

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OUTLAW LABORATORY, LP, a Texas
limited partnership

CASE NO.:

Plaintiff,

vs.

902 DORT INC., a Michigan corporation; S
G MINI MART INC., a Michigan
corporation; ODISH ODISH, INC., a
Michigan corporation; ODISH FAMILY,
INC., a Michigan corporation; T.Y. &
SONS ENTERPRISES, INC., a Michigan
corporation; CLINTON CONVENIENCE,
INC., a Michigan corporation;
EASTPOINTE FUEL, INC., a Michigan
corporation; MOUND ROAD
OPERATING CO., a Michigan corporation;
FRANK FUELS, INC., a Michigan
corporation; THREE BROTHERS
STATION, INC., a Michigan corporation;
ARMADA FUEL STOP OPERATING
CO., a Michigan corporation; ZORA
BROTHERS, INC., a Michigan
corporation; 3 BOYS, INC., a Michigan
corporation; SAMAD ENTERPRISE, INC.,
a Michigan corporation; MILAN AND I-23
GASOLINE STATION, INC., a Michigan
corporation; TEN & GREENFIELD, INC.,
a Michigan corporation; M & M ENERGY,
LLC, a Michigan limited liability company;
DEQUINDRE OIL CO., a Michigan
corporation; 10 SOUTHFIELD SUNOCO,
INC., a Michigan corporation; AUBURN
OIL LLC, a Michigan limited liability
company; ARO INVESTMENTS, LLC, a

Michigan limited liability company; KNIGHT ENTERPRISES, INC., a Michigan corporation; F-FPD INC., a Michigan corporation; WALTON GAS & OIL, INC., a Michigan corporation; BALDWIN MINI MART, INC., a Michigan corporation; KAJY JEFFERSON, INC., a Michigan corporation; COUNTRY CROSSING FOOD STORE, INC., a Michigan corporation; BPSC, LLC, a Michigan limited liability company; STATE FAIR GAS, INC., a Michigan corporation; 8 MILE & MITCHELL, INC., a Michigan corporation; HAMILTON ONE STOP INC., a Michigan corporation; JOHN R. GAS & MART, INC., a Michigan corporation; BENZEEN ENTERPRISE INC., a Michigan corporation; A & A PETRO MART INC., a Michigan corporation; ABEER FUEL INC, a Michigan corporation; LONYO PETRO MART, LLC, a Michigan limited liability company; L.A.N.A. FUELS, LLC, a Michigan limited liability company; FORD PETROLEUM LLC, a Michigan limited liability company; LILEY AND JOY INC., a Michigan corporation; LAITH & R MINI MART, INC., a Michigan corporation; NAJAR PETROLEUM L.L.C., a Michigan limited liability company; UNIVERSITY PETRO LLC, a Michigan limited liability company; ZAKKA C-STORE LLC, a Michigan limited liability company; AJ PETRO LLC, a Michigan limited liability company; L M & H ENTERPRISE, INC., a Michigan corporation; 20400 GRAND RIVER, L.L.C., a Michigan limited liability company; WARREN & LIVERNOIS MINI-MART, INC., a Michigan corporation; NICK'S PETROLEUM, LLC,

a Michigan limited liability company; MICHIGAN STOP & GO, INC., a Michigan corporation; S & H MINI MART, INC., a Michigan corporation; GREENFIELD SUNOCO, INC., a Michigan corporation; ASHTA RON, LLC, a Michigan limited liability company; MEYERS FUEL MART INC., a Michigan corporation; OM LIVONIA OIL, INC., a Michigan corporation; MN PETRO MART, INC., a Michigan corporation; A & A SIX MILE FUEL, INC., a Michigan corporation; SOUEIDAN GAS & MINI MART INC., a Michigan corporation; 7 MILE & TEL MINI MART INC., a Michigan corporation; MACK & VANDYKE MINI MART INC., a Michigan corporation; 88 GAS & BEER, INC., a Michigan corporation; SAGINAW OIL INC., a Michigan corporation; and GENESSEE INC., a Michigan corporation,

DEMAND FOR JURY TRIAL

Defendants.

**COMPLAINT FOR FALSE ADVERTISING
IN VIOLATION OF THE LANHAM ACT § 43 (a)(1)(B), VIOLATION OF
THE MICHIGAN CONSUMER PROTECTION ACT, MCL 445.901, ET
SEQ., AND VIOLATION OF MICHIGAN'S COMMON LAW UNFAIR
COMPETITION**

Plaintiff Outlaw Laboratory, LP, a Texas limited partnership (“OLP” or “Plaintiff”), by and through its undersigned attorneys, submits this Complaint against Defendants, 902 DORT INC., a Michigan corporation; S G MINI MART INC., a Michigan corporation; ODISH ODISH, INC., a Michigan corporation; ODISH FAMILY, INC., a Michigan corporation; T.Y. & SONS ENTERPRISES, INC., a Michigan corporation; CLINTON CONVENIENCE, INC., a Michigan corporation; EASTPOINTE FUEL, INC., a Michigan corporation; MOUND ROAD

OPERATING CO., a Michigan corporation; FRANK FUELS, INC., a Michigan corporation; THREE BROTHERS STATION, INC., a Michigan corporation; ARMADA FUEL STOP OPERATING CO., a Michigan corporation; ZORA BROTHERS, INC., a Michigan corporation; 3 BOYS, INC., a Michigan corporation; SAMAD ENTERPRISE, INC., a Michigan corporation; MILAN AND I-23 GASOLINE STATION, INC., a Michigan corporation; TEN & GREENFIELD, INC., a Michigan corporation; M & M ENERGY, LLC, a Michigan limited liability company; DEQUINDRE OIL CO., a Michigan corporation; 10 SOUTHFIELD SUNOCO, INC., a Michigan corporation; AUBURN OIL LLC, a Michigan limited liability company; ARO INVESTMENTS, LLC, a Michigan limited liability company; KNIGHT ENTERPRISES, INC., a Michigan corporation; F-FPD INC., a Michigan corporation; WALTON GAS & OIL, INC., a Michigan corporation; BALDWIN MINI MART, INC., a Michigan corporation; KAJY JEFFERSON, INC., a Michigan corporation; COUNTRY CROSSING FOOD STORE, INC., a Michigan corporation; BPSC, LLC, a Michigan limited liability company; STATE FAIR GAS, INC., a Michigan corporation; 8 MILE & MITCHELL, INC., a Michigan corporation; HAMILTON ONE STOP INC., a Michigan corporation; JOHN R. GAS & MART, INC., a Michigan corporation; BENZEEN ENTERPRISE INC., a Michigan corporation; A & A PETRO MART INC., a Michigan corporation; ABEER FUEL INC, a Michigan corporation; LONYO PETRO MART, LLC, a Michigan limited liability company; L.A.N.A. FUELS, LLC, a Michigan limited liability company; FORD PETROLEUM LLC, a Michigan limited liability company; LILEY AND JOY INC., a Michigan corporation; LAITH & R MINI MART, INC., a Michigan corporation; NAJAR PETROLEUM L.L.C., a Michigan limited liability company; UNIVERSITY PETRO LLC, a Michigan limited liability company; ZAKKA C-STORE LLC, a Michigan limited liability company; AJ PETRO LLC, a Michigan limited liability company; L M & H ENTERPRISE, INC.,

a Michigan corporation; 20400 GRAND RIVER, L.L.C., a Michigan limited liability company; WARREN & LIVERNOIS MINI-MART, INC., a Michigan corporation; NICK'S PETROLEUM, LLC, a Michigan limited liability company; MICHIGAN STOP & GO, INC., a Michigan corporation; S & H MINI MART, INC., a Michigan corporation; GREENFIELD SUNOCO, INC., a Michigan corporation; ASHTA RON, LLC, a Michigan limited liability company; MEYERS FUEL MART INC., a Michigan corporation; OM LIVONIA OIL, INC., a Michigan corporation; MN PETRO MART, INC., a Michigan corporation; A & A SIX MILE FUEL, INC., a Michigan corporation; SOUEIDAN GAS & MINI MART INC., a Michigan corporation; 7 MILE & TEL MINI MART INC., a Michigan corporation; MACK & VANDYKE MINI MART INC., a Michigan corporation, 88 GAS & BEER, INC., a Michigan corporation; SAGINAW OIL INC., a Michigan corporation; and GENESSEE INC., a Michigan corporation (collectively, the “Defendants”), and in support thereof avers as follows:

INTRODUCTION

1. Defendants are engaged in a scheme to distribute and sell “male enhancement” pills containing undisclosed pharmaceuticals to the general public through their Sunoco branded gas stations. Specifically, Defendants offer for sale various sexual enhancement products, including but not limited to, Rhino 8 Platinum 8000, Rhino 7 Platinum 5000, Rhino 7 Platinum 3000, Rhino 12 Titanium 6000, Rhino 7k 9000 Male Performance Booster, Rhino 25K 15000, Rhino 69 Platinum 9000, Super Panther 7K, Mamba is Hero, Black Mamba, Black Mamba Premium, Black Mamba 2 Premium, Herb Viagra, Hard Ten Days, Stiff Nights, New Stiff Nights Platinum 10K, Royal Honey VIP, Black Panther, Bull, S.W.A.G., Man Of Steel 2, Black 3K, Triple PowerZEN Gold, Triple Power Zen Plus 2000, Triple Green, Libigrow XXXXTREME, Libigrow, Libigirl, Love Zen 3000, B14ck 4k Capsules, Grande X 5800, Boss-Rhino Gold X-tra Strength, Real Skill, and others

as detailed below (collectively, the “Enhancement Products”). All of the Enhancement Products have been the subject of laboratory testing and public announcements by the FDA, which found these products to contain hidden drug ingredients such as sildenafil (a prescription drug), desmethyl carbodenafil (an analogue of sildenafil), dapoxetine (an unapproved anti-depressant drug) and tadalafil (a prescription drug), among other dangerous undisclosed ingredients.

2. Despite warnings from the Michigan Attorney General, and the Attorneys General of 44 states regarding the sale of harmful products in Sunoco branded stores, Defendants are selling potentially deadly pharmaceuticals, mislabeled as “natural” supplements to the unsuspecting public. (A copy of the warning letter is attached as Exhibit A). Specifically, all of the Defendants are selling “Rhino” branded products, all of which have been found to secretly contain Sildenafil as their active ingredient. Plaintiff has sent letters to each of the Defendants making demands that they cease and desist from the illicit activity. Defendants have not complied with the demands.

3. Defendants profit from the sale of the Enhancement Products by disseminating false statements including that the Enhancement Products are “all natural,” contain “no harmful synthetic chemicals,” “no prescription necessary,” and have limited side effects. Aside from these patently false statements, Defendants have failed to disclose the true nature of the Enhancement Products to their customers, even though they are aware of the dangerous secret ingredients.

4. Plaintiff is the manufacturer of competing products called “TriSteel” and “TriSteel 8 Hour,” which are DSHEA-compliant male enhancement products made in the USA and distributed for sale in all 50 US States.

5. The proliferation of mislabeled male enhancement pills has grown in the shadows of intermittent enforcement of nutritional supplement laws. In this regard, the FDA has issued several public notices regarding the use of sildenafil in

over the counter “male enhancement” supplements, but has only taken action on a handful of cases. Defendants have taken full advantage of this regulatory landscape, making significant profits selling dangerous products while openly engaging in illicit activity.

6. Thus, Plaintiff’s only recourse is a civil action to protect the commercial interests recognized by the Lanham Act and to expose the scheme detailed herein. As such, Defendants have knowingly and materially participated in a false and misleading advertising campaign to promote and sell its Enhancement Products, giving consumers the false impression that these products are safe when in reality, Defendants are well aware that the Enhancement Products contain hidden drug ingredients.

7. Defendants’ false and misleading statements and advertising pose extreme health risks to consumers in at least two ways. First, Defendants mislead consumers into believing that the advice and authorization of a licensed medical professional is not required to mitigate or avoid the potentially life-threatening side effects, drug interactions and contraindications of the sildenafil and other drug ingredients hidden in the Enhancement Products. Second, by failing to inform consumers that the Enhancement Products contain sildenafil, consumers who know that their medical history and drug prescriptions make sildenafil consumption dangerous may nevertheless consume the Enhancement Products because they are not made aware they contain sildenafil.

8. Defendants have knowingly and materially participated in false and misleading marketing, advertising, dissemination and labeling to promote and sell the Enhancement Products, giving consumers the false impression that these products are safe and natural dietary supplements when in reality Defendants know that the Enhancement Products contain synthetic prescription drug ingredients that

pose serious health dangers when taken without the supervision of a licensed medical professional.

9. Such false and misleading marketing and advertising is dangerous to individual consumers and harmful to the dietary supplement industry as a whole. Defendants have created an illegitimate marketplace of consumers seeking to enhance their sexual performance but who are not informed, or who are misinformed, of the serious dangers of using Defendants' Enhancement Products. Consumers of the Enhancement Products have little or no incentive to use natural, legitimate and safe sexual performance enhancement products, such as Plaintiff's TriSteel or TriSteel 8 Hour, until they are harmed or Defendants' Enhancement Products are taken off of the shelves. Defendants' continuing false, misleading, and deceptive practices have violated the Lanham Act and have unjustly enriched Defendants at the expense of Plaintiff, and have harmed Plaintiff's commercial interests, including but not limited to, loss of revenue, disparagement and loss of goodwill.

10. Among other things, this action seeks to enjoin Defendants from the marketing and sale of any and all of the Enhancement Products, disgorgement of Defendants' profits, treble damages, punitive damages and attorneys' fees provided by the Lanham Act.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. § 1331 (federal question jurisdiction).

12. This Court has personal jurisdiction over Defendants because they have, directly or through their intermediaries (including distributors, retailers, and others), developed, licensed, manufactured, shipped, distributed, offered for sale, sold, and advertised their products, including but not limited to the Enhancement Products, in the United States, the State of Michigan, and this district. Defendants

have purposefully and voluntarily placed these products into the stream of commerce with the expectation that they will be purchased in this district.

13. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions which gave rise to the claim occurred in this district and Defendants are all located in this district.

PARTIES

14. Plaintiff, Outlaw Laboratory, LP, is a Texas limited partnership organized under the laws of the State of Texas.

15. Defendant, 902 Dort, Inc., is a Michigan corporation located at 7340 Stonebrook Drive, Canton, MI 48187. 902 Dort, Inc. may be served through its registered agent, Rajesh Anghan, at 7340 Stonebrook Drive, Canton, MI 48187.

16. Defendant, S G Mini Mart Inc., is a Michigan corporation located at 1403 Francis Street, Jackson, MI 49203. S G Mini Mart Inc. may be served through its registered agent, Sultan Galal, at 1403 Francis Street, Jackson, MI 49203.

17. Defendant, Odish Odish, Inc., is a Michigan corporation located at 715 S. Main Street, Lapeer, MI 48446. Odish Odish, Inc. may be served through its registered agent, Salam Odish, at 715 S. Main Street, Lapeer, MI 48446.

18. Defendant, Odish Family, Inc., is a Michigan corporation located at 1489 N. Main Street, Lapeer, MI 48446. Odish Family, Inc. may be served through its registered agent, Rakan Odish, at 1489 N. Main Street, Lapeer, MI 48446.

19. Defendant, T.Y. & Sons Enterprises, Inc., is a Michigan corporation located at 36887 Groesbeck Highway, Clinton Township, MI 48035. T.Y. & Sons Enterprises, Inc. may be served through its registered agent, Talal Yatooma, at 36887 Groesbeck Highway, Clinton Township, MI 48035.

20. Defendant, Clinton Convenience, Inc., is a Michigan corporation located at 4150 Garfield Road, Clinton Township, MI 48038. Clinton Convenience,

Inc. may be served through its registered agent, Brian Koza, at 4150 Garfield Road, Clinton Township, MI 48038.

21. Defendant, Eastpointe Fuel, Inc., is a Michigan corporation located at 2150 Hopkins Drive, Sterling Heights, MI 48310. Eastpointe Fuel, Inc. may be served through its registered agent, Rudy Kiyaa, at 2150 Hopkins Drive, Sterling Heights, MI 48310.

22. Defendant, Mound Road Operating Co., is a Michigan corporation located at 6837 Chase Road, Dearborn, MI 48126. Mound Road Operating Co. may be served through its registered agent, Mahmoud Ajami, at 6837 Chase Road, Dearborn, MI 48126.

23. Defendant, Frank Fuels Inc., is a Michigan corporation located at 28999 Schoenherr Road, Warren, MI 48088. Frank Fuels Inc. may be served through its registered agent, Wafica Aliahmad, at 28999 Schoenherr Road, Warren, MI 48088.

24. Defendant, Three Brothers Station Inc., is a Michigan corporation located at 19301 River Valley Drive, Macomb, MI 48044. Three Brothers Station Inc. may be served through its registered agent, Rani Yaldo, at 19301 River Valley Drive, Macomb, MI 48044.

25. Defendant, Armada Fuel Stop Operating Co., is a Michigan corporation located at 16567 32 Mile Road, Armada, MI 48005. Armada Fuel Stop Operating Co. may be served through its registered agent, Thaer Jabbori, at 16567 32 Mile Road, Armada, MI 48005.

26. Defendant, Zora Brothers, Inc., is a Michigan corporation located at 48990 Hayes Road, Macomb, MI 48044. Zora Brothers, Inc. may be served through its registered agent, Radhwan Zora, at 48990 Hayes Road, Macomb, MI 48044.

27. Defendant, 3 Boys Inc., is a Michigan corporation located at 58955 Gratiot Avenue, New Haven, MI 4804. 3 Boys Inc. may be served through its registered agent, Denise Zora, at 58955 Gratiot Avenue, New Haven, MI 4804.

28. Defendant, Samad Enterprise Inc., is a Michigan corporation located at 7307 Amboy Street, Dearborn Heights, MI 48127. Samad Enterprise Inc. may be served through its registered agent, Martyn Samad, at 7307 Amboy Street, Dearborn Heights, MI 48127.

29. Defendant, Milan And I-23 Gasoline Station, Inc., is a Michigan corporation located at 679 W. Warren Avenue, #12, Detroit, MI 48201. Milan And I-23 Gasoline Station, Inc. may be served through its registered agent, Siyavoosh Shekooohfar, at 679 W. Warren Avenue, #12, Detroit, MI 48201.

30. Defendant, Ten & Greenfield Inc., is a Michigan corporation located at 25000 Greenfield Road, Oak Park, MI 48237. Ten & Greenfield Inc. may be served through its registered agent, Lori Jabbori, at 25000 Greenfield Road, Oak Park, MI 48237.

31. Defendant, M&M Energy, LLC, is a Michigan limited liability company located at 3410 Rochester Road, Troy, MI 48083. M&M Energy, LLC may be served through its registered agent, Andraos Kattouah, at 3410 Rochester Road, Troy, MI 48083.

32. Defendant, Dequindre Oil Co., is a Michigan corporation located at 26461 Dequindre Road, Madison Heights, MI 48071. Dequindre Oil Co. may be served through its registered agent, Nahid Hammad, at 26461 Dequindre Road, Madison Heights, MI 48071.

33. Defendant, 10 Southfield Sunoco, Inc., is a Michigan corporation located at 24848 Southfield Road, Southfield, MI 48075. 10 Southfield Sunoco, Inc. may be served through its registered agent, Mark Yaldo, at 24848 Southfield Road, Southfield, MI 48075.

34. Defendant, Auburn Oil LLC, is a Michigan limited liability company located at 1799 E. Auburn Road, Rochester Hills, MI 48307. Auburn Oil LLC may

be served through its registered agent, Shady Abdelhamid, at 1799 E. Auburn Road, Rochester Hills, MI 48307.

35. Defendant, Aro Investments LLC, is a Michigan limited liability company located at 24500 Ford Road, Suite 2, Dearborn Height, MI 48127. Aro Investments LLC may be served through its registered agent, Samir Alhasan, at 24500 Ford Road, Suite 2, Dearborn Height, MI 48127.

36. Defendant, Knight Enterprises Inc., is a Michigan corporation located at 40600 Grand River Avenue, Novi, MI 48375. Knight Enterprises Inc. may be served through its registered agent, Carroll L. Knight, at 40600 Grand River Avenue, Novi, MI 48375.

37. Defendant, F-FPD Inc., is a Michigan corporation located at 203 S. Telegraph Road, Pontiac, MI 48341. F-FPD Inc. may be served through its registered agent, Fakhry Wadee Kajy, at 203 S. Telegraph Road, Pontiac, MI 48341.

38. Defendant, Walton Gas & Oil Inc., is a Michigan corporation located at 6837 Chase Road, Dearborn, MI 48126. Walton Gas & Oil Inc. may be served through its registered agent, Mahmoud Ajami, at 6837 Chase Road, Dearborn, MI 48126.

39. Defendant, Baldwin Mini Mart, Inc., is a Michigan corporation located at 6837 Chase Road, Dearborn, MI 48126. Baldwin Mini Mart, Inc. may be served through its registered agent, Mahmoud Ajami, at 6837 Chase Road, Dearborn, MI 48126.

40. Defendant, Kajy Jefferson, Inc., is a Michigan corporation located at 29157 Jefferson Avenue, Saint Clair Shores, MI 48081. Kajy Jefferson, Inc. may be served through its registered agent, Fadi Kajy, at 29157 Jefferson Avenue, Saint Clair Shores, MI 48081.

41. Defendant, Country Crossing Food Store, Inc., is a Michigan corporation located at 8004 Marine City Highway, Casco, MI 48064. Country

Crossing Food Store, Inc. may be served through its registered agent, Yousif Yatooma, at 8004 Marine City Highway, Casco, MI 48064.

42. Defendant, BPSC, LLC, is a Michigan limited liability company located at 30825 26 Mile Road, New Haven, MI 48048. BPSC, LLC may be served through its registered agent, Aly Bazzi, at 30825 26 Mile Road, New Haven, MI 48048.

43. Defendant, State Fair Gas, Inc., is a Michigan corporation located at 19854 Woodward Avenue, Detroit, MI 48203. State Fair Gas, Inc. may be served through its registered agent, Faisal Al Sabahi, at 19854 Woodward Avenue, Detroit, MI 48203.

44. Defendant, 8 Mile & Mitchell Inc., is a Michigan corporation located at 6837 Chase Road, Dearborn, MI 48126. 8 Mile & Mitchell Inc. may be served through its registered agent, Ali Ajami, at 6837 Chase Road, Dearborn, MI 48126.

45. Defendant, Hamilton One Stop Inc., is a Michigan corporation located at 2931 Lehman Street, Hamtramck, MI 48212. Hamilton One Stop Inc. may be served through its registered agent, Ali Kaid, at 2931 Lehman Street, Hamtramck, MI 48212.

46. Defendant, John R Gas & Mart Inc., is a Michigan corporation located at 15 W. 8 Mile Road, Detroit, MI 48203. John R Gas & Mart Inc. may be served through its registered agent, Feyrouz Ajami, at 15 W. 8 Mile Road, Detroit, MI 48203.

47. Defendant, Benzeen Enterprise, Inc., is a Michigan corporation located at 15464 Livernois Avenue, Detroit, MI 48238. Benzeen Enterprise, Inc. may be served through its registered agent, Nasser Mohamed, at 15464 Livernois Avenue, Detroit, MI 48238.

48. Defendant, A & A Petro Mart Inc., is a Michigan corporation located at 20581 Mound Road, Detroit, MI 48234. A & A Petro Mart Inc. may be served through its registered agent, Faye Amr, at 20581 Mound Road, Detroit, MI 48234.

49. Defendant, Abeer Fuel Inc., is a Michigan corporation located at 18021 Conant Street, Detroit, MI 48234. Abeer Fuel Inc. may be served through its registered agent, Fadhl Alhalemi, at 18021 Conant Street, Detroit, MI 48234.

50. Defendant, Lonyo Petro Mart, LLC, is a Michigan limited liability company located at 8258 Michigan Avenue, Detroit, MI 48210. Lonyo Petro Mart, LLC may be served through its registered agent, Ala Aliyan, at 8258 Michigan Avenue, Detroit, MI 48210.

51. Defendant, L.A.N.A. Fuels, LLC, is a Michigan limited liability company located at 32843 Ford Road, Garden City, MI 48135. L.A.N.A. Fuels, LLC may be served through its registered agent, Courtney Ford, at 32843 Ford Road, Garden City, MI 48135.

52. Defendant, Ford Petroleum LLC, is a Michigan limited liability company located at 24472 Northwestern Highway, Southfield, MI 48075. Ford Petroleum LLC may be served through its registered agent, Tarek Gayar, at 24472 Northwestern Highway, Southfield, MI 48075.

53. Defendant, Liley and Joy Inc., is a Michigan corporation located at 24517 Ford Road, Dearborn, MI 48128. Liley and Joy Inc. may be served through its registered agent, Ali Saad, at 24517 Ford Road, Dearborn, MI 48128.

54. Defendant, Laith & R Mini Mart Inc., is a Michigan corporation located at 17300 E. Warren Avenue, Detroit, MI 48224. Laith & R Mini Mart Inc. may be served through its registered agent, Rafiq Mohamed Ali-Ahmedat, 17300 E. Warren Avenue, Detroit, MI 48224.

55. Defendant, Najar Petroleum LLC, is a Michigan limited liability company located at 24432 Michigan Avenue, Dearborn, MI 48124. Najar Petroleum

LLC may be served through its registered agent, Farhan Alnajjar, at 24432 Michigan Avenue, Dearborn, MI 48124.

56. Defendant, University Petro LLC, is a Michigan limited liability company located at 13920 Michigan Avenue, Dearborn, MI 48126. University Petro LLC may be served through its registered agent, Reem Khalil, at 13920 Michigan Avenue, Dearborn, MI 48126.

57. Defendant, Zakka C-Store LLC, is a Michigan limited liability company located at 3031 Fort Street, Lincoln Park, MI 48146. Zakka C-Store LLC may be served through its registered agent, Amal A. Ghadieh, at 3031 Fort Street, Lincoln Park, MI 48146.

58. Defendant, AJ Petro LLC, is a Michigan limited liability company located at 13901 Wyoming Street, Detroit, MI 48238. AJ Petro LLC may be served through its registered agent, Sadik Almerisi, at 13901 Wyoming Street, Detroit, MI 48238.

59. Defendant, L M & H Enterprise, Inc., is a Michigan corporation located at 19245 Schoolcraft, Detroit, MI 48223. L M & H Enterprise, Inc. may be served through its registered agent, Hassan Kdouh, at 19245 Schoolcraft, Detroit, MI 48223.

60. Defendant, 20400 Grand River, L.L.C., is a Michigan limited liability company located at 20400 Grand River Avenue, Detroit, MI 48219. 20400 Grand River, L.L.C. may be served through its registered agent, Ahmed Saleh, at 20400 Grand River Avenue, Detroit, MI 48219.

61. Defendant, Warren & Livernois Mini-Mart, Inc., is a Michigan corporation located at 6330 W. Warren Avenue, Detroit, MI 482107. Warren & Livernois Mini-Mart, Inc. may be served through its registered agent, Muhammad Nassar, at 6330 W. Warren Avenue, Detroit, MI 48210.

62. Defendant, Nicks Petroleum LLC, is a Michigan limited liability company located at 14633 Lanson Avenue, Dearborn, MI 48126. Nicks Petroleum LLC may be served through its registered agent, Ali Zreik, at 14633 Lanson Avenue, Dearborn, MI 48126.

63. Defendant, Michigan Stop & Go, Inc., is a Michigan corporation located at 10000 Michigan Avenue, Dearborn, MI 48126. Michigan Stop & Go, Inc. may be served through its registered agent, Hassan Fahs, at 10000 Michigan Avenue, Dearborn, MI 48126.

64. Defendant, S & H Mini Mart Inc., is a Michigan corporation located at 7440 Dix Street, Detroit, MI 48209. S & H Mini Mart Inc. may be served through its registered agent, Samieh Hammoudeh, at 7440 Dix Street, Detroit, MI 48209.

65. Defendant, Greenfield Sunoco Inc., is a Michigan corporation located at 4701 Rosalie Street, Dearborn, MI 48126. Greenfield Sunoco Inc. may be served through its registered agent, Fay Osman, at 4701 Rosalie Street, Dearborn, MI 48126.

66. Defendant, Ashta Ron, LLC, is a Michigan limited liability company located at 24530 Ford Road, Dearborn Heights, MI 48127. Ashta Ron, LLC may be served through its registered agent, Ronak Patel, at 24530 Ford Road, Dearborn Heights, MI 48127.

67. Defendant, Meyers Fuel Mart Inc., is a Michigan corporation located at 12711 W. 8 Mile Road, Detroit, MI 48235. Meyers Fuel Mart Inc. may be served through its registered agent, Mustafa Ahmed, at 12711 W. 8 Mile Road, Detroit, MI 48235.

68. Defendant, OM Livonia Oil, Inc., is a Michigan corporation located at 29835 8 Mile Road, Livonia, MI 48152. OM Livonia Oil, Inc. may be served through its registered agent, Kalpesh Patel, at 29835 8 Mile Road, Livonia, MI 48152.

69. Defendant, MN Petro Mart Inc., is a Michigan corporation located at 10200 12th Street, Detroit, MI 48206. MN Petro Mart Inc. may be served through its registered agent, Mohser Nassar, at 10200 12th Street, Detroit, MI 48206.

70. Defendant, A & A Six Mile Fuel, Inc., is a Michigan corporation located at 24861 W. McNichols Road, Detroit, MI 48219. A & A Six Mile Fuel, Inc. may be served through its registered agent, Ahmed A Gazzali, at 24861 W. McNichols Road, Detroit, MI 48219.

71. Defendant, Soueidan Gas & Mini Mart Inc., is a Michigan corporation located at 18854 Northline Road, Southgate, MI 48195. Soueidan Gas & Mini Mart Inc. may be served through its registered agent, Hala Soueidan, at 18854 Northline Road, Southgate, MI 48195.

72. Defendant, 7 Mile & Tel Mini Mart Inc., is a Michigan corporation located at 23540 W. 7 Mile Road, Detroit, MI 48219. 7 Mile & Tel Mini Mart Inc. may be served through its registered agent, Ali Aldalali, at 23540 W. 7 Mile Road, Detroit, MI 48219.

73. Defendant, Mack & Van Dyke Mini Mart Inc., is a Michigan corporation located at 7961 Mack Avenue, Detroit, MI 48214. Mack & Van Dyke Mini Mart Inc. may be served through its registered agent, Haissam Nassar, at 7961 Mack Avenue, Detroit, MI 48214.

74. Defendant, 88 Gas & Beer, Inc., is a Michigan corporation located at 1992 S. Getty Street, Muskegon, MI 49442. 88 Gas & Beer, Inc. may be served through its registered agent, Surinder Kaur, at 1992 S. Getty Street, Muskegon, MI 49442.

75. Defendant, Saginaw Oil Inc., is a Michigan corporation located at 107 W. Genesee Avenue, Saginaw, MI 48602. Saginaw Oil Inc. may be served through its registered agent, Zaid Almasmari, at 107 W. Genesee Avenue, Saginaw, MI 48602.

76. Defendant, Genessee Inc., is a Michigan corporation located at 1944 E. Genessee Avenue, Saginaw, MI 49601 . Genessee Inc. may be served through its registered agent, Talal Alwajih, at 1944 E. Genessee Avenue, Saginaw, MI 49601.

FACTUAL ALLEGATIONS

Sildenafil

77. The FDA has approved sildenafil for treatment of erectile dysfunction. However, because of known side effects, drug interactions and contraindications, the FDA has deemed sildenafil to be a prescription drug that can only be administered under the supervision of a medical professional.

78. The serious side effects of sildenafil include, for example, priapism (i.e., prolonged penile erections leading to tissue death and potential permanent erectile dysfunction), severe hypotension (i.e., low blood pressure), myocardial infarction (i.e., heart attack), ventricular arrhythmias, stroke, increased intraocular pressure (i.e., increased eye fluid pressure), anterior optic neuropathy (i.e., permanent optic nerve damage), blurred vision, sudden hearing loss, and dizziness.

79. The serious negative drug interactions of sildenafil include, for example, (i) interacting with alkyl nitrites and alpha-1 blockers to cause angina and life-threatening hypotension, (ii) interacting with protease inhibitors to increase the incidence and severity of side effects of sildenafil alone, and (iii) interacting with erythromycin and cimetidine to cause prolonged plasma half-life levels.

80. In addition to these risks, contraindications of sildenafil include underlying cardiovascular risk factors (such as recent heart surgery, stroke or heart attack) since consumption of sildenafil by individuals with these conditions can greatly increase the risk of heart attack.

81. Because of these dangerous side effects, drug interactions and contraindications, the advice and authorization of appropriate licensed medical professionals is absolutely crucial for the safe consumption of sildenafil. Without

such safeguards, the consequences can be dire; the sale of mislabeled sildenafil in similar circumstances has led to multiple deaths reported in the media.

Defendants' Scheme

82. Defendants obtain various sexual enhancement supplements through intermediaries who distribute the Enhancement Products through a network of Sunoco branded retail locations, detailed herein, who own and operate independent businesses selling the Enhancement Products, disseminate false claims about the Enhancement Products, and profit from the sale of dangerous products to consumers at a large markup on each pill.

83. The Enhancement Products are all subject to FDA public announcements regarding their illicit contents; however, Defendants still participate in their sale, due to their profitability.

Defendants' False Statements Regarding The Enhancement Products

84. Defendant, 902 Dort, Inc., owns and operates the Sunoco at 902 S Dort Highway, Genesee, MI 48503, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

85. Defendant, S G Mini Mart Inc., owns and operates the Sunoco at 1403 Francis Street, Jackson, MI 49203, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Stiff Nights, Rhino 12 Titanium 6000, and Royal Honey VIP.

86. Defendant, Odish Odish, Inc., owns and operates the Sunoco at 715 S. Main Street, Lapeer, MI 48446, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000, Mamba is Hero, Herb Viagra, Stiff Nights, Black Panther, Rhino 12 Titanium 6000, S.W.A.G, and Man Of Steel 2.

87. Defendant, Odish Family, Inc., owns and operates the Sunoco at 1489 N. Main Street, Lapeer, MI 48446, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Man Of Steel 2, S.W.A.G, Stiff Nights, Rhino 7 Platinum 5000, Rhino 7 Platinum 3000, Black Mamba Premium, and Herb Viagra.

88. Defendant, T.Y. & Sons Enterprises, Inc., owns and operates the Sunoco at 36887 Groesbeck Highway, Clinton Township, MI 48035, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super Panther 7K, Mamba is Hero, Rhino 7 Platinum 5000, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, and Herb Viagra.

89. Defendant, Clinton Convenience, Inc., owns and operates the Sunoco at 41050 Garfield Road, Clinton Township, MI 48044, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Triple Green, S.W.A.G, Rhino 12 Titanium 6000, and Black Mamba Premium.

90. Defendant, Eastpointe Fuel, Inc., owns and operates the Sunoco at 23820 Gratiot Ave, Eastpointe, MI 48021, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super Panther 7K, Rhino 7 Platinum 5000, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, and Black Panther.

91. Defendant, Mound Road Operating Co., owns and operates the Sunoco at 25010 Mound Rd, Warren, MI 48088, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Mamba is Hero.

92. Defendant, Frank Fuels Inc., owns and operates the Sunoco at 28999 Schoenherr Road, Warren, MI 48088, which advertises and offers for sale various

sexual enhancement supplements, including without limitation, Rhino 12 Titanium 6000, and Rhino 8 Platinum 8000.

93. Defendant, Three Brothers Station Inc., owns and operates the Sunoco at 4051 14 Mile Road, Sterling Heights, MI 48310, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

94. Defendant, Armada Fuel Stop Operating Co., owns and operates the Sunoco at 16567 32 Mile Road, Armada, MI 48005, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Libigrow XXXXTREME, Rhino 8 Platinum 8000, and Triple PowerZEN Gold.

95. Defendant, Zora Brothers, Inc., owns and operates the Sunoco at 48990 Hayes Road, Macomb, MI 48044, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Black Panther, Rhino 7k 9000 Male Performance Booster, Rhino 7 Platinum 5000, Rhino 12 Titanium 6000, Stiff Nights, Libigirl, Black Mamba Premium, Black Mamba 2 Premium, S.W.A.G, and Herb Viagra.

96. Defendant, 3 Boys Inc., owns and operates the Sunoco at 58955 Gratiot Avenue, New Haven, MI 4804, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 12 Titanium 6000 and Rhino 25K 15000.

97. Defendant, Samad Enterprise Inc., owns and operates the Sunoco at 31611 Little Mack Avenue, Roseville, MI 48066, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Herb Viagra, and S.W.A.G.

98. Defendant, Milan And I-23 Gasoline Station, Inc., owns and operates the Sunoco at 1225 Dexter Street, Milan, MI 48160, which advertises and offers for

sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000 and Rhino 8 Platinum 8000.

99. Defendant, Ten & Greenfield Inc., owns and operates the Sunoco at 25000 Greenfield Road, Oak Park, MI 48237, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000.

100. Defendant, M&M Energy, LLC, owns and operates the Sunoco at 3410 Rochester Road, Troy, MI 48083, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Black Panther, Rhino 7 Platinum 5000, and Mamba is Hero.

101. Defendant, Dequindre Oil Co., owns and operates the Sunoco at 26461 Dequindre Road, Madison Heights, MI 48071, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super Panther 7K and Rhino 8 Platinum 8000.

102. Defendant, 10 Southfield Sunoco, Inc., owns and operates the Sunoco at 24848 Southfield Road, Southfield, MI 48075, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Triple PowerZEN Gold, Rhino 8 Platinum 8000, and Herb Viagra.

103. Defendant, Auburn Oil LLC, owns and operates the Sunoco at 1799 E. Auburn Road, Rochester Hills, MI 48307, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Mamba is Hero and Rhino 12 Titanium 6000.

104. Defendant, Aro Investments LLC, owns and operates the Sunoco at 25220 W. 8 Mile Road, Southfield, MI 48034, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000, Mamba is Hero, and Rhino 69 Platinum 9000.

105. Defendant, Knight Enterprises Inc., owns and operates the Sunoco at 43601 Grand River Avenue, Novi, MI 48377, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Herb Viagra.

106. Defendant, Knight Enterprises Inc., owns and operates the Sunoco at 22063 Farmington Road, Farmington, MI 48336, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Rhino 12 Titanium 6000, and Black Mamba Premium.

107. Defendant, F-FPD Inc., owns and operates the Sunoco at 203 S. Telegraph Road, Pontiac, MI 48341, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Super Panther 7K, and S.W.A.G.

108. Defendant, Walton Gas & Oil Inc., owns and operates the Sunoco at 260 E Walton Boulevard, Pontiac, MI 48340, which advertises and offers for sale various sexual enhancement supplements, including without limitation, New Stiff Nights Platinum 10K, Mamba is Hero, Rhino 7 Platinum 5000, Hard Ten Days, and Black Mamba 2 Premium.

109. Defendant, Baldwin Mini Mart, Inc., owns and operates the Sunoco at 720 Baldwin Road, Pontiac, MI 48340, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Hard Ten Days, Rhino 8 Platinum 8000, Triple Green, Rhino 7 Platinum 5000, Black Panther, Love Zen 3000, and Mamba is Hero.

110. Defendant, Kajy Jefferson, Inc., owns and operates the Sunoco at 29157 Jefferson Avenue, Saint Clair Shores, MI 48081, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000, Rhino 8 Platinum 8000, and Black 3K.

111. Defendant, Country Crossing Food Store, Inc., owns and operates the Sunoco at 8004 Marine City Highway, Casco, MI 48064, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000 and Triple PowerZEN Gold.

112. Defendant, BPSC, LLC, owns and operates the Sunoco at 23300 Harper Avenue, Saint Clair Shores, MI 48080, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Rhino 7 Platinum 5000, Herb Viagra, and B14ck 4k Capsules.

113. Defendant, State Fair Gas, Inc., owns and operates the Sunoco at 19854 Woodward Avenue, Detroit, MI 48203, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

114. Defendant, 8 Mile & Mitchell Inc., owns and operates the Sunoco at 3000 E. 8 Mile Road, Hamtramck, MI 48212, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Black Mamba.

115. Defendant, Hamilton One Stop Inc., owns and operates the Sunoco at 11731 Hamilton Ave, Detroit, MI 48202, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Black Panther and Black Mamba Premium.

116. Defendant, John R Gas & Mart Inc., owns and operates the Sunoco at 15 W. 8 Mile Road, Detroit, MI 48203, which advertises and offers for sale various sexual enhancement supplements, including without limitation, B14ck 4k Capsules, Libigrow, Rhino 7 Platinum 5000, Triple PowerZEN Gold, and Triple Power Zen Plus 2000.

117. Defendant, Benzeen Enterprise, Inc., owns and operates the Sunoco at 15464 Livernois Avenue, Detroit, MI 48238, which advertises and offers for sale

various sexual enhancement supplements, including without limitation, Super Panther 7K, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, and Bull.

118. Defendant, A & A Petro Mart Inc., owns and operates the Sunoco at 20581 Mound Road, Detroit, MI 48234, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, Mamba is Hero, Rhino 7k 9000 Male Performance Booster and Black Panther.

119. Defendant, Abeer Fuel Inc., owns and operates the Sunoco at 18021 Conant Street, Detroit, MI 48234, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 12 Titanium 6000, Black Mamba 2 Premium, and Rhino 25K 15000.

120. Defendant, Lonyo Petro Mart, LLC, owns and operates the Sunoco at 8258 Michigan Avenue, Detroit, MI 48210, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super Panther 7K and Rhino 12 Titanium 6000.

121. Defendant, L.A.N.A. Fuels, LLC, owns and operates the Sunoco at 32843 Ford Road, Garden City, MI 48135, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Rhino 12 Titanium 6000.

122. Defendant, Ford Petroleum LLC, owns and operates the Sunoco at 35425 Ford Road, Westland, MI 48185, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

123. Defendant, Liley and Joy Inc., owns and operates the Sunoco at 42495 Joy Road, Canton, MI 48187, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 69 Platinum 9000 and Rhino 7 Platinum 3000.

124. Defendant, Laith & R Mini Mart Inc., owns and operates the Sunoco at 17300 E. Warren Avenue, Detroit, MI 48224, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000 and Herb Viagra.

125. Defendant, Najar Petroleum LLC, owns and operates the Sunoco at 15201 E Seven Mile Road, Detroit, MI 48205, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

126. Defendant, University Petro LLC, owns and operates the Sunoco at 3720 W McNichols Road, Detroit, MI 48221, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Man of Steel 2, Rhino 7 Platinum 3000, and Black Panther.

127. Defendant, Zakka C-Store LLC, owns and operates the Sunoco at 3031 Fort Street, Lincoln Park, MI 48146, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 12 Titanium 6000.

128. Defendant, AJ Petro LLC, owns and operates the Sunoco at 13901 Wyoming Street, Detroit, MI 48238, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Mamba is Hero, Man Of Steel 2, Stiff Nights, and Herb Viagra.

129. Defendant, L M & H Enterprise, Inc., owns and operates the Sunoco at 19245 Schoolcraft, Detroit, MI 48223, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Herb Viagra.

130. Defendant, 20400 Grand River, L.L.C., owns and operates the Sunoco at 20400 Grand River Avenue, Detroit, MI 48219, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super

Panther 7K, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, Black Panther, and Triple PowerZEN Gold.

131. Defendant, Warren & Livernois Mini-Mart, Inc., owns and operates the Sunoco at 6330 W. Warren Avenue, Detroit, MI 482107, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000, Rhino 8 Platinum 8000, Black Panther, and Rhino 69 Platinum 9000.

132. Defendant, Nicks Petroleum LLC, owns and operates the Sunoco at 10005 W Warren Avenue, Dearborn, MI 48126, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Rhino 7 Platinum 5000.

133. Defendant, Michigan Stop & Go, Inc., owns and operates the Sunoco at 10000 Michigan Avenue, Dearborn, MI 48126, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000, Black Panther, Triple PowerZEN Gold, and Grande X 5800.

134. Defendant, Michigan Stop & Go, Inc., owns and operates the Sunoco at 8333 Allen Road, Allen Park, MI 48101, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000, Black Panther, Triple PowerZEN Gold, and Herb Viagra.

135. Defendant, S & H Mini Mart Inc., owns and operates the Sunoco at 7440 Dix Street, Detroit, MI 48209, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000, Super Panther 7K, and Triple PowerZEN Gold.

136. Defendant, Greenfield Sunoco Inc., owns and operates the Sunoco at 5074 Greenfield Road, Dearborn, MI 48126, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000.

137. Defendant, Ashta Ron, LLC, owns and operates the Sunoco at 27417 Five Mile Road, Livonia, MI 48150, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Super Panther 7K and Rhino 7 Platinum 5000.

138. Defendant, Meyers Fuel Mart Inc., owns and operates the Sunoco at 12711 W. 8 Mile Road, Detroit, MI 48235, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Herb Viagra and Rhino 69 Platinum 9000.

139. Defendant, OM Livonia Oil, Inc., owns and operates the Sunoco at 29835 8 Mile Road, Livonia, MI 48152, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000, Rhino 69 Platinum 9000, and Herb Viagra.

140. Defendant, MN Petro Mart Inc., owns and operates the Sunoco at 10200 12th Street, Detroit, MI 48206, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Herb Viagra, Stiff Nights, and Rhino 8 Platinum 8000.

141. Defendant, A & A Six Mile Fuel, Inc., owns and operates the Sunoco at 24861 W. McNichols Road, Detroit, MI 48219, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000 and Mamba is Hero.

142. Defendant, Soueidan Gas & Mini Mart Inc., owns and operates the Sunoco at 18854 Northline Road, Southgate, MI 48195, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 3000.

143. Defendant, 7 Mile & Tel Mini Mart Inc., owns and operates the Sunoco at 23540 W. 7 Mile Road, Detroit, MI 48219, which advertises and offers for sale

various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Rhino 12 Titanium 6000.

144. Defendant, Mack & Van Dyke Mini Mart Inc., owns and operates the Sunoco at 7961 Mack Avenue, Detroit, MI 48214, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 7 Platinum 5000 and Rhino 7 Platinum 3000.

145. Defendant, 88 Gas & Beer, Inc., owns and operates the Sunoco at 1992 S. Getty Street, Muskegon, MI 49442, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Boss-Rhino Gold X-tra Strength, Triple PowerZEN Gold,S.W.A.G, and Herb Viagra.

146. Defendant, Saginaw Oil Inc., owns and operates the Sunoco at 107 W. Genesee Avenue, Saginaw, MI 48602, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 69 Platinum 9000, Real Skill, and Herb Viagra.

147. Defendant, Genessee Inc., owns and operates the Sunoco at 1944 E. Genessee Avenue, Saginaw, MI 49601, which advertises and offers for sale various sexual enhancement supplements, including without limitation, Rhino 8 Platinum 8000 and Rhino 25K 15000.

148. The Defendants commercially market, advertise, distribute, disseminate, offer for sale and profit from the Enhancement Products. The Enhancement Products claim that they are “ALL NATURAL,” a “NATURAL FORMULA,” with “NO HARMFUL synthetic chemicals” and “NO PRESCRIPTION necessary.” They also claim to offer “NO HEADACHE” and to have limited side effects. However, such claims are materially false and misleading. Contrary to Defendants’ statements, recent FDA laboratory analyses have confirmed that the Enhancement Products contain sildenafil, a synthetic pharmaceutical with profound side effects, among other hidden drug ingredients.

149. All of the Defendants sell Rhino branded products, which all contain false statements. The Rhino branded products all falsely state that there is “no prescription necessary” and that it is a “natural formula.” These statements are dangerous and false.

150. Defendants’ false statements and advertising pose extreme health risks to consumers in at least two ways. First, by stating that no prescription is necessary to consume the Enhancement Products, Defendants mislead consumers into believing that the advice and authorization of a licensed medical professional is not required to mitigate or avoid the potentially life-threatening side effects, drug interactions and contraindications of sildenafil hidden in the Enhancement Products. Second, by failing to inform consumers that the Enhancement Products contain sildenafil, consumers who know that their medical history and drug prescriptions make sildenafil consumption dangerous may nevertheless consume the Enhancement Products because they are unaware that they contain sildenafil.

151. Accordingly, Defendants’ false and misleading advertising is dangerous to individual consumers and harmful to the dietary supplement industry as a whole. Defendants have created an illegitimate marketplace of consumers seeking to enhance their sexual performance but who are not informed, or who are misinformed, of the serious dangers of using Defendants’ Enhancement Products. The ubiquity of the Enhancement Products, their relatively low cost to manufacture in comparison to natural products, and their dramatic pharmacologic effects makes it so that legitimate sexual performance enhancement products, such as TriSteel or TriSteel 8 Hour, are at a huge disadvantage in their efforts to obtain market share.

Plaintiff’s Dietary Supplements: TriSteel and TriSteel 8 Hour

152. Plaintiff, OLP, is a manufacturer of DSHEA-compliant dietary supplements. Plaintiff manufactures and offers for sale TriSteel and TriSteel 8 Hour, male sexual performance enhancement supplements that promote increased sexual

desire and stamina. Plaintiff sells TriSteel and TriSteel 8 Hour in all 50 states through its website, as well as through many other online and storefront retail locations.

153. Natural products that work like TriSteel and TriSteel 8 Hour are significantly more expensive to manufacture than the Enhancement Products. Thus, Plaintiff is at a significant commercial disadvantage when Defendants sell synthetic drugs that are much more inexpensive to produce overseas, and falsely label them as being natural.

154. Defendants make significant profits by disseminating false statements to the consuming public that would instead purchase Plaintiff's directly competing products if Defendants were truthful about the nature and origin of the illicit products.

155. The ubiquity of the Enhancement Products, their relatively low cost to manufacture in comparison to DSHEA-compliant products (like TriSteel and TriSteel 8 Hour), and their dramatic pharmacologic effects makes it so that legitimate sexual performance enhancement products, such as TriSteel or TriSteel 8 Hour, struggle to obtain market share.

CLAIM FOR RELIEF

COUNT I

(False Advertising in Violation of Section 43(a)(1)(B) of the Lanham Act)

156. Plaintiff incorporates the allegations contained in the foregoing paragraphs as though fully set forth herein in their entirety.

157. Defendants have knowingly and purposely made false and misleading descriptions of fact concerning the nature, characteristics and qualities of the Enhancement Products by, without limitation, commercially marketing and claiming that the Enhancement Products that they sell are safe and natural "dietary supplements" that will enhance a consumer's sexual performance without requiring

a doctor's prescription, all while purposefully omitting that (a) the Enhancement Products contain sildenafil and therefore cannot be "dietary supplements," (b) sildenafil is not naturally occurring, (c) sildenafil is a prescription drug requiring the prior authorization and supervision of a licensed medical professional, and (d) consumption of sildenafil without consultation and advice from a licensed medical professional poses extreme health risks, including without limitation, hypotension, heart attack and death.

158. The use of such false, misleading and disingenuous marketing has the tendency to deceive a substantial segment of the public and consumers, including those in this district, into believing that they are purchasing a product with different characteristics.

159. This deception is material because it is likely to influence a consumer's purchasing decision, especially if the consumer (a) is looking for an all-natural sexual enhancement dietary supplement, (b) is purchasing the Enhancement Products out of an attempt to avoid Sildenafil because the consumer knows that Sildenafil poses special health risks given such consumer's medical history or current drug prescriptions, and/or (c) wants to avoid taking any prescription drugs, generally, but especially without the supervision of a licensed medical professional. The deception is also material because a consumer's decision to purchase the Enhancement Products could lead to dangerous and unanticipated health consequences of which consumers are not informed.

160. Defendants have introduced their false and misleading statements into interstate commerce via marketing and advertising on product packages and labels, and on display cases placed in retail locations in the state of Michigan. Defendants sell or offer to sell the Enhancement Products to transient interstate travelers.

161. Plaintiff has been injured as a result of Defendants' false and misleading statements. Specifically, Defendants' false and misleading advertising

concerning the Enhancement Products has negatively impacted Plaintiff's sales of TriSteel and TriSteel 8 Hour because both products are intended for sexual performance enhancement and target the same consumers. Thus, Plaintiff has suffered both an ascertainable economic loss of money and reputational injury by the diversion of business from Plaintiff to Defendants and the loss of goodwill in Plaintiff's products. The ubiquity of the Enhancement Products, their relatively low cost to manufacture in comparison to natural products (like TriSteel and TriSteel 8 Hour), and their dramatic pharmacologic effects makes it so that legitimate sexual performance enhancement products, such as TriSteel or TriSteel 8 Hour, struggle to obtain market share. Moreover, Defendants conduct has created reputational damage in that Defendants' misconduct damages the marketplace as a whole and has the tendency to disparage the goodwill associated with Plaintiff's brand.

162. Defendants' actions, as described above, constitute false and misleading descriptions and misrepresentations of fact in commerce that, in commercial advertising and promotion, misrepresent the nature, characteristics, and qualities of its products in violation of Section 43(a)(1)(B) of the Lanham Act.

COUNT II

(Violations of the Michigan Consumer Protection Act MCL 445.901, *et seq.*)

163. Plaintiff incorporates the allegations contained in the foregoing paragraphs as though fully set forth herein in their entirety.

164. The Michigan Consumer Protection Act prohibits "unfair, unconscionable, or deceptive methods, acts, or practices in the conduct of trade or commerce."

165. Defendants have knowingly and purposely made false and misleading descriptions of fact concerning the nature, characteristics and qualities of the Enhancement Products by, without limitation, commercially marketing and claiming that the Enhancement Products that they sell are safe and natural "dietary

supplements” that will enhance a consumer’s sexual performance without requiring a doctor’s prescription, all while purposefully omitting that (a) the Enhancement Products contain sildenafil and therefore cannot be “dietary supplements,” (b) sildenafil is not naturally occurring, (c) sildenafil is a prescription drug requiring the prior authorization and supervision of a licensed medical professional, and (d) consumption of sildenafil without consultation and advice from a licensed medical professional poses extreme health risks, including without limitation, hypotension, heart attack and death.

166. The use of such false, misleading and disingenuous marketing has the tendency to deceive a substantial segment of the public and consumers, including those in this district, into believing that they are purchasing a product with different characteristics.

167. This deception is material because it is likely to influence a consumer’s purchasing decision, especially if the consumer (a) is looking for an all-natural sexual enhancement dietary supplement, (b) is purchasing the Enhancement Products out of an attempt to avoid Sildenafil because the consumer knows that Sildenafil poses special health risks given such consumer’s medical history or current drug prescriptions, and/or (c) wants to avoid taking any prescription drugs, generally, but especially without the supervision of a licensed medical professional. The deception is also material because a consumer’s decision to purchase the Enhancement Products could lead to dangerous and unanticipated health consequences of which consumers are not informed.

168. Defendants have introduced their false and misleading statements into interstate commerce via marketing and advertising on product packages and labels, and on display cases placed in retail locations in the state of Michigan. Defendants sell or offer to sell the Enhancement Products to transient interstate travelers.

169. Plaintiff has been injured as a result of Defendants' false and misleading statements. Specifically, Defendants' false and misleading advertising concerning the Enhancement Products has negatively impacted Plaintiff's sales of TriSteel and TriSteel 8 Hour because both products are intended for sexual performance enhancement and target the same consumers. Thus, Plaintiff has suffered both an ascertainable economic loss of money and reputational injury by the diversion of business from Plaintiff to Defendants and the loss of goodwill in Plaintiff's products. The ubiquity of the Enhancement Products, their relatively low cost to manufacture in comparison to natural products (like TriSteel and TriSteel 8 Hour), and their dramatic pharmacologic effects makes it so that legitimate sexual performance enhancement products, such as TriSteel or TriSteel 8 Hour, struggle to obtain market share. Moreover, Defendants' conduct has created reputational damage in that Defendants' misconduct damages the marketplace as a whole and has the tendency to disparage the goodwill associated with Plaintiff's brand.

170. Defendants' actions, as described above, constitute false and misleading descriptions and misrepresentations of fact in commerce that, in commercial advertising and promotion, misrepresent the nature, characteristics, and qualities of its products in violation of MCL 445.903(1).

171. Defendants' violations of MCL 445.903(1) have been willful and intentional.

COUNT III

(Michigan Common Law Unfair Competition)

172. Plaintiff incorporates the allegations contained in the foregoing paragraphs as though fully set forth herein in their entirety.

173. Defendants' misrepresentations of fact as to the ingredients identified in the Enhancement Products constitutes unfair competition under the common law of the State of Michigan.

PRAYER

Wherefore, Plaintiff, OLP, prays for judgment against Defendants as follows:

174. For preliminary and permanent injunctive relief enjoining Defendants from falsely advertising any of the Enhancement Products, including but not limited to, Rhino 8 Platinum 8000, Rhino 7 Platinum 5000, Rhino 7 Platinum 3000, Rhino 12 Titanium 6000, Rhino 7k 9000 Male Performance Booster, Rhino 25K 15000, Rhino 69 Platinum 9000, Super Panther 7K, Mamba is Hero, Black Mamba, Black Mamba Premium, Black Mamba 2 Premium, Herb Viagra, Hard Ten Days, Stiff Nights, New Stiff Nights Platinum 10K, Royal Honey VIP, Black Panther, Bull, S.W.A.G., Man Of Steel 2, Black 3K, Triple PowerZEN Gold, Triple Power Zen Plus 2000, Triple Green, Libigrow XXXXTREME, Libigrow, Libigirl, Love Zen 3000, B14ck 4k Capsules, Grande X 5800, Boss-Rhino Gold X-tra Strength, and Real Skill;

175. For an award of compensatory damages to be proven at trial;

176. For a judgment determining that Defendants are liable to Plaintiff for unfair competition under the common law of the State of Michigan;

177. For an award of any and all of Defendants' profits arising from the foregoing acts;

178. For restitution of Defendants' ill-gotten gains;

179. For treble damages;

180. For punitive damages;

181. For costs and attorneys' fees; and

182. Any other relief the Court may deem appropriate.

Respectfully submitted this 13th day of August, 2018.

BOSS LAW

/s/ Christopher W. Boss

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