

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION ONE

PTI UNION, LLC AKA PHARMA
TECH INDUSTRIES,

Petitioner,

v.

THE SUPERIOR COURT OF
ALAMEDA COUNTY,

Respondent;

CHATTEM, INC. et al.,

Real Parties in Interest.

A174945

(Alameda County Superior
Court No. 25CV116787)

BY THE COURT:

The petition for writ of mandate, prohibition, or other appropriate relief is denied. (*Asahi Metal Industry Co., Ltd. v. Superior Court* (1987) 480 U.S. 102, 112 (plur. opn. of O'Connor, J.) ["Additional conduct of the defendant may indicate an intent or purpose to serve the market in the forum State, for example, *designing the product for the market in the forum State . . .*"], italics added; *L.W. v. Audi AG* (2025) 108 Cal.App.5th 95, 114 ["[A]t a minimum, a plaintiff trying to establish personal jurisdiction over a foreign manufacturer must show a '“regular ... flow”' or '“regular course”' of sales in the forum state, and/or some additional efforts directed toward the forum state, such as "special state-related design, advertising, advice, [or] marketing.'"].) Here, between 2008 and 2019, petitioner blended and bottled certain talc-containing products for the Product Owners. (See Petr's Exh.

Vol. III, pp. 649, 684, 686–687.) Petitioner blended and bottled 100% of the U.S. requirements for such products. (Petr’s Exh. Vol. III, p. 652.) It estimated that it blended and bottled between 600,000 and 800,000 thousand bottles of said products on average per year. (Petr’s Exh. Vol. III, p. 654.) Petitioner thus understood that the products it blended and bottled would be distributed throughout the United States, necessarily including California. (Petr’s Exh. Vol. III, pp. 651, 687–688, 698.) Petitioner was obligated by contract to ensure that the products it bottled and blended complied “with all applicable United States federal, state and local laws and regulations.” (Petr’s Exh. Vol. III, p. 944.) Thus, petitioner undertook to produce products whose specifications would meet California requirements. (Petr’s Exh. Vol. III, p. 1010.) Therefore, in addition to knowing that its products would be distributed in California, petitioner made “some additional efforts directed toward the forum state, such as ‘special state-related design.’ ” (*L.W. v. Audi AG, supra*, 108 Cal.App.5th at p. 114, quoting *J. McIntyre Machinery, Ltd. v. Nicastro* (2011) 564 U.S. 873, 889 (conc. opn. of Breyer, J.).)

On March 16, 2026, counsel for petitioner submitted a letter enclosing two *tentative* rulings from the Los Angeles County Superior Court. Petitioner has not properly sought judicial notice of the rulings. (Cal. Rules of Court, rule 8.252(a)(1) [“To obtain judicial notice by a reviewing court under Evidence Code section 459, a party *must serve and file a separate motion with a proposed order.*”], italics added.) Nor would the tentative rulings have been a proper subject of judicial notice even if petitioner had followed the correct procedure. “Even assuming for the sake of argument that the case in question involves the same issue as the case before us . . . a written trial court ruling has no precedential value.” (*Bolanos v. Superior Court* (2008)

169 Cal.App.4th 744, 761 [denying request for judicial notice of superior court orders].) We therefore have not considered the orders.

Date: April 2, 2026

Humes, P.J. P.J.

Before: Humes, P.J., Banke, J., and Smiley, J.