



# County of Alameda



## Request for Out of Custody Complaint Declaration of Probable Cause

|  |             |   |          |                                |            |
|--|-------------|---|----------|--------------------------------|------------|
| Arrestee/Suspect<br>APNA BAZAR                       |             | DOB   | Sex<br>X | PFN<br>DTB273                  |            |
| Race<br>UNCLASSIFIED                                 |             | CDL   |          | Agency Report #<br>20F0181     |            |
| Arresting Agency<br>ALAMEDA COUNTY DISTRICT ATTORNEY |             | Declarant<br>Serge Babka                                      |          | Agency Phone<br>(510) 777-2450 | Agency Fax |
| Arrest Date  | Arrest Time | Arrest Location   |          |                                |            |
| Holds  |             | Arrestee Home Address<br>4040 PIMLICO DR , #150 PLEASANTON CA |          |                                |            |
| Charges/Violations<br>PC 396(B) M(9 Counts)          |             |   |          |                                |            |

On March 18, 2020, while searching social media for posts regarding price gouging in the Alameda County, I found a post from March 17, 2020 alleging Apna Bazaar LLC, d/b/a Apna Bazar, in Pleasanton, CA was engaged in price gouging. I began looking into the matter, and shortly thereafter our office received the first of numerous price gouging allegations against Apna Bazar. One complainant wrote the store was charging "whatever they want." The social media post and pictures we received from complainants showed that the prices on the shelves were scribbled over or crossed out with a marker, with no new price listed on the shelves. We learned the State of California Department of Justice (DOJ) was also receiving consumer complaints against Apna Bazar. Thereafter, the two offices collaborated in a joint investigation.

The investigation found numerous incidents of alleged price gouging from witnesses who gave statements. From receipts we collected from witnesses, we were able to show that prices did increase, in some cases over a couple of days, which bolsters credence to the witness statements not directly supported by receipts. The investigation also found ads and pictures posted on a Apna Bazar social media account that showed past historical prices for items, which also supported witness statements. We found at least nine specific items that we believe show Apna Bazar engaged in flagrant price gouging in March of 2020 after California Governor Gavin Newsom's proclamation of a state of emergency on March 4, 2020.

These nine items consist of produce and dry goods (onions, ginger, green beans, chili peppers, pomegranates, yams, tea, and two different brands of noodles) that saw increases after the March 4, 2020 proclamation by the Governor ranging from 25% to over 300%, some in matter of days. One item that was priced at \$2.99 on March 2, 2020, just two days before the the Governor's proclamation, saw a price increase of 67% by March 13, 2020 to \$4.99. By March 16, 2020 the price was raised again to \$6.99, selling at 134% of the original price. Another item priced on March 2, 2020 at \$0.49/lb was raised to \$1.99/lb by March 16, 2020, a 306% increase from the price just days before the proclamation.

On March 19, 2020 I delivered a letter to the owner, Rajvinder Pal SINGH, requesting justification for the price increases. When I spoke with him, he stated he had been forced to turn to other suppliers to keep his shelves stocked and they were charging more, and he was simply passing on the costs. Having not heard back from him at all, on April 17, 2020, I delivered another letter to the store manager requesting justification for the price increases. As of May 7, 2020, I have not received any documentation to support the price increases.

It is my belief that the above findings support the accusations of the numerous witnesses that Apna Bazar engaged in price gouging after California Governor Gavin Newsom's March 4, 2020 proclamation of a state of emergency. I found Apna Bazar raised prices from 25%-306% on at least nine items, well above the statute limit of 10%. These increases support witness statements that in mid-March, Apna Bazar raised all their prices. Witnesses reported prices being removed or crossed out on the shelves and employees telling them the prices are what they are when scanned at check out. I did not receive any requested documentation justifying these increases from the owner or management. We recommend Apna Bazar and its owner be charged with violations of PC 396(b)-Price Gouging.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 05/07/2020 07:42:34

Declarant: Serge Babka

Badge: 342

Reviewed and approved.

Date: 05/07/2020 08:16:13

Supervisor: Serge Babka

Badge: 342