a), the sum demanded in good faith in the initial pleading shall be deemed to be the amount in controversy." 28 U.S.C. § 1446(c)(2).

38. As held by the United States Supreme Court, "when a defendant seeks federal-court adjudication, the defendant's amount-in-controversy allegation should be accepted when not contested by the plaintiff or questioned by the court." *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 87 (2014).

39. Where the amount in controversy is not expressly stated in the initial pleading, “the notice of removal may assert the amount in controversy if the initial pleading seeks: (i) nonmonetary relief; or (ii) a money judgment, but the State practice either does not permit demand for a specific sum or permits recovery of damages in excess of the amount demanded;” and “removal of the action is proper on the basis of an amount in controversy asserted under subparagraph (A) if the district court finds, by the preponderance of the evidence, that the amount in controversy exceeds the amount specified in Section 1332(a) [i.e. \$75,000].” 28 U.S.C. § 1446(c)(2)(A), (B).

40. Under New York state law, personal injury plaintiffs may only state “whether or not the amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.” N.Y. C.P.L.R. 3017(c).

41. The Summonses with Notice on Removing Defendants include no such statement. *See* Exhibits A-B, generally.

42. Where such a statement is not included in the initial pleading, New York courts require that a removing defendant’s “notice of removal [] include ‘a plausible allegation’ that the amount in controversy exceeds the jurisdictional threshold.” *Thomas v. J.B. Hunt Transp., Inc.*, No. 23-cv-06889 (DEH), 2023 WL 8233137, at *2 (quoting *Dart*, 574 U.S. at 89).

43. Stated differently, a removing defendant must show “that it appears to be a ‘reasonable probability’ that the claim is in excess of the statutory jurisdictional amount.” *Scherer v. Equitable Life Assurance Soc’y of the United States*, 347 F.3d 394 (2d Cir. 2003) (internal citations omitted).

44. Economic damages, non-economic damages, and punitive damages are all included in determining the amount in controversy. *See Peoples Club of Nig. Int’l v. Peoples Club*

of Nig. Int'l – N.Y. Branch, 821 Fed. App'x. 32, 35 (2d Cir. 2020) (“Punitive damages available under state law can help a plaintiff meet the jurisdictional requirement even where they make up the bulk of the amount in controversy”); *Bracken v. MH Pillars Inc.*, 290 F. Supp. 3d 258, 262 (S.D.N.Y. 2017) (“The amount in controversy requirement may be met by a combination of economic and non-economic losses and punitive damages, so long as the punitive damages are permitted under the controlling law.”).

45. In the Summons with Notice, Plaintiff claims that as a result of the use of Defendants’ hair dye, she now has bladder cancer and is seeking damages that include past and future general damages, past and future economic and special damages, past and future medical expenses, past and future pain and suffering damages, punitive or exemplary damages, attorneys’ fees, costs, and interest. *See* Exhibits A-B at “Notice.”

46. Plaintiff further provides notice of the intention to seek judgment “for the sum of \$10 million with interest from the date of and costs of this action[,]” should Defendants fail to appear as required. *See id.*

47. Given the nature and extent of the alleged injuries and damages, as well as the amount that will be sought if a default judgment becomes applicable, there is a reasonable probability that Plaintiff’s initial pleading places at issue an amount in controversy that exceeds \$75,000, exclusive of interest and costs. *See Nasrallah v. Helio De*, Case No. 96-CV-8727 (SS), 1998 WL 152568, at *3 (S.D.N.Y. Apr. 2, 1998) (“Particularly in a tort case alleging serious injury with unliquidated damages and no statutory cap, it would be the extraordinary case where a court could say to a legal certainty that the damages asked for could not be achieved.”); *see also Henderson*, 2025 WL 3482782, at *2 (“Nothing on the face of the Complaint—which seeks ‘damages for emotional distress, lost wages, back pay, front pay, ... [and] medical expenses ...

causes the Court to question the amount in controversy.”); *Doe v. Roman Catholic Diocese of Erie, Pennsylvania*, 2021 WL 790834, at *3 (“[T]he Complaint, filed in state court, does not contain a request for a specific amount of damages. ... The Complaint alleges that, as a result of Defendants’ alleged negligence, Plaintiff ‘sustained ... physical, emotional, and psychological injuries ... along with pain and suffering. ... The Court easily finds the requisite ‘reasonable probability’ that damages exceed \$75,000.”); *In re Eliquis (Apixaban) Prods. Liab. Litig.*, No. 17-MD-2754 (DLC), 2018 WL 1394179, at *2 (S.D.N.Y. Mar. 19, 2018) (denying Plaintiffs’ motion to remand and finding “there is more than a reasonable probability that the amount in controversy” was met based on the alleged injuries of “strokes, life-threatening gastrointestinal bleeding, and even death” as “the damages sought would address not only the alleged injuries themselves, but damages for pain and suffering, loss of income, and attorney’s fees.”).

48. This analysis includes Plaintiff’s claimed entitlement to punitive damages, which may be considered in determining the amount in controversy. *See Bell v. Preferred Life Assur. Soc. Of Montgomery, Ala.*, 320 U.S. 238, 240 (1943) (including demand for punitive damages in determining the amount in controversy).

49. Plaintiff’s claim for damages therefore exceeds the requisite amount in controversy for purposes of diversity jurisdiction under 28 U.S.C. § 1332(a).

REMOVAL IS OTHERWISE PROPER BASED ON ALL PROCEDURAL REQUIREMENTS

A. Complete Diversity Exists

50. Plaintiff did not include her residence in the Summonses with Notice on Removing Defendants, but based on Removing Defendants’ good faith diligence, Plaintiff is a resident of Illinois.

51. As neither the Removing Defendants nor any of the remaining named Defendants

are properly joined and served, assuming for purposes of this Notice of Removal that each of their respective places of citizenship is New York, the forum defendant rule is not an impediment to removal under 28 U.S.C. § 1441(b). *See Gibbons*, 919 F.3d at 707.

52. Moreover, independent of the forum defendant rule, complete diversity exists as none of the Defendants are citizens of Illinois. *See, supra*, ¶ 35.

B. Venue is Proper

53. Under 28 U.S.C. § 1441(a), “any civil action brought in a state court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

54. Removal to this District Court is proper because the Southern District of New York embraces New York County where the State Court Action is now pending. 28 U.S.C. § 112; *see also* 28 U.S.C. § 1441(a).

C. Filing of Removal Papers

55. Pursuant to 28 U.S.C. § 1446(a), Removing Defendants aver a copy of all process, pleadings, and docket in the State Court Action are attached hereto. *See* Exhibits A-H, **Exhibit J** (Jiricek Docket as of December 11, 2025), and **Exhibit K** (docketed, court approved Summons with Notice).

56. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on Plaintiffs’ counsel, and a copy is being filed with the Clerk of the Supreme Court of the State of New York, County of New York.

D. Procedurally Defective Service

57. Finally, § 305(a) of the New York C.P.L.R. requires that a Summons include an assigned index number:

(a) Summons; supplemental summons. A summons shall specify the basis of the venue designated and if based upon the residence of the plaintiff it shall specify the plaintiff's address, and also **shall bear the index number assigned** and the date of filing with the clerk of the court.

N.Y. C.P.L.R. §305(a) (2025).

58. Plaintiff attempted service on Removing Defendants of Summonses with Notice that did not include assigned index numbers. *See* Exhibits A-B.

59. Although the subsequently filed Affirmations of Service for Removing Defendants, purport that service was made on Removing Defendants that included an assigned index number, *see* Exhibits C-D, Removing Defendants have not received service of Summonses with Notice that include an assigned index number. Moreover, although the now clerk approved docketed Summons with Notice (Exhibit K), includes an assigned index number, the filed Affirmations of Service do not include the as-served Summons with Notice, which demonstrate that the Summonses with Notice served on Removing Defendants included an assigned index number.

60. Accordingly, Plaintiff has not properly effectuated service on Removing Defendants.

WHEREFORE, Removing Defendants hereby give notice that the above-entitled state court action, formerly pending in the Supreme Court of the State of New York, New York County, has been removed to the United States District Court for the Southern District of New York.

Dated: New York, New York.
December 11, 2025

Respectfully submitted,

DLA PIPER LLP (US)

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By: /s/ Cara D. Edwards

Cara D. Edwards

Brooke Kim (*pro hac vice forthcoming*)

Gregory Sperla (*pro hac vice forthcoming*)

*Attorneys for Defendant
L'Oréal USA, Inc. and L'Oréal USA Products,
Inc*

CERTIFICATE OF SERVICE

I, Cara D. Edwards, certify that a true copy of the above notice of removal and all attachments thereto was sent via email and first-class mail to the plaintiffs' attorney of record in this action.

Dated: December 11, 2025

/s/ Cara D. Edwards

Cara D. Edwards

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MARY JIRICEK, an individual,

Plaintiff,

-against-

L'ORÉAL USA, INC.; L'ORÉAL USA PRODUCTS, INC.; WELLA OPERATIONS US, LLC; WELLA PROFESSIONALS; COTY, INC.; KOHLBERG KRAVIS ROBERT & CO. a/k/a KKR & CO., INC.; GOLDWELL NEW YORK; BRISTOL-MYERS SQUIBB; PROCTER & GAMBLE HAIR CARE, LLC; CLAIROL; COSMOPROF SERVICES USA, LLC; SALLY BEAUTY HOLDINGS, INC.; and JOHN DOE CORPORATIONS 1-100, inclusive,

Defendants.

Index No.:

Date Filed:

SUMMONS WITH NOTICE

To the above-named defendants,

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in this action by serving a notice of appearance on the Plaintiff's attorney at the address set forth below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after the service is complete if this summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT, should you fail to appear, a judgment will be taken against you by default for the relief demanded below.

Dated: December 5, 2025
New York, New York

Jonathan Sedgh
JONATHAN SEDGH, ESQ.
MORGAN & MORGAN NEW YORK, PLLC
199 Water Street, Suite 1500
New York, NY 10038

TO DEFENDANTS:

L'ORÉAL USA, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

L'ORÉAL USA PRODUCTS, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA PROFESSIONALS
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA OPERATIONS US, LLC
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COTY, INC.
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

KOHLBERG KRAVIS ROBERT & CO.
a/k/a KKR & Co., Inc.
30 Hudson Yards, Suite 7500
New York, NY 100019
c/o Corporate Creations Network
Maples Fiduciary Services (Delaware), Inc.
4001 Kennett Pike, Suite 302
Wilmington, DE 19807

GOLDWELL NEW YORK
2117 Brighton Henrietta Town Line Road
Rochester, NY 14623
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

BRISTOL-MYERS SQUIBB
Route 206 and Province Line Road
Princeton, NJ 08543
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

PROCTER & GAMBLE
HAIR CARE, LLC
1 Procter & Gamble Plaza
Cincinnati, OH 45202
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

CLAIROL
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COSMOPROF SERVICES USA, LLC
4823 Promenade Parkway
Bessemer, AL 35022
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

SALLY BEAUTY HOLDINGS, INC.
3001 Colorado Blvd., Denton, TX 76210
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

NOTICE:

The nature of this action is as follows:

This is an action for recovery of damages resulting from Plaintiff's bladder cancer, which was proximately caused by negligent, willful, and wrongful acts and/or omissions of Defendants and/or their affiliates, in connection with the design, development, manufacture, testing, packaging, promoting, marketing, distribution, labeling, and/or sale of unreasonably dangerous and defective hair dye products. Plaintiff alleges that the running of any statute of limitations has been equitably tolled by reason of Defendants' fraudulent concealment of their products' true risks, and that this action is timely under CPLR 214-c filed within one year after discovering the causal link between bladder cancer and exposure to Defendants' products.

The relief sought is:

- a. Past and future general damages, the exact amount of which has yet to be ascertained, in an amount which will conform to proof at time of trial;
- b. Past and future economic and special damages according to proof at the time of trial;
- c. Past and future medical expenses according to proof at the time of trial;
- d. Past and future pain and suffering damages expenses according to proof at the time of trial;
- e. Punitive or exemplary damages according to proof at the time of trial;
- f. Attorney's fees;
- g. Costs and disbursements incurred in this action;
- h. Prejudgment interest as provided by law; and
- i. Such other and further relief as the Court may deem just and proper.

Should Defendant(s) fail to appear herein, judgment will be entered by default for the sum of \$10 million with interest from the date of and the costs of this action.

Venue: Plaintiff designates NEW YORK County as the place of trial. The basis of this designation is Defendants' residence therein and the convenience of witnesses pursuant to CPLR 503(a), (c).

EXHIBIT B

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MARY JIRICEK, an individual,

Plaintiff,

-against-

L'ORÉAL USA, INC.; L'ORÉAL USA PRODUCTS, INC.; WELLA OPERATIONS US, LLC; WELLA PROFESSIONALS; COTY, INC.; KOHLBERG KRAVIS ROBERT & CO. a/k/a KKR & CO., INC.; GOLDWELL NEW YORK; BRISTOL-MYERS SQUIBB; PROCTER & GAMBLE HAIR CARE, LLC; CLAIROL; COSMOPROF SERVICES USA, LLC; SALLY BEAUTY HOLDINGS, INC.; and JOHN DOE CORPORATIONS 1-100, inclusive,

Defendants.

Index No.:
Date Filed:

SUMMONS WITH NOTICE

To the above-named defendants,

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in this action by serving a notice of appearance on the Plaintiff's attorney at the address set forth below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after the service is complete if this summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT, should you fail to appear, a judgment will be taken against you by default for the relief demanded below.

Dated: December 5, 2025
New York, New York

Jonathan Sedgh
JONATHAN SEDGH, ESQ.
MORGAN & MORGAN NEW YORK, PLLC
199 Water Street, Suite 1500
New York, NY 10038

TO DEFENDANTS:

L'ORÉAL USA, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

L'ORÉAL USA PRODUCTS, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA PROFESSIONALS
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA OPERATIONS US, LLC
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COTY, INC.
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

KOHLBERG KRAVIS ROBERT & CO.
a/k/a KKR & Co., Inc.
30 Hudson Yards, Suite 7500
New York, NY 100019
c/o Corporate Creations Network
Maples Fiduciary Services (Delaware), Inc.
4001 Kennett Pike, Suite 302
Wilmington, DE 19807

GOLDWELL NEW YORK
2117 Brighton Henrietta Town Line Road
Rochester, NY 14623
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

BRISTOL-MYERS SQUIBB
Route 206 and Province Line Road
Princeton, NJ 08543
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

PROCTER & GAMBLE
HAIR CARE, LLC
1 Procter & Gamble Plaza
Cincinnati, OH 45202
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

CLAIROL
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COSMOPROF SERVICES USA, LLC
4823 Promenade Parkway
Bessemer, AL 35022
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

SALLY BEAUTY HOLDINGS, INC.
3001 Colorado Blvd., Denton, TX 76210
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

NOTICE:

The nature of this action is as follows:

This is an action for recovery of damages resulting from Plaintiff's bladder cancer, which was proximately caused by negligent, willful, and wrongful acts and/or omissions of Defendants and/or their affiliates, in connection with the design, development, manufacture, testing, packaging, promoting, marketing, distribution, labeling, and/or sale of unreasonably dangerous and defective hair dye products. Plaintiff alleges that the running of any statute of limitations has been equitably tolled by reason of Defendants' fraudulent concealment of their products' true risks, and that this action is timely under CPLR 214-c filed within one year after discovering the causal link between bladder cancer and exposure to Defendants' products.

The relief sought is:

- a. Past and future general damages, the exact amount of which has yet to be ascertained, in an amount which will conform to proof at time of trial;
- b. Past and future economic and special damages according to proof at the time of trial;
- c. Past and future medical expenses according to proof at the time of trial;
- d. Past and future pain and suffering damages expenses according to proof at the time of trial;
- e. Punitive or exemplary damages according to proof at the time of trial;
- f. Attorney's fees;
- g. Costs and disbursements incurred in this action;
- h. Prejudgment interest as provided by law; and
- i. Such other and further relief as the Court may deem just and proper.

Should Defendant(s) fail to appear herein, judgment will be entered by default for the sum of \$10 million with interest from the date of and the costs of this action.

Venue: Plaintiff designates NEW YORK County as the place of trial. The basis of this designation is Defendants' residence therein and the convenience of witnesses pursuant to CPLR 503(a), (c).

EXHIBIT C

AFFIRMATION OF SERVICE

State of New York

County of New York

Supreme Court

Index Number: 17761466
Date Filed: 12/5/2025

Plaintiff:
MARY JIRICEK, an individual

vs.

Defendant:
L'ORÉAL USA, INC., et al.

For:
Morgan & Morgan
201 N Franklin St, 7th Floor,
Tampa, FL 33602

Received by Nicoletti & Harris to be served on **L'ORÉAL USA, INC., c/o Corporation Service Company, 80 State Street, Albany, NY 12207.**

I, Dylan Jones, do hereby affirm that on the 5th day of December, 2025 at 2:35 pm, I:

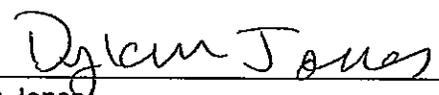
served a **REGISTERED AGENT** by delivering a true copy of the **Summons with Notice** to: **Minard Carkner**, Authorized to Accept Service, as **Litigation Management Specialist of Corporation Service Company, Registered Agent**, at the address of: **c/o Corporation Service Company, 80 State Street, Albany, NY 12207** on behalf of **L'ORÉAL USA, INC.**

Said documents were conformed with index number and date of filing endorsed thereon.

Description of Person Served: Age: 39, Sex: M, Race/Skin Color: White, Height: 6'0", Weight: 220, Hair: Brown, Glasses: N

I certify that I am over the age of 18, have no interest in the above action.

I affirm on DEC 08 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



Dylan Jones
Process Server

Nicoletti & Harris
101 Avenue Of The Americas
9th Floor
New York, NY 10013

Our Job Serial Number: NHI-2025029864
Ref: 17761466



EXHIBIT D

AFFIRMATION OF SERVICE

State of New York

County of New York

Supreme Court

Index Number: 17761466
Date Filed: 12/5/2025

Plaintiff:
MARY JIRICEK, an individual

vs.

Defendant:
L'ORÉAL USA, INC., et al.

For:
Morgan & Morgan
201 N Franklin St, 7th Floor,
Tampa, FL 33602

Received by Nicoletti & Harris to be served on **L'ORÉAL USA PRODUCTS, INC., c/o Corporation Service Company, 80 State Street, Albany, NY 12207.**

I, Dylan Jones, do hereby affirm that on the **5th day of December, 2025** at **2:35 pm, I:**

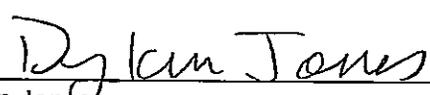
served a **REGISTERED AGENT** by delivering a true copy of the **Summons with Notice** to: **Minard Carkner**, Authorized to Accept Service, as **Litigation Management Specialist of Corporation Service Company, Registered Agent**, at the address of: **c/o Corporation Service Company, 80 State Street, Albany, NY 12207** on behalf of **L'ORÉAL USA PRODUCTS, INC.**

Said documents were conformed with index number and date of filing endorsed thereon.

Description of Person Served: Age: 39, Sex: M, Race/Skin Color: White, Height: 6'0", Weight: 220, Hair: Brown, Glasses: N

I certify that I am over the age of 18, have no interest in the above action.

I affirm on **DEC 08 2025**, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



Dylan Jones
Process Server

Nicoletti & Harris
101 Avenue Of The Americas
9th Floor
New York, NY 10013

Our Job Serial Number: NHI-2025029865
Ref: 17761466



EXHIBIT E

AFFIRMATION OF SERVICE

State of New York

County of New York

Supreme Court

Index Number: 17761466
Date Filed: 12/5/2025

Plaintiff:
MARY JIRICEK, an individual

vs.

Defendant:
L'ORÉAL USA, INC., et al.

For:
Morgan & Morgan
201 N Franklin St, 7th Floor,
Tampa, FL 33602

Received by Nicoletti & Harris to be served on **WELLA PROFESSIONALS, c/o Corporation Service Company, 80 State Street, Albany, NY 12207.**

I, Dylan Jones, do hereby affirm that on the 5th day of December, 2025 at 2:35 pm, I:

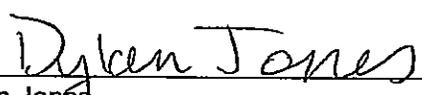
served a **REGISTERED AGENT** by delivering a true copy of the **Summons with Notice** to: **Minard Carkner**, Authorized to Accept Service, as **Litigation Management Specialist of Corporation Service Company, Registered Agent**, at the address of: **c/o Corporation Service Company, 80 State Street, Albany, NY 12207** on behalf of **WELLA PROFESSIONALS**

Said documents were conformed with index number and date of filing endorsed thereon.

Description of Person Served: Age: 39, Sex: M, Race/Skin Color: White, Height: 6'0", Weight: 220, Hair: Brown, Glasses: N

I certify that I am over the age of 18, have no interest in the above action.

I affirm on DEC 08 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



Dylan Jones
Process Server

Nicoletti & Harris
101 Avenue Of The Americas
9th Floor
New York, NY 10013

Our Job Serial Number: NHI-2025029866
Ref: 17761466



EXHIBIT F

AFFIRMATION OF SERVICE

State of New York

County of New York

Supreme Court

Index Number: 17761466
Date Filed: 12/5/2025

Plaintiff:
MARY JIRICEK, an individual

vs.

Defendant:
L'ORÉAL USA, INC., et al.

For:
Morgan & Morgan
201 N Franklin St, 7th Floor,
Tampa, FL 33602

Received by Nicoletti & Harris to be served on **COTY, INC., c/o Corporation Service Company, 80 State Street, Albany, NY 12207.**

I, Dylan Jones, do hereby affirm that on the **5th day of December, 2025** at **2:35 pm**, I:

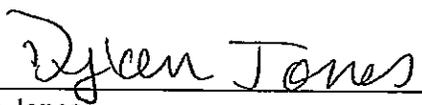
served a **REGISTERED AGENT** by delivering a true copy of the **Summons with Notice** to: **Minard Carkner**, Authorized to Accept Service, as **Litigation Management Specialist of Corporation Service Company, Registered Agent**, at the address of: **c/o Corporation Service Company, 80 State Street, Albany, NY 12207** on behalf of **COTY, INC.**

Said documents were conformed with index number and date of filing endorsed thereon.

Description of Person Served: Age: 39, Sex: M, Race/Skin Color: White, Height: 6'0", Weight: 220, Hair: Brown, Glasses: N

I certify that I am over the age of 18, have no interest in the above action.

I affirm on **DEC 08 2025**, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.



Dylan Jones
Process Server

Nicoletti & Harris
101 Avenue Of The Americas
9th Floor
New York, NY 10013

Our Job Serial Number: NHI-2025029863
Ref: 17761466



EXHIBIT G

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----Index No. UNASSIGNED

MARY JIRICEK, an individual,

Plaintiff(s),

-against-

JOHN PAUL MITCHELL SYSTEMS; L'ORÉAL USA, INC.; L'ORÉAL USA PRODUCTS, INC.; WELLA OPERATIONS US, LLC; WELLA PROFESSIONALS; COTY, INC.; KOHLBERG KRAVIS ROBERT & CO. a/k/a KKR & CO., INC.; GOLDWELL; GOLDWELL NEW YORK; KAO USA, INC.; BRISTOL-MYERS SQUIBB; PROCTER & GAMBLE HAIR CARE, LLC; HENKEL a/k/a HENKEL AG & Co. KGaA; SCHWARZKOPF; JOICO; PRAVANA; CLAIROL; AVEDA CORPORATION; FRAMESI SpA; FRAMKAT L.P. d/b/a FRAMESI NORTH AMERICA; FT PITT FRAMESI, LTD.; COSMOPROF SERVICES USA, LLC; SALLY BEAUTY HOLDINGS, INC.; and JOHN DOE CORPORATIONS 1-100, inclusive,

Defendant(s).

-----X

I, Leah Sammak, of the State of Delaware, County of New Castle, being duly sworn, says that on the 5th day of December 2025 at 3:56 p.m., I personally served a copy of a SUMMONS WITH NOTICE on **Kohlberg Kravis Robert & Co.**, (on behalf of Mary Jiricek) by serving the registered agent, Maples Fiduciary Services (Delaware) Inc., 4001 Kennett Pike, Wilmington DE 19807.

Name of individual accepting service: Neisha Jenkins-Receptionist, authorized to accept
Description of individual: African American, 30-35 yrs. old, 130 lbs., 5'3" with black hair.



Leah Sammak

Subscribed and sworn before me
this 8th day of December 2025



Notary Public

LISA M. JOYNER
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires May 20, 2028

My commission expires: _____

EXHIBIT H

STATE OF NEW YORK SUPREME COURT NEW YORK COUNTY
DOCUMENTS SERVED WITH INDEX#: AND FILED ON 12/5/2025

MARY JIRICEK, AN INDIVIDUAL
Vs.
L'OREAL USA, INC., ET AL

Plaintiff(s)/Petitioner(s)
Defendant(s)/Respondent(s)

STATE OF: NEW YORK)
COUNTY OF WESTCHESTER) SS

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 12/5/2025 at 3:36PM, deponent did serve the within process as follows:

Process Served: SUMMONS WITH NOTICE
Party Served: (herein called recipient) therein named.

At Location: GOLDWELL NEW YORK
C/O CORPORATE CREATIONS NETWORK, INC.
600 MAMARONECK AVENUE #400
HARRISON NY 10528

By delivering to and leaving with KATE DILORENZO and that deponent knew the person so served to be the GENERAL MANAGER on behalf of the Corporation/Government Agency/Entity. The deponent inquired if that individual was authorized to accept service and received an affirmative response.

The Process Server's perception of the description of the person served is as follows:
Gender FM Race WH Color of Hair BROWN
Age 50/55 Height 5'5"-5'6"
Weight 140/145 Other Features

Sworn to before me on 12/5/2025
Gail Williams

Zoe Williams
Zoe Williams
Server's License#: N/A

GAIL WILLIAMS
NOTARY PUBLIC STATE OF NEW YORK
Registration No. 01WI4665052
Qualified in Westchester County
Commission Expires 9/30/2026

Job # 126358
NICOLETTI & HARRIS INC.

EXHIBIT I



1 OF 7 RECORD(S)

Illinois Professional License

Licensee Information

Name: JIRICEK, MARY
Standardized Address: [REDACTED]
[REDACTED] IL 60462-2324
COOK COUNTY
Original Address: [REDACTED]
[REDACTED] IL 60462
Gender: F
Race: Unknown

License Information

License Type: COSMETOLOGIST
License Number: 011.128905
License State: Illinois
Additional License: COSMO
Issued Date: 04/09/1968
License Expiration Date: 09/30/2019

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Your DPPA Permissible Use: Litigation

Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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2 OF 7 RECORD(S)

Mary_Jiricek

Illinois Professional License**Licensee Information**

Name: JIRICEK, MARY
Standardized Address: [REDACTED]
[REDACTED] IL 60462-2324
COOK COUNTY
Original Address: [REDACTED]
[REDACTED] IL 60462
Gender: F
Race: Unknown

License Information

License Type: COSMETOLOGIST
License Number: 011.128905
License State: Illinois
Additional License: COSMO
Issued Date: 04/09/1968
License Expiration Date: 09/30/2017

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

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Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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3 OF 7 RECORD(S)

Illinois Professional License**Licensee Information**

Mary_Jiricek

Name: JIRICEK, MARY**Standardized Address:** [REDACTED]

[REDACTED] IL 60462-2324

COOK COUNTY

Original Address: [REDACTED]

[REDACTED] IL 60462

Gender: F**Race:** Unknown**License Information****License Type:** COSMETOLOGIST**License Number:** 011.128905**License State:** Illinois**Additional License:** COSMO**Issued Date:** 04/09/1968**License Expiration Date:** 09/30/2015

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

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Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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4 OF 7 RECORD(S)**Illinois Professional License****Licensee Information****Name:** JIRICEK, MARY K**Standardized Address:** [REDACTED]

Mary_Jiricek

[REDACTED] IL 60462-2324

COOK COUNTY

Original Address: [REDACTED] IL 60462**Race:** Unknown**License Information****Profession or Board:** COSMETOLOGIST**License Type:** COSMETOLOGIST**License Number:** 011128905**License State:** Illinois**Issued Date:** 04/09/1968**License Expiration Date:** 09/30/2007**Status:** ACTIVE

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

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Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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5 OF 7 RECORD(S)**Illinois Professional License****Licensee Information****Name:** JIRICEK, MARY K**Original Name:** JIRICEK MARY K**Standardized Address:** [REDACTED]

[REDACTED] IL 60462-2324

Mary_Jiricek

COOK COUNTY

Original Address: [REDACTED] IL 60462**Race:** Unknown**License Information****Profession or Board:** COSMETOLOGIST**License Type:** COSMETOLOGIST**License Number:** 011128905**License State:** Illinois**Issued Date:** 04/09/1968**License Expiration Date:** 09/30/2005**Status:** ACTIVE

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

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Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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6 OF 7 RECORD(S)**Illinois Professional License****Licensee Information****Name:** JIRICEK, MARY K**Standardized Address:** [REDACTED]

[REDACTED] IL 60462-2324

COOK COUNTY

Original Address: [REDACTED] IL 60462**Race:** Unknown

Mary_Jiricek

License Information

Profession or Board: COSMETOLOGIST
License Type: COSMETOLOGIST
License Number: 011128905
License State: Illinois
Issued Date: 04/09/1968
License Expiration Date: 09/30/2011
Status: ACTIVE

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Your DPPA Permissible Use: Litigation

Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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7 OF 7 RECORD(S)

Illinois Professional License**Licensee Information**

Name: JIRICEK, MARY K
Standardized Address: [REDACTED]
[REDACTED] IL 60462-2324
COOK COUNTY
Original Address: [REDACTED] IL 60462
Race: Unknown

License Information

Profession or Board: COSMETOLOGIST

Mary_Jiricek

License Type: COSMETOLOGIST
License Number: 011128905
License State: Illinois
Issued Date: 04/09/1968
License Expiration Date: 09/30/2009
Status: ACTIVE

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Your DPPA Permissible Use: Litigation

Your Secondary DPPA Permissible Use: None

Your GLBA Permissible Use: Fraud Prevention or Detection

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EXHIBIT J



Case Caption: **MARY JIRICEK v. L'OREAL USA, INC. et al**

Judge Name:

Doc#	Document Type/Information	Status	Date Received	Filed By
1	SUMMONS WITH NOTICE	Processed	12/05/2025	Sedgh, J.
2	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.
3	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.
4	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.
5	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.
6	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.
7	AFFIRMATION/AFFIDAVIT OF SERVICE	Processed	12/09/2025	Sedgh, J.

EXHIBIT K

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MARY JIRICEK, an individual,

Plaintiff,

-against-

L'ORÉAL USA, INC.; L'ORÉAL USA PRODUCTS,
INC.; WELLA OPERATIONS US, LLC; WELLA
PROFESSIONALS; COTY, INC.; KOHLBERG
KRAVIS ROBERT & CO. a/k/a KKR & CO., INC.;
GOLDWELL NEW YORK; BRISTOL-MYERS
SQUIBB; PROCTER & GAMBLE HAIR CARE, LLC;
CLAIROL; COSMOPROF SERVICES USA, LLC;
SALLY BEAUTY HOLDINGS, INC.; and
JOHN DOE CORPORATIONS 1-100, inclusive,

Defendants.

Index No.:
Date Filed:

SUMMONS WITH NOTICE

To the above-named defendants,

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in this action by serving a notice of appearance on the Plaintiff's attorney at the address set forth below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after the service is complete if this summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT, should you fail to appear, a judgment will be taken against you by default for the relief demanded below.

Dated: December 5, 2025
New York, New York

Jonathan Sedgh
JONATHAN SEDGH, ESQ.
MORGAN & MORGAN NEW YORK, PLLC
199 Water Street, Suite 1500
New York, NY 10038

TO DEFENDANTS:

L'ORÉAL USA, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

L'ORÉAL USA PRODUCTS, INC.
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA PROFESSIONALS
10 Hudson Yards, New York, NY 10001
c/o Corporation Service Company
80 State Street, Albany, NY 12207

WELLA OPERATIONS US, LLC
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COTY, INC.
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

KOHLBERG KRAVIS ROBERT & CO.
a/k/a KKR & Co., Inc.
30 Hudson Yards, Suite 7500
New York, NY 100019
c/o Corporate Creations Network
Maples Fiduciary Services (Delaware), Inc.
4001 Kennett Pike, Suite 302
Wilmington, DE 19807

GOLDWELL NEW YORK
2117 Brighton Henrietta Town Line Road
Rochester, NY 14623
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

BRISTOL-MYERS SQUIBB
Route 206 and Province Line Road
Princeton, NJ 08543
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

PROCTER & GAMBLE
HAIR CARE, LLC
1 Procter & Gamble Plaza
Cincinnati, OH 45202
c/o CT Corporation System
28 Liberty Street, New York, NY 10005

CLAIROL
350 Fifth Avenue, New York, NY 10118
c/o Corporation Service Company
80 State Street, Albany, NY 12207

COSMOPROF SERVICES USA, LLC
4823 Promenade Parkway
Bessemer, AL 35022
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

SALLY BEAUTY HOLDINGS, INC.
3001 Colorado Blvd., Denton, TX 76210
c/o Corporate Creations Network, Inc.
15 North Mill Street, Nyack, NY 10960

NOTICE:

The nature of this action is as follows:

This is an action for recovery of damages resulting from Plaintiff's bladder cancer, which was proximately caused by negligent, willful, and wrongful acts and/or omissions of Defendants and/or their affiliates, in connection with the design, development, manufacture, testing, packaging, promoting, marketing, distribution, labeling, and/or sale of unreasonably dangerous and defective hair dye products. Plaintiff alleges that the running of any statute of limitations has been equitably tolled by reason of Defendants' fraudulent concealment of their products' true risks, and that this action is timely under CPLR 214-c filed within one year after discovering the causal link between bladder cancer and exposure to Defendants' products.

The relief sought is:

- a. Past and future general damages, the exact amount of which has yet to be ascertained, in an amount which will conform to proof at time of trial;
- b. Past and future economic and special damages according to proof at the time of trial;
- c. Past and future medical expenses according to proof at the time of trial;
- d. Past and future pain and suffering damages expenses according to proof at the time of trial;
- e. Punitive or exemplary damages according to proof at the time of trial;
- f. Attorney's fees;
- g. Costs and disbursements incurred in this action;
- h. Prejudgment interest as provided by law; and
- i. Such other and further relief as the Court may deem just and proper.

Should Defendant(s) fail to appear herein, judgment will be entered by default for the sum of \$10 million with interest from the date of and the costs of this action.

Venue: Plaintiff designates NEW YORK County as the place of trial. The basis of this designation is Defendants' residence therein and the convenience of witnesses pursuant to CPLR 503(a), (c).