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ELECTRONICALLY FILED BY  
Superior Court of California,  
County of Monterey  
On 6/27/2022  
By Deputy: Cummings, Lorielle

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **FOR THE COUNTY OF MONTEREY**

11 PEOPLE OF THE STATE OF CALIFORNIA,

12 Plaintiff,

13 vs.

14 BRUCE WEST, an individual;  
15 HEALTH ALERT/IMMUNE SYSTEMS, INC., a  
16 California corporation; and  
17 DOES 1 through 50, inclusive,

18 Defendants.

Case No.: 21CV001833

**STIPULATED FINAL JUDGMENT**

19  
20 Pursuant to the Stipulation for Entry of Final Judgment, between Plaintiff, the PEOPLE OF THE  
21 STATE OF CALIFORNIA through its attorneys Jeannine M. Pacioni, Monterey County District Attorney,  
22 by Emily D. Hickok, Deputy District Attorney, and Defendant HEALTH ALERT/IMMUNE SYSTEM,  
23 INC., a California corporation through its attorneys, Jeffrey Benice, Benice Law, who having consented to  
24 the entry of this Stipulated Final Judgment without the taking of evidence, without trial or adjudication of  
25 any facts herein, and good cause appearing,

26 **IT IS HEREBY ORDERED AND DECREED THAT:**

- 27 1. This action is brought under California law and this Court has jurisdiction over the subject  
28

1 matter hereof and the parties hereto.

2 **DEFINITIONS**

3 2. The following words and phrases in this Stipulated Final Judgment have the meaning set  
4 forth below:

5 a. "COMPETENT AND RELIABLE SCIENTIFIC EVIDENCE" means tests,  
6 analyses, research, studies, or other evidence based upon the expertise of professionals in the  
7 relevant area, that have been conducted and evaluated in an objective manner by persons  
8 qualified to do so, using procedures generally accepted in the scientific community to yield  
9 accurate and reliable results.

10 b. "DISEASE" has the same meaning as set forth in 21 Code of Federal Regulations  
11 ("C.F.R.") section 101.93(g)(1).

12 c. "ENDORSEMENT" has the same meaning as set forth in 16 C.F.R. section  
13 255.0.

14 **INJUNCTION**

15 1. Defendant HEALTH ALERT/IMMUNE SYSTEMS, INC. and its principals, employees,  
16 agents and representatives, are hereby permanently enjoined and restrained, pursuant to California  
17 Business and Professions Code sections 17203, 17204, and 17535, and the Court's inherent equity  
18 powers, from directly or indirectly doing any of the following within the State of California:

19 a. Representing, expressly or impliedly, that any drug can mitigate, treat, cure, or  
20 prevent any DISEASE unless, at the time of making and/or disseminating such representation, it  
21 is true, not misleading, and Defendant already has in its possession and relies upon  
22 COMPETENT AND RELIABLE SCIENTIFIC EVIDENCE that substantiates such  
23 representation;

24 b. Making and/or disseminating any representation, expressly or by implication,  
25 about the health-related benefits available to California consumers due to the ingestion of any  
26 dietary supplement or other product, or its ingredients, unless, at the time of making and/or  
27 disseminating such representation, it is true, not misleading, and Defendant already has in its  
28 possession and relies upon COMPETENT AND RELIABLE SCIENTIFIC EVIDENCE that

1 substantiates such representation;

2 c. Violating Business and Professions Code section 17500;

3 d. Violating Business and Professions Code section 2052, by practicing medicine  
4 without a certificate;

5 e. Violating Business and Professions Code section 2054(a), by using the words  
6 “doctor” and “Dr.” in advertisements by those who are not certified as a physician;

7 f. Violating title 16 of the California Code of Regulations section 310.2, by using  
8 the words “doctor” and “Dr.” and “D.C.” in advertisements by those who are not licensed as a  
9 chiropractor;

10 g. Violating Health and Safety Code section 110390, by disseminating false and  
11 misleading advertisements of a food or drug;

12 h. Violating Health and Safety Code section 110395, by selling, delivering, holding,  
13 and offering for sale a food or drug that is falsely advertised;

14 i. Violating Health and Safety Code section 110398, by advertising a food or drug  
15 that is misbranded;

16 j. Violating Health and Safety Code section 110400, by delivering or proffering for  
17 delivery a food or drug that is falsely advertised;

18 k. Violating Health and Safety Code 110403, by advertising a drug represented to  
19 have an effect on the following conditions, disorders, or diseases, including by not limited to,  
20 bone or joint diseases, cancer, diabetes, heart and vascular diseases, high blood pressure, mental  
21 diseases, sinus infections, and diseases, disorders, and conditions of the immune system;

22 l. Violating Health and Safety Code section 111440, by selling, delivering, holding,  
23 or offering to sell a drug that is misbranded;

24 m. Violating Health and Safety Code section 111445, by misbranding a drug;

25 n. Violating Health and Safety Code section 111450, by delivering or proffering for  
26 delivery a drug that is misbranded;



1 **JURISDICTION**

2 5. Jurisdiction is retained for the purpose of enabling any party to this judgment to apply to  
3 the court at any time for such further orders or directions (subject to paragraph 3 of the Stipulation for  
4 Entry of Final Judgment) as may be necessary or appropriate for carrying out this Stipulated Final  
5 Judgment, for the resolution of any dispute or for the modification or termination of any of the injunctive  
6 provisions herein, for the enforcement of compliance therewith, and the punishment of violation thereof,  
7 and for the resolution of any dispute.

8 6. This Stipulated Final Judgment shall take effect immediately upon entry thereof. The  
9 parties waive their right to appeal this judgment both as to form and content.

10  
11  
12 Dated: 6/27/22

  
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JUDGE OF THE MONTEREY COUNTY SUPERIOR COURT  
**Thomas W. Wills**