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17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 **TARA HARGROVE**, an individual,  
20  
21 Plaintiff,

22 **v.**

23 **WOLFGANG PUCK ENTERPRISES,**  
24 **INC.** a California Corporation **and W.P.**  
25 **APPLIANCES, INC.,** a Florida  
26 Corporation,  
27  
28 Defendants.

Case No.:

**COMPLAINT AND DEMAND FOR  
JURY TRIAL**

1. Strict Products Liability
2. Negligent Products Liability
3. Breach of Implied Warranty of Merchantability
4. Breach of Implied Warranty of Fitness for a Particular Purpose

29 Plaintiff, **TARA HARGROVE** (hereafter referred to as “Plaintiff”), by and  
30 through her undersigned counsel, **JOHNSON BECKER, PLLC** and **HARLAN LAW,**  
31 **P.C.**, hereby submits the following Complaint and Demand for Jury Trial against  
32 Defendant **WOLFGANG PUCK ENTERPRISES, INC.** (“Wolfgang Enterprises”)

### Join the hundreds of people holding manufacturers accountable for defective and unsafe pressure cookers by asserting your pressure cooker personal injury claim.

Pressure cooker manufacturers market their products as a quick, healthy and safe way to cook. However, the reality is that many of the pressure cookers on the market have serious design flaws that can lead to severe malfunctions. These malfunctions can cause steam and scalding hot liquids and food to explode out of the pressure cooker, burning the user and anyone nearby.

The pressure cooker litigation team at Johnson Becker is experienced at holding manufacturers responsible for defective products. Over the last four years, Johnson Becker has represented over 500 people in more than 40 states who have been burned by exploding pressure cookers. In addition, we have handled pressure cooker cases against virtually all of the major name-brand manufacturers.

Each pressure cooker lawsuit is dependent on its own unique facts, but our firm continues to successfully file lawsuits against the manufacturers of defective pressure cookers and obtain settlements for our clients. We believe that holding manufacturers responsible for our clients' injuries not only helps our clients, but prevents future injuries by forcing manufacturers to evaluate and improve the safety of their products.

### What Our Clients Say About Us . . .

“Johnson Becker was so helpful and easy to work with. They were always immediately available to answer my questions and they kept me up to date every step of the way. All the staff were extremely compassionate and professional. If you need a firm to handle your litigation, I highly recommend Johnson Becker.” -*Sandy F.*

“My experience with Johnson and Becker especially working with Mr Adam and Mr Mike has been beyond explainable. They are an amazing team. Mr Adam has been in touch with me throughout the whole process, never left me wondering. This law firm has worked with me to get the best results and . . . everything they said they would do, they did it. I would highly recommend them to anyone who needs a great law firm.” -*Brenika L.*

“The service we received from Adam Kress and his team was outstanding. We came away feeling like we had a new friend. Our biggest surprise was that this company not only works on getting money for their clients, they actually care about getting unsafe products off the market. Thanks Johnson and Becker for making us feel like we helped make the world a little safer!” -*Ken C.*

### Meet Our Pressure Cooker Attorneys:

Combined, they have over 55 years of experience holding manufacturers accountable when they choose to put profits over safety.

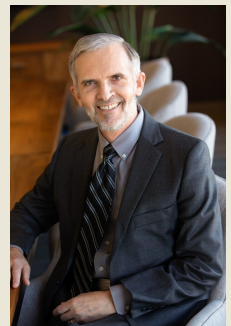
#### Michael Johnson

is a founding partner of Johnson Becker and the Co-Chair of its Consumer Products and Mass Tort Departments. Michael exclusively represents individuals across the country injured by defective and dangerous products, with an emphasis on consumer goods. Michael has battled major product manufacturers at trial, in the appellate courts, and all the way to the U.S. Supreme Court.



#### Kenneth Pearson

is a partner at Johnson Becker. A graduate of Harvard Law School, Ken began his career representing product manufacturers. He now draws on that experience to exclusively represent individuals seeking recovery for product-related personal injuries in state and federal courts nationwide.



#### Adam Kress

began his career at Johnson Becker in 2013, and has exclusively represented plaintiffs in product liability, personal injury and wrongful death claims. Adam co-chairs the firm's Consumer Products Department.



1 and Defendant **W.P. APPLIANCES, INC.** (hereafter referred to as “Wolfgang  
2 Appliances”) (collectively referred to as “Defendants”), and alleges the following upon  
3 personal knowledge and belief, and investigation of counsel:

4 **NATURE OF THE CASE**

5 1. Defendants design, manufacture, market, import, distribute and sell a  
6 wide-range of consumer kitchen products, including the subject “Wolfgang Puck Elite  
7 Heavy Duty 7-quart Electric Pressure Cooker,” which specifically includes the Model  
8 Number BPCRM040 (referred to hereafter as “pressure cooker(s)”) that is at issue in  
9 this case.

10 2. Defendant touts the “safety”<sup>1</sup> of its pressure cookers, and states that they  
11 cannot be opened while in use. Despite Defendant’s claims of “safety,” it designed,  
12 manufactured, marketed, imported, distributed and sold, both directly and through  
13 third-party retailers, a product that suffers from serious and dangerous defects. Said  
14 defects cause significant risk of bodily harm and injury to its consumers.

15 3. Specifically, said defects manifest themselves when, despite Defendants’  
16 statements, the lid of the pressure cooker is removable with built-up pressure, heat  
17 and steam still inside the unit. When the lid is removed under such circumstances,  
18 the pressure trapped within the unit causes the scalding hot contents to be projected  
19 from the unit and into the surrounding area, including onto the unsuspecting  
20 consumers, its families and other bystanders. The Plaintiff in this case was able to  
21 remove the lid while the pressure cooker retained pressure, causing her catastrophic  
22 bodily injuries and damages.

23 4. Defendants knew or should have known of these defects but has  
24 nevertheless put profit ahead of safety by continuing to sell its pressure cookers to  
25 consumers, failing to warn said consumers of the serious risks posed by the defects,  
26 and failing to recall the dangerously defective pressure cookers regardless of the risk

27 \_\_\_\_\_  
28 <sup>1</sup> See, e.g. Wolfgang Puck BPCRM040 Owner’s manual, pg. 10. A copy of the owner’s  
manual is attached hereto as “Exhibit A”.

1 of significant injuries to Plaintiff and consumers like her.

2 5. As a direct and proximate result of Defendants' collective conduct, the  
3 Plaintiff in this case incurred significant and painful bodily injuries, medical expenses,  
4 lost wages, physical pain, mental anguish, and diminished enjoyment of life.

5 **PLAINTIFF TARA HARGROVE**

6 6. Plaintiff is a resident and citizen of Fort Wayne, Indiana.

7 7. On or about May 12, 2020, Plaintiff suffered serious and substantial burn  
8 injuries as the direct and proximate result of the pressure cooker's lid being able to be  
9 rotated and opened while the pressure cooker was still under pressure, during the  
10 normal, directed use of the Pressure Cooker, allowing its scalding hot contents to be  
11 forcefully ejected from the pressure cooker and onto Plaintiff. The incident occurred as  
12 a result of the failure of the pressure cooker's supposed "safety" mechanisms, which  
13 purport to keep the consumer safe while using the pressure cooker. In addition, the  
14 incident occurred as the result of Defendant's failure to redesign the pressure cooker,  
15 despite the existence of economical, safer alternative designs.

16 **DEFENDANTS WOLFGANG PUCK ENTERPRISES, INC. & W.P.**

17 **APPLIANCES, INC.**

18 8. Defendants design, manufacture, market, import, distribute and sell a  
19 variety of consumer kitchen products including pressure cookers, air fryers, and  
20 blenders, amongst others.

21 9. Defendant Wolfgang Enterprises is a California corporation with its  
22 principle place of business at 11400 West Olympic Boulevard, Suite 330, Los Angeles,  
23 CA 90064.

24 10. Defendant W.P. Appliances is Florida corporation with its principle place  
25 of business at 2475 Hollywood Boulevard, Hollywood, Florida 33020.

26 **JURISDICTION AND VENUE**

27 11. This Court has subject matter jurisdiction over this case pursuant to  
28 diversity jurisdiction prescribed by 28 U.S.C. § 1332 because the matter in controversy

1 exceeds the sum or value of \$75,000, exclusive of interest and costs, and there is  
2 complete diversity between the parties.

3 12. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because  
4 Defendant is a resident and citizen of this district.

5 13. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because  
6 Defendants have sufficient minimum contacts with the State of California and has  
7 intentionally availed itself of the markets within California through the promotion,  
8 sale, marketing, and distribution of its products.

9 **FACTUAL BACKGROUND**

10 14. Defendants are engaged in the business of designing, manufacturing,  
11 warranting, marketing, importing, distributing and selling the pressure cooker at  
12 issue in this litigation.

13 15. Defendants boast that their pressure cookers have a “safety feature” that  
14 will prevent the lid from opening while the unit remains under pressure.

15 16. According to the Owner’s Manual accompanying each individual unit  
16 sold, the pressure cookers’ “safety feature” purportedly keeps the lid of the pressure  
17 cooker from opening once pressurize.

18 17. Specifically, the manual states that “[a]s a safety feature, the lid will not  
19 open unless all pressure is reduced.”<sup>2</sup>

20 18. By reason of the forgoing acts or omissions, the above-named Plaintiff  
21 and/or her family purchased the pressure cooker with the reasonable expectation that  
22 it was properly designed and manufactured, free from defects of any kind, and that it  
23 was safe for its intended, foreseeable use of cooking.

24 19. Plaintiff used his pressure cooker for its intended purpose of preparing  
25 meals for herself and/or family and did so in a manner that was reasonable and  
26 foreseeable by the Defendants.

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<sup>2</sup> *Id.* at pg. 10.



1 ENTERPRISES, INC. & W.P. APPLIANCES, INC., ALLEGES AS FOLLOWS:

2 26. Plaintiff incorporates by reference each preceding and succeeding  
3 paragraph as though set forth fully at length herein.

4 27. At the time of Plaintiff's injuries, Defendants' pressure cookers were  
5 defective and unreasonably dangerous for use by foreseeable consumers, including  
6 Plaintiff.

7 28. Defendants' pressure cookers were in the same or substantially similar  
8 condition as when they left the possession of the Defendants.

9 29. Plaintiff and her family did not misuse or materially alter the pressure  
10 cooker.

11 30. The pressure cookers did not perform as safely as an ordinary consumer  
12 would have expected them to perform when used in a reasonably foreseeable way.

13 31. Further, a reasonable person would conclude that the possibility and  
14 serious of harm outweighs the burden or cost of making the pressure cookers safe.  
15 Specifically:

16 a. The pressure cookers designed, manufactured, sold, and supplied by  
17 Defendants were defectively designed and placed into the stream of  
18 commerce in a defective and unreasonably dangerous condition for  
19 consumers;

20 b. The seriousness of the potential burn injuries resulting from the product  
21 drastically outweighs any benefit that could be derived from its normal,  
22 intended use;

23 c. Defendants failed to properly market, design, manufacture, distribute,  
24 supply, and sell the pressure cookers, despite having extensive knowledge  
25 that the aforementioned injuries could and did occur;

26 d. Defendants failed to warn and place adequate warnings and instructions  
27 on the pressure cookers;

28 e. Defendants failed to adequately test the pressure cookers; and

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f. Defendants failed to market an economically feasible alternative design, despite the existence of economical, safer alternatives, that could have prevented the Plaintiff injuries and damages.

32. At the time of Plaintiff's injuries, Defendants' pressure cookers were defective and unreasonably dangerous for use by foreseeable consumers, including Plaintiff.

33. Defendants' actions and omissions were the direct and proximate cause of the Plaintiff's injuries and damages.

**WHEREFORE**, Plaintiff demands judgment against Defendants for damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper. Plaintiff reserves the right to amend the complaint to seek punitive damages if and when evidence or facts supporting such allegations are discovered.

**SECOND CAUSE OF ACTION**  
**NEGLIGENT PRODUCTS LIABILITY**

PLAINTIFF, FOR A SECOND CAUSE OF ACTION AGAINST WOLFGANG PUCK ENTERPRISES, INC. & W.P. APPLIANCES, INC., ALLEGES AS FOLLOWS:

34. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

35. Defendants had a duty of reasonable care to design, manufacture, market, and sell non-defective pressure cookers that are reasonably safe for its intended uses by consumers, such as Plaintiff and her family.

36. Defendants failed to exercise ordinary care in the manufacture, sale, warnings, quality assurance, quality control, distribution, advertising, promotion, sale and marketing of its pressure cookers in that Defendants knew or should have known that said pressure cookers created a high risk of unreasonable harm to the Plaintiff and consumers alike.



1 37. Defendants were negligent in the design, manufacture, advertising,  
2 warning, marketing and sale of its pressure cookers in that, among other things, it:

- 3 a. Failed to use due care in designing and manufacturing the pressure  
4 cookers to avoid the aforementioned risks to individuals;  
5 b. Placed an unsafe product into the stream of commerce; and  
6 c. Were otherwise careless or negligent.

7 38. Despite the fact that Defendants knew or should have known that  
8 consumers were able to remove the lid while the pressure cookers were still  
9 pressurized, Defendants continued to market its pressure cookers to the general  
10 public.

11 **WHEREFORE**, Plaintiff demands judgment against Defendants for damages,  
12 together with interest, costs of suit, attorneys' fees, and all such other relief as the  
13 Court deems proper. Plaintiff reserves the right to amend the complaint to seek  
14 punitive damages if and when evidence or facts supporting such allegations are  
15 discovered.

16 **THIRD CAUSE OF ACTION**

17 **BREACH OF IMPLIED WARRANTY OF MERCHANTABILITY**

18 PLAINTIFF, FOR A THIRD CAUSE OF ACTION AGAINST  
19 WOLFGANG PUCK ENTERPRISES, INC. & W.P. APPLIANCES, INC., ALLEGES  
20 AS FOLLOWS

21 39. Plaintiff incorporates by reference each preceding and succeeding  
22 paragraph as though set forth fully at length herein.

23 40. At the time Defendants marketed, distributed and sold its pressure  
24 cookers to the Plaintiff in this case, Defendants warranted that its pressure cookers  
25 were merchantable and fit for the ordinary purposes for which they were intended.

26 41. Members of the consuming public, including consumers such as Plaintiff,  
27 were intended third-party beneficiaries of the warranty.

28 42. Plaintiff reasonably relied on Defendants' representations that its

1 pressure cookers were a quick, effective and safe means of cooking.

2 43. Defendants' pressure cookers were not merchantable because they had  
3 the propensity to lead to the serious personal injuries as described herein in this  
4 Complaint.

5 44. Plaintiff used the pressure cooker with the reasonable expectation that it  
6 was properly designed and manufactured, free from defects of any kind, and that it  
7 was safe for its intended, foreseeable use of cooking.

8 45. Defendants' breach of implied warranty of merchantability was the direct  
9 and proximate cause of Plaintiff's injury and damages.

10 **WHEREFORE**, Plaintiff demands judgment against Defendants for damages,  
11 together with interest, costs of suit, attorneys' fees, and all such other relief as the  
12 Court deems proper. Plaintiff reserves the right to amend the complaint to seek  
13 punitive damages if and when evidence or facts supporting such allegations are  
14 discovered.

15 **FOURTH CAUSE OF ACTION**

16 **BREACH OF IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR**  
17 **PURPOSE**

18 PLAINTIFF, FOR A FOURTH CAUSE OF ACTION AGAINST WOLFGANG  
19 PUCK ENTERPRISES, INC. & W.P. APPLIANCES

20 46. Plaintiff incorporates by reference each preceding and succeeding  
21 paragraph as though set forth fully at length herein.

22 47. Defendants manufactured, supplied, and sold its pressure cookers with  
23 an implied warranty that they were fit for the particular purpose of cooking quickly,  
24 efficiently and safely.

25 48. Members of the consuming public, including consumers such as Plaintiff,  
26 were the intended third-party beneficiaries of the warranty.

27 49. Defendants' pressure cookers were not fit for the particular purpose as a  
28 safe means of cooking, due to the unreasonable risks of bodily injury associated with

1 its use.

2 50. Plaintiff reasonably relied on Defendants' representations that its  
3 pressure cookers were a quick, effective and safe means of cooking.

4 51. Defendants' breach of the implied warranty of fitness for a particular  
5 purpose was the direct and proximate cause of Plaintiff's injuries and damages.

6 **WHEREFORE**, Plaintiff demands judgment against Defendant for and  
7 punitive damages according to proof, together with interest, costs of suit, attorneys'  
8 fees, and all such other relief as the Court deems proper. Plaintiff reserves the right to  
9 amend the complaint to seek punitive damages if and when evidence or facts  
10 supporting such allegations are discovered.

11 **INJURIES & DAMAGES**

12 52. As a direct and proximate result of Defendants' collective negligence and  
13 wrongful misconduct as described herein, Plaintiff has suffered and will continue to  
14 suffer physical and emotional injuries and damages including past, present, and future  
15 physical and emotional pain and suffering as a result of the incident. Plaintiff is  
16 entitled to recover damages from Defendants for these injuries in an amount which  
17 shall be proven at trial.

18 53. As a direct and proximate result of Defendants' collective negligence and  
19 wrongful misconduct, as set forth herein, Plaintiff has incurred and will continue to  
20 incur the loss of full enjoyment of life and disfigurement as a result of the incident.  
21 Plaintiff is entitled to recover damages for loss of the full enjoyment of life and  
22 disfigurement from Defendants in an amount to be proven at trial.

23 54. As a direct and proximate cause of Defendants' negligence and wrongful  
24 misconduct, as set forth herein, Plaintiff has and will continue to incur expenses for  
25 medical care and treatment, as well as other expenses, as a result of the catastrophic  
26 burns she suffered as a result of the incident. Plaintiff is entitled to recover damages  
27 from Defendants for her past, present and future medical and other expenses in an  
28 amount which shall be proven at trial.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff demands judgment against the Defendants as follows:

- A. That Plaintiff has a trial by jury on all of the claims and issues;
- B. That judgment be entered in favor of the Plaintiff and against Defendants on all of the aforementioned claims and issues;
- C. That Plaintiff recover all damages against Defendants, general damages and special damages, including economic and non-economic, to compensate the Plaintiff for her injuries and suffering sustained because of the use of the Defendants’ defective pressure cooker;
- D. That all costs be taxed against Defendants;
- E. That prejudgment interest be awarded according to proof;
- F. That Plaintiff be awarded attorney’s fees to the extent permissible under Federal and California law; and
- G. That this Court awards any other relief that it may deem equitable and just, or that may be available under the law of another forum to the extent the law of another forum is applied, including but not limited to all reliefs prayed for in this Complaint and in the foregoing Prayer for Relief.

Dated: April 28, 2022

**HARLAN LAW, P.C**

*/s/ Jordon Harlan, Esq*  
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*In association with:*

**JOHNSON BECKER, PLLC.**

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**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff demands a trial by jury of all the claims asserted in this Complaint so triable.

**Dated: April 28, 2022**

**JOHNSON BECKER, PLLC**

By /s/ Jordon Harlan, Esq  
Jordon Harlan, Esq. (CA #273978)