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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

TRACY COHEN,)
)
 Plaintiff,)
)
 vs.)
)
 KERING AMERICAS, INC., and)
 GUCCI AMERICA, INC.,)
)
 Defendants.)

Case No. 2024 CH 05844
Judge Pamela McLean Meyerson
Jury Demanded

FIRST AMENDED CLASS ACTION COMPLAINT

Comes now Plaintiff TRACY COHEN, and files this Class Action Complaint against Defendants KERING AMERICAS, INC., and GUCCI AMERICA, INC., and alleges the following:

1. Plaintiff brings this action under the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1 *et seq.* and for unjust enrichment.

PARTIES

2. Plaintiff Tracy Cohen is a resident of Cook County, Illinois. She is a former top-selling Gucci Chicago employee who sold nearly \$50 million in goods over the course of her nearly 18-year career.

3. Defendant Kering Americas, Inc. ("Kering"), a foreign for-profit corporation, is a global luxury group that owns fashion and goods "houses," including Gucci, Balenciaga, Bottega Veneta, Yves Saint Laurent, and Alexander McQueen. Kering's U.S. headquarters is located at 65 Bleeker Street, 2nd Floor, New York, New York 10012.

4. Gucci America, Inc. ("Gucci"), also a foreign for-profit corporation, is a Kering-owned luxury brand. Gucci does business in Chicago, as well as throughout the State of Illinois. Gucci's U.S. headquarters is located at 195 Broadway, New York, New York 10007. Upon information and belief, Gucci accounted for roughly one-half of Kering's \$21.2 billion in revenues in 2023.

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JURISDICTION AND VENUE

5. Jurisdiction over Defendants is proper under 735 ILCS 5/2-209(a)(1) because they transacted business within the State of Illinois.

6. Venue is proper in Cook County under 735 ILCS 5/2-101 because all defendants are nonresidents of Illinois and because a substantial portion of the transactions complained of herein occurred in Cook County, Illinois.

FACTUAL ALLEGATIONS

7. Plaintiff worked as a sales associate for Defendants at its Gucci Chicago retail store from August 2006 until October 2023, devoting the largest part of her career to the brand.

8. Over the course of her nearly 18-year career, Plaintiff developed a trusting relationship with her clients. Plaintiff truly loved selling Gucci's products. Plaintiff's dream was to one day earn a promotion that placed her in Italy, working for Gucci.

9. As a result of Plaintiff's work ethic and the trust her clients placed in her, Plaintiff became Gucci Chicago's #1 top performer for six years in a row, from 2017-2023. Over the course of her career, Plaintiff sold nearly \$50 million in Gucci products.

10. Defendants trained Plaintiff to perform a "selling ceremony" when presenting exotic skinned bags. She was instructed to put on black gloves, then tell the customer the following:

- a) the skins were sourced ethically;
- b) the snakes and crocodiles were not tortured;
- c) the snake skins were obtained through a natural shedding process; and,
- d) the hides are a byproduct of the meat industry; and,
- e) we only work with suppliers that have certified humane treatment of animals.

11. Plaintiff's trusting customers relied on her representations. As a result, she sold countless Gucci products, crafted from "exotic" crocodile/alligator and python skins, including but not limited to men's loafers, women's sandals, wallets, luggage, and handbags.

"ETHICS IS AT THE HEART OF OUR BUSINESS CONDUCT"

12. At all times relevant, Defendants publicly posted their "Code of Ethics,"¹ claiming, among other things, that "**[e]thics is at the heart of our business conduct,**" and that they have a "**powerful moral commitment,**" as well as a "**culture of integrity.**"

Ethics is at the heart of our business conduct. For Kering, it is a powerful moral commitment as well as a principle of trust essential to the sustainable development of our business. This culture of integrity is of course based on compliance with laws and regulations, but equally on the commitment of each and every employee to the values of the Group.

Since 2005, following the Ethics Charter which we drew up in 1996, Kering's Code of Ethics defines the major principles which frame and guide our daily actions. This Code provides a framework for what is expected from each and every one of our employees in our professional activities, and when we are in contact with our stakeholders: colleagues, customers, shareholders and business partners. It also defines Kering's commitment to the environment and to society at large, in which the Group intends to fully play its part as an engaged and responsible corporate citizen.

The Group Suppliers' Charter, included in our Code of ethics, firmly establishes what we expect from our business partners as regards ethics, particularly in terms of respecting Human Rights and fundamental freedoms as well as environmental protection.

Finally, our Code of ethics is a reminder of our ethical whistleblowing system that enables any Group or external employee to report a violation or suspected breach of our Code and its principles.

Breaches of our Principles may be subject to disciplinary actions (e.g. warning letter, termination of employment ...) or result in process and/or governance reforms, and are assessed on a case-by-case basis, depending on the severity of the situation.

¹ Kering Code of Ethics, https://www.kering.com/api/download-file/?path=Kering_Code_Ethique2019_DEF_A4_English_c1905526c6.pdf

13. At all times relevant, Defendants publicly posted their "Sustainability Principles,"² claiming the following, including but not limited to:

- a) "Gucci and Kering Group are committed to [...] **respect animal welfare;**"
- b) "Gucci and Kering Group are **committed to ethical practices in the capture, maintaining, breeding, raising, transportation, handling and slaughter of our animals** in our leather, fur, and exotics skins [...] supply chains;"
- c) "[A]ll such animals should benefit from [...] **freedom from pain;**" and,
- d) "**[A]ll such animals should benefit from [...] freedom from fear and distress, by providing conditions and treatment that avoid mental suffering.**"

14. At all times relevant, Defendants publicly claimed they had a "Human Rights Policy"³ claiming, in relevant part:

- a) Kering has "**high standards of animal welfare** in all aspects of handling, raising, transportation and abattoirs;" and,
- b) "Kering **implements and verifies the highest standards of animal welfare** across its supply chains and works to reduce issues around traceability. To that end, it created the Kering Animal Welfare Standards in May 2019, applicable to Group suppliers at farms and abattoirs."

15. At all times relevant, Kering also publicly claimed it had "Kering Animal Welfare Standards,"⁴ claiming, in relevant part:

- a) "**A key pillar in animal care is ensuring that the highest standards of animal welfare are in place.** To ensure care and respect for animals in Kering's supply chains, Kering has developed a suite of animal welfare standards for the Group's suppliers at farms and processing facilities;"
- b) "Fundamental to Luxury is the creation of beautiful products that are made with the highest standards of care and quality in all aspects of their production. This prerequisite must extend to all animal-based raw materials and, accordingly, **Kering is focused on implementing and verifying the highest standards of animal welfare across our supply chains;**"

² Gucci Sustainability Principles, <https://www.gucci.com/documents/Principles.pdf>

³ Kering Human Rights Policy, p 27 https://www.kering.com/api/download-file/?path=Kering_Human_rights_policy_English_version_649c2cef66.pdf

⁴ Kering Animal Welfare Standards, https://www.kering.com/api/download-file/?path=Document_Kering_Animal_Welfare_Standards_EN_only_507afc99e4.pdf

- c) That animals are Kering believes that "animal welfare is synonymous with quality of life" and the Kering Animal Welfare Standards strives to provide animals with the following, including but not limited to: "[h]andled carefully and calmly with no mistreatment or abuse," and that there is "[h]umane handling at end of life;" and,
- d) **Kering is a leader in the development of auditable standards for python farms** and a number of these have been developed through the Python Conservation Partnership (PCP), which Kering founded with the Internation [sic] [International] Union for Conservation of Nature (IUCN) and the International Trade Centre (ITC)."

16. At all times relevant, Kering also had a policy entitled, "Standards for Raw Materials and Manufacturing Processes,"⁵ claiming, in relevant part, that Kering has the "highest standards" in animal welfare, including but not limited to:

- a) "Kering is **committed to strictly ensuring that these skins are sourced according to the highest standards of animal welfare**, ecological sustainability and working conditions;" and,
- b) "In regards to animal welfare, maintaining the **highest standards in the way the animals are managed, handled, harvested, transported and slaughtered** is fundamental to Kering's principles and, more broadly, to the long term success of the precious skin trade."

17. In 2017, **Defendants publicly stated that they were buying their own python farms in Thailand** to ensure that exotic animals would be raised in "the best conditions for animals, farmers and the ecosystem." **Marie-Claire Daveu, Kering's Chief Sustainability Officer, said the company intended to secure the supply of skins and show how farming could be done "sustainably and humanely."**⁶

⁵ Standards for Raw Materials and Manufacturing Processes, https://www.kering.com/api/download-file/?path=Kering_Standards_EN_b64b0ce7a9.pdf

⁶ Sarah Butler, "*Gucci owner gets teeth into snakeskin market with python farm*," The Guardian, (Jan. 25, 2017), <https://www.theguardian.com/business/2017/jan/25/gucci-snakeskin-python-farm-kering-saint-laurent-and-alexander-mcqueen>

18. Plaintiff personally relied on Defendants' representations and purchased python-skin bags and shoes for her own personal use.

**PLAINTIFF LEARNS THAT DEFENDANTS MISLED HER
AND ENGAGED IN VIOLENT EXOTIC SKIN PRACTICES**

19. On or about March 12, 2024, Plaintiff saw the news that two python farms allegedly supplying Kering-owned Caravel engaged in abusive python killing practices in Thailand.⁷

20. According to the article, undercover PETA ASIA investigators visited two python farms in Thailand - Sisatchanalai Python Farm in Sukhothai, and Closed-Cycle Breeding International, in Uttaradit – from February through November 2023.

21. The investigation⁸ revealed that **"workers pinned struggling pythons down by the neck and smashed them over the head with a hammer before driving metal hooks through their heads; inflating their bodies with water, even as the animals continued to move about; and skinning them."**⁹



An image from PETA Asia's investigation

⁷ Kate Gibson, *Python abuse alleged at supplier of snakeskins used for Gucci handbags*, CBS News, (Mar. 12, 2024), <https://www.cbsnews.com/news/fashion-gucci-snakes-peta-python-abuse-snakeskins/>

⁸ PETA Asia Investigation Reveals Egregious Cruelty in Gucci Parent's Supply Chain, (Dec. 5, 2023), <https://investigations.peta.org/thailand-pythons-crocodiles/>

⁹ PETA, *Gucci Owner Exposed: Workers Bludgeon Pythons, Inflate Their Bodies for Leather*, vimeo.com, (Dec. 5, 2023), vimeo.com, <https://vimeo.com/891670736>



22. The probe, recorded by undercover investigators and posted online, revealed violent and abusive practices where workers "inflate their bodies with water, so the body gets a bit wider and it's easier to rip [off] the skin."

23. Plaintiff also learned, for the first time, that PETA ASIA visited a facility where they discovered multiple crocodiles repeatedly stabbed with a metal blade and were still alive and moving as workers peeled off their skin. This slaughter method is common in the exotic skins industry and contradicts Gucci's assertions to its salespeople that the animals' skins are procured humanely."¹⁰

¹⁰ PETA, *Investigation: Workers Stab Crocodiles, Skin Them for Leather*, vimeo.com, (Dec. 5, 2023), <https://vimeo.com/891672577>



24. Upon seeing the news, Plaintiff learned, for the first time, that Defendants deceived her into buying, and selling, exotic skin products by falsely claiming it engaged in humane and ethical practices during the production of the items.

25. Plaintiff would not have performed the "selling ceremony" and sold exotic skin products to her trusting customers had she known that Defendants engaged in abusive exotic skin practices.

26. Further, had she known then what she knows now, she would not have purchased her own Gucci exotic skin products with her own hard-earned money.

27. Plaintiff is traumatized, knowing that Defendants duped her into buying multiple exotic skin products for many years, beginning in January 2009, approximately.

28. Defendants **remain silent in the face of these allegations** and demands for a response.

CLASS ALLEGATIONS

29. Plaintiff brings these claims on behalf of herself and also on behalf of a class of persons similarly situated, namely all individuals who purchased exotic skin products in Illinois from on or about January 2009 through the present.

30. Upon information and belief, the Class is so numerous that joinder of all individual plaintiffs would be impractical. The exact number of class members may only be determined through discovery as that information is exclusively in the possession of Defendants. Based on Plaintiff's knowledge of sales in her store, the number of Class members is expected to exceed 35.

31. There are common questions of law or fact common to the class of individuals Plaintiff seeks to represent, such as Defendants' statements and knowledge that its statements were untrue or omitted material facts.

32. These common questions of law or fact predominate over any questions affecting only individual class members.

33. The claims or defenses on which Plaintiff seeks certification are typical of those of the individuals she seeks to represent.

34. Plaintiff and her counsel will fairly and adequately protect the interests of the class of individuals she seeks to represent.

35. Prosecuting separate actions would create the risk of inconsistent or varying adjudications with respect to individual class members.

COUNT I

Illinois Consumer Fraud and Deceptive Business Practices Act (ICFA)

815 ILCS 505/2

Against All Defendants

36. Plaintiff repeats, realleges and incorporates by reference all foregoing paragraphs.

37. This Count is brought on behalf of Plaintiff, individually and on behalf of all similarly situated against Defendants.

38. Defendants deceived Plaintiff and others through its representations, practices, statements and concealments above the sourcing of exotic skin products.

39. Defendants intended that Plaintiff and others rely upon these representations, practices, statements and concealments such that they would purchase exotic skin products.

40. Plaintiff suffered actual damage as a result of a violation of this act, in the form of actual economic damages in that she paid for python skin products under the false impressions created by Defendants, including that they were humanely sourced and obtained through a natural shedding process.

41. Plaintiff was also damaged in other ways, such as through the emotional distress.

COUNT II
Unjust Enrichment
Against All Defendants

42. Plaintiff repeats, realleges and incorporates by reference all foregoing paragraphs.

43. This Count is brought on behalf of Plaintiff, individually and on behalf of all similarly situated against Defendants.

44. As explained above, Defendants have unjustly retained a benefit to plaintiffs' detriment, namely the money she spent on the exotic skin products.

45. Moreover, for the reasons explained above, defendants' retention of the benefit violates the fundamental principles of justice, equity and good conscience.

JURY DEMAND

46. Plaintiff hereby demands a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on behalf of herself and all others similarly situated, respectfully requests the following relief:

- a. an order finding and declaring that defendants violated Consumer Fraud and Deceptive Business Practices Act;
- b. an order directing defendants to pay actual damages;
- c. an order directing defendants to pay compensatory damages;
- d. an order directing defendants to pay punitive damages;
- e. an order directing defendants to pay pre-judgment interest on the above damages;
- f. directing defendants to pay plaintiff's costs, including expert witness fees, and reasonable attorneys' fees; and,
- g. such other relief as is just and proper.

Respectfully submitted,

TRACY COHEN

One of the Attorneys for Plaintiff

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