

**IN THE COURT OF COMMON PLEAS FOR ALLEGHENY COUNTY,  
PENNSYLVANIA**

<b>COMMONWEALTH OF PENNSYLVANIA</b>	:	<b>Civil Division</b>
<b>By Attorney General Michelle Henry</b>	:	
	:	
	:	
<b>Plaintiff,</b>	:	<b>GD No.:</b> _____
	:	
<b>v.</b>	:	
	:	
<b>LEDA HEALTH CORPORATION,</b>	:	
	:	
<b>And MADISON CAMPBELL, Individually and</b>	:	
<b>as CEO of LEDA HEALTH CORPORATION</b>	:	
	:	
<b>Defendants.</b>	:	

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action **within twenty (20) days** after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you, and a judgment may be entered against you without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE(S) SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE**

**ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY  
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FEE.**

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**THIS IS NOT AN ARBITRATION CASE**  
This case has been brought by the Commonwealth  
under the Pennsylvania Unfair Trade Practices  
and Consumer Protection Law, 73 P.S. §§ 201-1, et seq.  
**AN ASSESSMENT OF DAMAGES HEARING IS REQUIRED**

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**IN THE COURT OF COMMON PLEAS FOR ALLEGHENY COUNTY,  
PENNSYLVANIA**

<b>COMMONWEALTH OF PENNSYLVANIA</b>	:	<b>Civil Division</b>
<b>by ATTORNEY GENERAL</b>	:	
<b>MICHELLE HENRY</b>	:	<b>GD No.: _____</b>
	:	
	:	
<b>Plaintiff,</b>	:	<b>COMPLAINT</b>
	:	<b>Filed on behalf of Plaintiff</b>
<b>v.</b>	:	<b>COMMONWEALTH OF</b>
	:	<b>PENNSYLVANIA,</b>
<b>LEDA HEALTH CORPORATION,</b>	:	<b>OFFICE OF ATTORNEY</b>
	:	<b>GENERAL</b>
<b>And MADISON CAMPBELL, Individually and</b>	:	
<b>as CEO of LEDA HEALTH CORPORATION</b>	:	
	:	<b>Counsel of Record for this Party:</b>
<b>Defendants.</b>	:	<b>Ester Blair</b>
	:	<b>PA Attorney Number: 83151</b>
	:	<b>Commonwealth of Pennsylvania</b>
	:	<b>Office of Attorney General</b>
	:	<b>Public Protection Division</b>
	:	<b>Health Care Section</b>
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	:	
	:	<b>Party Represented by Out-of-</b>
	:	<b>County Counsel Only</b>

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<b>by ATTORNEY GENERAL</b>	:	
<b>MICHELLE HENRY</b>	:	<b>GD No.: _____</b>
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<b>Plaintiff,</b>	:	<b>COMPLAINT</b>
	:	<b>Filed on behalf of Plaintiff</b>
<b>v.</b>	:	<b>COMMONWEALTH OF</b>
	:	<b>PENNSYLVANIA,</b>
<b>LEDA HEALTH CORPORATION,</b>	:	<b>OFFICE OF ATTORNEY</b>
	:	<b>GENERAL</b>
	:	
<b>And MADISON CAMPBELL, Individually and</b>	:	
<b>As CEO of LEDA HEALTH CORPORATION,</b>	:	
	:	<b>Counsel of Record for this Party:</b>
<b>Defendants.</b>	:	<b>Ester Blair</b>

**COMPLAINT**

AND NOW, comes the Commonwealth of Pennsylvania, acting through its Attorney General Michelle Henry, (hereinafter, “Commonwealth” or “Plaintiff”) and respectfully brings this action pursuant to the Unfair Trade Practices and Consumer Protection Law, 73 Pa. C.S.A. § 201-1, *et seq.* (hereinafter “Consumer Protection Law”), to restrain unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful by Section 201-3 of the Consumer Protection Law, and to recover civil penalties and costs of this action.

The Consumer Protection Law authorizes the Attorney General to bring an action in the name of the Commonwealth of Pennsylvania, to restrain by temporary and permanent injunction,

unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful by Section 201-3 of the Consumer Protection Law. 73 P.S. § 201-3.

The Commonwealth has reason to believe that Defendant Leda Health Corporation and Individual Defendant Madison Campbell are using, have used or are about to use, methods, acts or practices declared unlawful by Section 201-3 of the Consumer Protection Law and that citizens of the Commonwealth are suffering and will continue to suffer harm unless the acts and practices complained of herein are enjoined. The Commonwealth believes that the public interest is served by seeking before this Honorable Court a permanent injunction to restrain the methods, acts and practices of the Defendants as herein set forth. Further, the Commonwealth requests injunctive relief, civil penalties, costs and other appropriate equitable relief as redress for violations of the Consumer Protection Law.

In support of this action, the Commonwealth respectfully represents the following:

### **JURISDICTION**

1. The Court has original jurisdiction over this action pursuant to Section 931(a) of the Judicial Code, 42 Pa. C.S.A. § 931(a).

### **VENUE**

2. Venue lies with this court pursuant to Pa. R.C.P. 1006(a)(1). Venue is also proper pursuant to Pa. R.C.P. 2179 because the registered office of Defendant Leda Health is located in Allegheny County at 3803 Butler Street, Pittsburgh, Pennsylvania, 15201.

## **THE PARTIES**

3. The Plaintiff is the Commonwealth of Pennsylvania, Office of Attorney General, by Attorney General Michelle Henry, with offices located at Strawberry Square, 14<sup>th</sup> Floor, Harrisburg, Pennsylvania, 17120.
4. Defendant Leda Health Corporation (“Leda Health”) was incorporated in the State of Delaware on April 22, 2019 as a for-profit business corporation and has a registered business address at 3803 Butler Street, Pittsburgh, Allegheny County, Pennsylvania, 15201.
5. Defendant Madison Campbell (hereinafter “Individual Defendant Campbell”) is an adult individual and the Chief Executive Officer (“CEO”) of Leda Health with a last known residential address at 247 St. Clair Street, Bridgeville, Allegheny County, Pennsylvania, 15017.
6. Defendant Leda Health was formerly known as “Me Too Kits” and through its website, [www.leda.co](http://www.leda.co), advertises, markets and sells products and services to hospitals, organizations, legislators and universities for eventual use by individual members of the organizations.
7. At all relevant times, Defendant Leda Health was engaged in trade and commerce in the Commonwealth within the meaning of Pennsylvania’s Unfair Trade Practices and Consumer Protection Law.
8. At all relevant times, Individual Defendant Campbell authorized, approved, endorsed, formulated, directed, controlled and/or participated in the conduct alleged herein.

## **BACKGROUND**

9. Defendants Leda Health, and its CEO, Individual Defendant Madison Campbell represent that they provide services to survivors of sexual assault who are, “unable or unwilling” to make it to a hospital to receive care and allow evidence to be collected to support the future prosecution of their assailants.<sup>1</sup> *See*, Exhibit A.
10. Leda Health’s primary product is a DNA collection kit, the “Early Evidence Kit,” which it markets as a self-administered test for sexual assault survivors. The Early Evidence Kit contains swabs for self-administered collection of DNA evidence, instructions for administration, access to a mobile app and access to a remote care team. Leda Health Corporation also advertises that it offers access to some Sexual Transmitted Infection (“STI”) testing.

## **FACTS**

11. Leda Health Corporation presents its products and services as an alternative to hospital-collected sexual assault evidence and emergency services for survivors. However, Leda Health’s products and services are not equivalent to the full range of services hospitals must provide free of charge to survivors of sexual assault. Leda Health does not make clear in its marketing and advertising that its products and services are not equivalent to those mandated by Pennsylvania sexual assault evidence collection and emergency services standards.

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<sup>1</sup> <https://www.leda.co/>. Exhibit A. The Leda Health splash page has subpages at <https://www.leda.co/partner>, <https://www.leda.co/blog>, <https://www.leda.co/log-in>, which are included in Exhibit A. Additional subpages are explored in more depth later in the Complaint.

12. On the website, [www.leda.co](http://www.leda.co), Leda Health Corporation advertises that its mission is to change “the landscape of sexual assault prevention, care and healing.”<sup>2</sup> It markets products for, “self-administered DNA collection, and sexual health testing to meet the needs of sexual assault survivors.”<sup>3</sup> See Exhibit A. The self-administered DNA collection is performed using Leda Health’s product, the “Early Evidence Kit” which is featured in a video on its website,<sup>4</sup> (Exhibit B) and also advertised in a video on the Leda Health *You Tube* channel.<sup>5</sup> See, Exhibit C.
13. Leda Health represents in its website video that the Early Evidence Kit is for survivors, “who never make it to a hospital or care center,” and that it, “helps survivors identify where DNA may be present and collect time sensitive samples for storage or testing.”<sup>6</sup> See, Exhibit B.
14. The Leda Health *You Tube* channel Early Evidence Kit video shows the contents of the kit, which consists of a box containing an instruction manual, an intake form, a resource card, tamper-evident tape, boxes of swabs for collecting DNA from the survivor, and DNA relating to the assault, a garment bag, a storage bag and a bag with a pre-paid shipping label. The video states that survivors can also connect to the Leda Health mobile app, which allows the user to time stamp the collection process, capture photos and videos, and chat live with care team members, who are trained in virtual forensics collection, and available to testify in court on behalf of users. The video also states that

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<sup>2</sup> <https://www.leda.co>. Exhibit A.

<sup>3</sup> *Id.*

<sup>4</sup> <https://www.leda.co>, “Early Evidence Kit” video. Exhibit B.

<sup>5</sup> Leda Health channel, *You Tube*, [https://www.youtube.com/channel/UC-BAgE38wU\\_ZfjHJlePRSnA](https://www.youtube.com/channel/UC-BAgE38wU_ZfjHJlePRSnA). Exhibit C.

<sup>6</sup> <https://www.leda.co>, “Early Evidence Kit” video. Exhibit B.



Leda Health provides access to emergency contraception and sexually transmitted infection testing.<sup>7</sup> *See*, Exhibit C.

15. Leda Health’s website includes a disclaimer which states, “[t]he information and materials on this website are intended to promote . . . general understanding and dialogue on sexual health and sexual assault. This information is not a substitute for professional medical or legal advice, diagnosis, treatment or counseling. Always seek the advice of your physician or other qualified health provider with questions you may have regarding a medical condition. If you have a medical emergency, contact your physician or call 911 immediately.” It further states that, “Leda is not a medical care provider and does not claim to be a replacement for professional medical care. We encourage survivors to report any assault to law enforcement and to visit their nearest hospitals for medical evaluation.”<sup>8</sup> *See*, Exhibit A.

16. The Leda Health website contains information about the laboratory used for testing its Emergency Evidence Kits. This information represents that, “Leda Health’s Early Evidence Kits are tested at our partner lab, which is ISO/IEC 17025 accredited.”<sup>9</sup> *See*, Exhibit D. The International Organization for Standardization (“ISO”) reports on its website that the ISO/IEC accreditation is a basic standard required of all laboratories to demonstrate competence in calibration and testing laboratories.<sup>10</sup> *See*, Exhibit E.

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<sup>7</sup> “Unboxing Leda’s Early Evidence Kit,” Leda Health Channel, *You Tube*, [https://www.youtube.com/channel/UC-BAgE38wU\\_ZfjHJlePRSnA](https://www.youtube.com/channel/UC-BAgE38wU_ZfjHJlePRSnA). Exhibit C.

<sup>8</sup> <https://www.leda.co/>. Exhibit A.

<sup>9</sup> <https://www.leda.co/lab>. Exhibit D.

<sup>10</sup> *See*, <https://www.iso.org/ISO-IEC-17025-testing-and-calibration-laboratories.html>. Exhibit E.

17. Leda Health also states on its website, “Our partner lab has experience testing sexual assault kits submitted by law enforcement, having results admitted in court, and testifying in court.” The website also contains the information that, “[b]ecause Leda Health is a private company, we do not have access to the federal Combined DNA Index System (CODIS) database, which contains DNA profiles of convicted offenders and arrestees of certain crimes and may be used by law enforcement authorities to help identify assailants of alleged assaults.”<sup>11</sup> *See*, Exhibit F.
18. The Leda Health website contains a disclaimer that, “Leda cannot guarantee that information collected using our kit will be admissible in a court of law and is not an attorney able to provide survivors with legal advice.”<sup>12</sup> The website also contains the disclaimer that, “Leda Health is not a medical service, and the information we provide is not a substitute for medical advice, diagnosis, treatment or counseling.”<sup>13</sup> *See*, Exhibit G.
19. Leda Health further disclaims that it, “cannot guarantee that any information collected through our Early Evidence Collection Kit will be offered, admitted, or relied upon in a court of law. The ultimate admissibility and reliability of information that you collect through Leda Health’s services will be dependent on the specific circumstances of your case and applicable law.”<sup>14</sup> *See*, Exhibit G.

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<sup>11</sup> <https://www.leda.co/about>, click on “learn more” link at the bottom of the webpage. Exhibit F.

<sup>12</sup> *Id.*

<sup>13</sup> <https://www.leda.co/agreements>. Exhibit G.

<sup>14</sup> *Id.*

20. Leda Health also represents on its website that, “to obtain the full benefits of our service, you must carefully read and follow all related instructions. Do not tamper with or improperly alter or use any of the materials included with our services.”<sup>15</sup> *See*, Exhibit G.
21. The Commonwealth seeks to promote the health and safety of victims of sexual assault and to facilitate the prosecution of persons accused of sexual assault by providing hospital-based services free of charge for the care and support of survivors while also collecting evidence through a careful and rigorous process that will allow it to be used in support of the prosecution of the assailant.<sup>16</sup>
22. The Commonwealth has a strong interest in ensuring survivors of sexual assault receive treatment and in addressing and working to reduce sexual violence.
23. Sexual assaults often involve some form of intimidation, which can be physical as well as psychological. As a result, a key response to a sexual assault involves providing treatment to the victim for all trauma incurred by the assault, both physical and psychological. Physical injuries which may include wounds, bruises, poisoning, drugging, concussions among others, and psychological trauma, including depression, anxiety, and PTSD. A sexual assault can also result in sexual infection transmission or unwanted pregnancy.<sup>17</sup> *See*, Exhibit H.

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<sup>15</sup> *Id.*

<sup>16</sup> 35 P.S. § 10172.3.

<sup>17</sup> Rape, Abuse and Incest National Network (“RAINN”), “Effects of Sexual Violence” RAINN.org, <https://www.rainn.org/effects-sexual-violence> (last viewed June 13, 2024). Exhibit H.

24. In addition to ensuring that survivors of sexual violence receive care, another key response is to prosecute the perpetrators in order to seek justice for the survivors and to hold the perpetrators accountable.<sup>18</sup>
25. To provide the best possible opportunity for conviction, it is important to collect all evidence of the assault, not only the possible DNA left behind by the assault, but also evidence of the methods and means used to accomplish the assault. Therefore, Pennsylvania’s Sexual Assault Testing and Collection Act provides sexual assault survivors with the right to have comprehensive collection of crime evidence free of charge.<sup>19</sup>
26. The Sexual Assault Testing and Collection Act further requires that all commercially available rape kits for use in this Commonwealth be tested and approved by the Pennsylvania Department of Health.<sup>20</sup>
27. As noted in the legislative history of Pennsylvania’s Sexual Assault Testing and Evidence Collection Act, “A thorough and accurate forensic examination has proven to be the difference maker in a survivor’s pursuit of justice and should be an inalienable right to survivors.”<sup>21</sup> *See*, Exhibit I.
28. None of the above key responses can be accomplished with Leda Health’s Early Evidence Kits and services.

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<sup>18</sup> 35 P.S. § 10172.3.

<sup>19</sup> 35 P.S. § 10172.5.

<sup>20</sup> 35 P.S. §10172.3(a)(2).

<sup>21</sup> Bridget Kosierowski, Representative, Pennsylvania House of Representatives, Memorandum, “Ensuring Comprehensive, Compassionate Care for Sexual Assault Survivors,” January 23, 2023.  
<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20230&cosponId=39439> (last viewed June 13, 2024). Exhibit I.

29. In Pennsylvania, in accordance with the Sexual Assault Emergency Services Act, a survivor of a sexual assault who presents at any hospital providing emergency sexual assault services is entitled to receive free of charge:
- a. Medical examinations and laboratory or diagnostic tests required to ensure the health, safety and welfare of the victim, or which may be used as evidence in a criminal proceeding against a person accused of the sexual assault, or both. Hospitals are required to utilize a rape kit that complies with the minimum standard requirements under Pennsylvania's Sexual Assault Testing and Evidence Collection Act (35 P. S. §§ 10172.1—10172.4).
  - b. Oral and written information concerning the possibility of a sexually transmitted disease and pregnancy resulting from the sexual assault.
  - c. Oral and written information concerning accepted medical procedures, medication and possible contraindications of the medication available for the prevention or treatment of infection or disease resulting from the sexual assault. Medication as deemed appropriate by the attending physician, including HIV and sexually transmitted disease prophylaxis.
  - d. Tests and examinations as medically indicated to determine the presence or absence of a sexually transmitted disease.
  - e. Oral and written instructions advising of the need for additional blood tests at time periods after the sexual assault as medically indicated to determine the presence or absence of a sexually transmitted disease.
  - f. Information on the availability of a rape crisis center or sexual assault counselor and the telephone number of a local rape crisis center or sexual assault counselor.

The hospital shall promptly contact the local rape crisis center or sexual assault counselor at the request of the victim.

- g. The opportunity to consult with the rape crisis center or sexual assault counselor in person and in private while at the hospital.
- h. Emergency contraception.<sup>22</sup>

30. The Pennsylvania Sexual Assault Testing and Evidence Collection Act, 35 P. S. §§ 10172.1-10172.6, provides that victims of sexual assault have the right to have crime evidence collected at no cost. Under 28 P.S. § 117.52(a)(1), hospitals and health care facilities must utilize a sexual assault evidence collection or rape kit that complies with the minimum standard contained in the Pennsylvania Bulletin.

31. The Pennsylvania Bulletin of October 28, 2023, 53 Pennsylvania Bulletin 6784, provides that Sexual Assault Evidence Collection Kits contain the following required components:

- Step 1: Consent for Collection and Release of Evidence and Information Form
- Step 2: Clothing and Underpants Collection
- Step 3: Oral Assault Collection Samples
- Step 4: Miscellaneous Collection (Debris, Dried Secretions, Tampon/Sanitary Napkin)
- Step 5: Fingernail Swabbings
- Step 6: External Genitalia Collection Sample
- Step 7: Vaginal Contact/Penetration Collection Samples
- Step 8: Perianal/Anal Contact/Penetration Collection Samples
- Step 9: Reference Sample Buccal Swab Collection (for DNA analysis)
- Step 10: Transfer of Evidence/Chain of Custody Form<sup>23</sup> See, Exhibit J.

32. The Pennsylvania Department of Health has established detailed instructions for the collection of sexual assault evidence which must be followed by hospitals. These instructions contain a warning that, “Failure to thoroughly and accurately complete all

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<sup>22</sup> 28 P.S. § 117.52.

<sup>23</sup> 53 PA Bulletin 6784 (October 28, 2023). (Exhibit J)

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol53/53-43/1481.html>

information requested may jeopardize the successful investigation and prosecution of a chargeable crime.”<sup>24</sup> The instructions also contain recommended collection methods from the Pennsylvania Bulletin. *See*, Exhibit K.

33. Local law enforcement agencies are required to take possession of sexual assault evidence obtained by a health care facility within 72 hours of being notified of its existence. When a victim has provided written notice of consent to the forensic testing, the law enforcement agency must submit evidence awaiting testing to an approved laboratory within 15 days. When a victim has not provided consent for testing, the evidence must be preserved and stored for a period of no less than the duration of the maximum applicable criminal statute of limitations, unless consent is provided before that period. This policy applies whether the victim is anonymous or identified and whether the jurisdiction of the offense is known.<sup>25</sup>

34. Under the Pennsylvania’s Sexual Assault Testing and Evidence Collection Act, the Pennsylvania Department of Health shall, “test and approve commercially available rape kits for use in [the] Commonwealth.”<sup>26</sup> The Department of Health also approves, with the concurrence of Pennsylvania Coalition to Advance Respect (“PCAR”) and Pennsylvania State Police, “certain laboratories to receive sexual assault evidence for testing and analysis.” The statute provides that, “[l]aboratories which have been approved by the Federal Bureau of Investigation to access CODIS or an equivalent

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<sup>24</sup> Pennsylvania Department of Health, “Commonwealth of Pennsylvania Sexual Assault Evidence Collection Kit Instructions” <https://www.health.pa.gov/topics/Documents/Programs/Violence%20and%20Injury%20Prevention/Sexual%20Assault%20Evidence%20Collection%20Kit%20Instructions.pdf>. (Exhibit K).

<sup>25</sup> 35 P.S. § 10172.3(c).

<sup>26</sup> 35 P.S. § 10172.3(a)(2)

federally administered national DNA database shall be automatically approved to receive sexual assault evidence for testing and analysis.”<sup>27</sup>

35. The Leda Health Early Evidence Kits do not meet the requirements of the Pennsylvania Sexual Assault Testing and Evidence Collection Act. The Early Evidence Kits are not approved by the Department of Health, they are not provided free of charge, they do not contain all the steps required by 53 PA Bulletin 6784, resulting in a much more limited collection of evidence of assault, and they do not ensure chain of custody. The laboratory used by Leda Health is not approved to access CODIS, and therefore could not match any DNA tested to the DNA evidence contained in CODIS to identify a perpetrator of the assault.
36. Leda Health promotes its Early Evidence Kit and related services as an alternative to the statutorily required hospital services for sexual assault survivors. However, its Early Evidence Kits do not meet minimum standards required by the Pennsylvania’s Sexual Assault Evidence and Testing and Evidence Collection Act, 35 P. S. §§ 10172.1-10172.6 and have not been tested and approved by the Pennsylvania Department of Health. The services marketed by Leda Health Corporation also do not meet minimum standards for sexual assault emergency services required under 28 P.S. § 117.52(a)(1)-(9).
37. Moreover, the evidence collected via the Early Evidence Kit has never been admitted in the prosecution of an assailant.
38. Because the collection of evidence by hospitals in compliance with the Pennsylvania statutes described above must occur within a narrow window shortly after the commission of the assault, assault victims relying on Leda Health’s advertising,

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<sup>27</sup> 35 P.S. § 10172.3(a)(5).



marketing and disclaimers in the use of its products and services could lose the ability to have their cases prosecuted with the kinds of evidence hospitals collect including DNA evidence. Moreover, assault victims potentially lose the gateway to other important care like treatment for STI's, pregnancy and therapy.

39. Leda Health, and its predecessor company Me Too Kits, have received warnings and cease and desist letters from several states,<sup>28</sup> yet Leda Health continues to advertise, market and offer its products for sale or use. *See*, Exhibit L. The use of Leda Health's self-administered sexual assault kits has been banned in the states of Maryland and Washington.<sup>29</sup> *See*, Exhibit M.

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<sup>28</sup> *See*, Cease-and-desist letter from Dana Nessel, Attorney General of Michigan to Me Too Kits, August 29, 2019. [https://www.michigan.gov/ag/-/media/Project/Websites/AG/releases/2019/August/Notice\\_of\\_Intended\\_Action\\_to\\_MeToo\\_Kits\\_Company\\_08-29-19\\_664596\\_7.pdf?rev=467467d7282c44a68b5ba316172bec91&hash=67B8E5F1F6939D939350CF213B6B3059](https://www.michigan.gov/ag/-/media/Project/Websites/AG/releases/2019/August/Notice_of_Intended_Action_to_MeToo_Kits_Company_08-29-19_664596_7.pdf?rev=467467d7282c44a68b5ba316172bec91&hash=67B8E5F1F6939D939350CF213B6B3059); Announcement, Josh Stein, Attorney General of North Carolina, September 4, 2019. <https://ncdoj.gov/attorney-general-josh-stein-me-too-at-home-sexual-assault-kits-are-dangerous-and-misleading/>; Warning, Mark Herring, Attorney General of Virginia, September 10, 2019, <https://www.wavy.com/news/virginia/ag-herring-issues-warning-against-do-it-yourself-sexual-assault-kits/>. Cease-and-desist Letter, Letitia James, Attorney General of New York to Me Too Kits, September 11, 2019. [https://ag.ny.gov/sites/default/files/metoo\\_kits\\_-\\_cease\\_and\\_desist\\_letter\\_2019\\_09\\_11.pdf](https://ag.ny.gov/sites/default/files/metoo_kits_-_cease_and_desist_letter_2019_09_11.pdf); Statement, Kathy Jennings, Attorney General of Delaware,; September 11, 2019. <https://news.delaware.gov/2019/09/11/ag-jennings-warns-of-misleading-at-home-sexual-assault-kits/>; News Release, Clare Connors, Attorney General of Hawaii, September 12, 2019. <https://ag.hawaii.gov/wp-content/uploads/2019/09/News-Release-2019-57.pdf>; News Release, Ashley Moody, Attorney General of Florida, September 19, 2019. <https://www.myfloridalegal.com/newsrelease/ag-moody-fdle-and-victim-advocates-warn-home-sexual-assault-kits>; Letter to Me Too Kits, William Tong, Attorney General of Connecticut, September 20, 2019. [https://portal.ct.gov/-/media/ag/press\\_releases/2019/ltr-to-mcampbell---metoo-kits-company.pdf](https://portal.ct.gov/-/media/ag/press_releases/2019/ltr-to-mcampbell---metoo-kits-company.pdf). Exhibit L.

<sup>29</sup> Shannon Lilly, "Maryland Bans Controversial At-home Rape Kits, Plans to Ramp up Resources for Survivors," Fox 45 News (May 8, 2024). <https://foxbaltimore.com/news/local/maryland-bans-controversial-at-home-rape-kits-ramps-up-resources-for-survivors#>; Eastside Legal Assistance Program, "Why Over-the-Counter Sexual Assault Testing Kits are Now Banned" ELAP News (October 3, 2023). <https://elap.org/why-over-the-counter-sexual-assault-testing-kits-are-now-banned/>. Exhibit M. *See also*, RCW 5.70.070; Md. Code, Crim. Pro. § 11-926(a)

40. On May 24, 2024, the Commonwealth issued a Cease and Desist letter to Leda Health, requesting that Leda Health cease all advertising, marketing, and sales of its products in the Commonwealth of Pennsylvania within seven (7) days. *See*, Exhibit N. Leda Health confirmed its receipt of the Cease and Desist letter on June 4, 2024 and provided a response on June 11, 2024. *See*, Exhibit O. In its response, Leda Health did not agree to comply with Pennsylvania’s request and continues to promote its Early Evidence Kits and services in the Commonwealth.
41. Leda Health does not make clear to consumers in its representations and disclaimers on its website that the Early Evidence Kit does not meet Pennsylvania Sexual Assault Evidence Kit requirements or that it has not been approved by the Pennsylvania Department of Health for use in the Commonwealth.
42. Leda Health markets, advertises and offers for sale or use, Early Evidence Kits which have not been found admissible by Pennsylvania courts.<sup>30</sup> *See*, Exhibit P.
43. Leda Health’s website disclaimer that it, “cannot guarantee that information collected through [its] Early Evidence Collection Kit will be offered, admitted or relied upon in a court of law,”<sup>31</sup> (Exhibit G) does not inform consumers that the Early Evidence Kits do not meet the minimum standards for sexual assault evidence collection in Pennsylvania, or that they have not been approved as rape kits by the Pennsylvania Department of Health.

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<sup>30</sup> Paul Van Osdol, “At Home Rape Kits Sold by Pittsburgh Company Sparking Controversy, [wtae.com](https://wtae.com) (February 12, 2024). <https://krdo.com/news/2024/02/12/at-home-rape-kits-sold-by-pittsburgh-company-sparking-controversy/>. Exhibit P.

<sup>31</sup> [www.leda.co/agreements](http://www.leda.co/agreements). Exhibit G.

44. The laboratory utilized by Leda Health does not have access to CODIS, and therefore is not among the laboratories automatically approved to receive sexual assault evidence kits in Pennsylvania.
45. Leda Health calls its product an “Evidence Kit.” The use of the term “evidence” suggests that the purpose of the testing is to be admitted in a court.<sup>32</sup> Merriam-Webster dictionary defines evidence as, “[s]omething that furnishes truth. *Specifically*, something legally submitted to a tribunal to ascertain the truth of a matter.”<sup>33</sup>
46. Information collected using Leda Health’s Early Evidence Kit has not been admitted as evidence in a Pennsylvania court.
47. The disclaimer that Leda Health does not “guarantee” admissibility does not inform consumers that the Early Evidence Kits have never been admitted by a court as evidence in a sexual assault case.
48. Leda Health’s product also does not meet the minimum Pennsylvania standards for emergency treatment for sexual assault survivors.
49. Through its website Leda Health markets and sells DNA testing using its self-administered Early Evidence Kits, access to Plan B emergency contraception, and STI testing, along with a chat feature and local resource recommendations.<sup>34</sup> *See*, Exhibit A.
50. Leda Health’s website does not make clear how the company would ensure timely delivery of Plan B contraception for sexual assault survivors. Plan B emergency contraception must be administered with 72 hours after a sexual assault to be effective,

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<sup>32</sup> Merriam Webster defines “evidence” as

<sup>33</sup> “Evidence.” *Merriam-Webster.com*. 2024. <https://www.merriam-webster.com/dictionary/evidence> (last viewed June 18, 2024).

<sup>34</sup> [www.ledahealth.co](http://www.ledahealth.co). Exhibit A.

however, it is recommended to take Plan B as soon as possible, as the efficacy of the treatment dissipates over time.<sup>35</sup> *See*, Exhibit Q.

51. Leda Health’s marketing materials do not provide an explanation of how Plan B would be delivered to consumers within the timeframe of providing effective treatment. This does not meet the minimum Pennsylvania emergency treatment standard for survivors of sexual assault which includes emergency contraception.<sup>36</sup>
52. Leda Health advertises, markets and sells STI testing on its website, but it does not offer treatment for STIs. It is not clear if this testing is included with the initial DNA swabbing test in the Early Evidence Kit, or if it must be purchased separately. It also is not clear which STIs Leda Health offers testing for, if those STIs include HIV, and how it would provide treatment to survivors who do test positive or at risk for developing an STI.
53. Offering STI testing without access to treatment does not meet the standard of emergency services for sexual assault survivors in Pennsylvania.<sup>37</sup>
54. Failure to provide treatment in connection with testing also undermines an important public health opportunity to prevent and/or treat STIs, including HIV, in sexual assault victims.
55. Leda Health also does not offer any physical or mental health treatment for sexual assault survivors. The company offers a, “team of trauma informed specialists,” to help with questions about the kit or to connect survivors with local services.<sup>38</sup> This does not meet the Pennsylvania minimum standard of providing sexual assault survivors with a medical

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<sup>35</sup> [www.planbonestep.com](http://www.planbonestep.com). Exhibit Q.

<sup>36</sup> 28 P.S. § 117.52(a)(9).

<sup>37</sup> 28 P.S. § 117.52(a)(4)-(7).

<sup>38</sup> [www.ledahealth.co](http://www.ledahealth.co). Exhibit A.

examination and laboratory or diagnostic tests required to ensure the health, safety and welfare of the victim.<sup>39</sup> It also does not provide survivors with the opportunity to consult with the rape crisis center or sexual assault counselor in person and in private while at the hospital.<sup>40</sup>

56. Leda Health fails to disclose that the Early Evidence Kits and other Leda Health services are not equivalent to the requirements under Pennsylvania's standards for sexual assault emergency services. Leda Health's services do not include many of the services that must be provided to sexual assault survivors by hospitals in Pennsylvania, including: medical examinations and laboratory or diagnostic tests required to ensure the health, safety and welfare of the victim; medication, as deemed appropriate by the attending physician, including HIV and sexually transmitted disease prophylaxis; and the opportunity for the victim to consult with the rape crisis center or sexual assault counselor in person and in private at the hospital.<sup>41</sup>

57. Leda Health presents its Early Evidence Kit and services as sexual assault evidence collection, testing, and treatment services for survivors who are unable or do not want to go to a hospital, without disclosing that the Early Evidence Kits do not meet the Pennsylvania sexual assault evidence collection standards and have not been found admissible by a court, or that the services provided do not meet Pennsylvania sexual assault emergency standards.

58. Survivors relying on Leda Health's Early Evidence Kit and services may be deprived of mandated access to hospital treatment and services necessary for their mental and

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<sup>39</sup> 28 P.S. § 117.52(a)(2).

<sup>40</sup> 28 P.S. § 117.52(a)(8).

<sup>41</sup> 28 P.S. § 117.52(a)(1)-(9).

physical wellbeing, as well as the ability to collect evidence in accordance with Pennsylvania's sexual assault evidence collection standards.

59. Pennsylvania Coalition to Advance Respect (“PCAR”) was established in 1975 and works to end sexual violence and advocate for survivors, partnering with rape crisis centers that serve all 67 counties in the Commonwealth.<sup>42</sup> *See*, Exhibit R. PCAR was selected by the Pennsylvania legislature to participate as a member in the Commonwealth's Sexual Assault Evidence Collection Program along with the Pennsylvania Department of Health, and the Pennsylvania State Police, to establish and maintain minimum standards for sexual assault evidence collection.<sup>43</sup> *See*, Exhibit S.
60. PCAR does not support the use of at-home rape kits, noting that it is important for survivors of sexual assault to consider seeking medical treatment following an assault, where they will have access to specially trained providers who will, “conduct a forensic exam at no cost to the survivor, collect evidence, and screen for and treat sexually transmitted infections and other possible injuries.” Survivors also are connected to rape crisis counselors and can receive treatment for pregnancy prevention, as well as mental and physical health issues related to the assault. PCAR states that it is highly unlikely that an, “at-home kit collection would align with Pennsylvania's legal requirements. This would jeopardize the victim's ability to see the evidence used in criminal proceedings to hold the offender accountable.”<sup>44</sup> *See*, Exhibit R.

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<sup>42</sup> <https://pcar.org/about-us/about-pcar>. Exhibit R.

<sup>43</sup> *See*, 73 P.S. 101723(a)(1). *See also*, Pennsylvania Department of Health, “Sexual Assault Evidence Collection,” <https://www.health.pa.gov/topics/programs/violence-prevention/Pages/Sexual-Assault-Evidence-Collection.aspx>, included as Exhibit S.

<sup>44</sup> Press Release, Pennsylvania Coalition to Advance Respect. “At-home Rape Kits Leave Victims Without Services and Pathways to Justice.” <https://pcar.org/news/home-rape-kits-leave-victims-without-services-and-pathways-justice-0>. Exhibit R.

## ACTIVITIES IN PENNSYLVANIA

61. Leda Health conducts advertising, marketing and sales activities via the Leda Health website, which offers Leda Health products and services to partner organizations, including organizations in Pennsylvania.
62. Leda Health has engaged in additional activities beyond the Leda Health website to market, advertise and sell its products and services in Pennsylvania.
63. In October 2023, Leda Health entered into a partnership with Delta Gamma Fraternity, which is a national Greek Life organization for women with 150 collegiate chapters, including chapters at a number of colleges and universities in Pennsylvania.<sup>45</sup> *See*, Exhibit T. This partnership provides access for members of Delta Gamma to the Leda Health portal, where they can connect with educational content and support for sexual assault survivors, texting services and a care team. It also provides access to Bloom, an app which provides courses to survivors of sexual assault.<sup>46</sup>
64. The partnership with Leda Health provides members of Delta Gamma with access to physical resources which include, “home toxicology testing kits, STI/STD/HIV testing kits, Plan B One-Step and a 24/7 Clinical Care Team comprised of Licensed and Certified Forensic Nurses and Clinicians with over 35 years of experience.” The physical

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<sup>45</sup> <https://www.deltagamma.org/our-membership/>. There are Delta Gamma chapters at Pennsylvania State University, Gettysburg College, Bucknell University, Washington and Jefferson College, Indiana University of Pennsylvania, Lafayette College, Villanova University and Drexel University. <https://www.deltagamma.org/library/handbookguidemanual/collegiate-chapters-list/>. Exhibit T.

<sup>46</sup> *Id.*

resources require additional payment by users, and are not covered by the partnership between Leda Health and Delta Gamma.<sup>47</sup> See, Exhibit T.

65. In 2023, Leda Health entered into a partnership with Syracuse University through the Air Force Work Project (“AFWERX”), a Technology Directorate of the Air Force Research Laboratory (“AFRL”), the Forensic and National Security Sciences to create self-administered early evidence sexual assault kits for military service members in the field.<sup>48</sup> See, Exhibit U.

66. In January 2024, Leda Health reported on its Linked In website that it had partnered with Curry College as part of its AFWERX award and was interested in partnering with the 911<sup>th</sup> Airlift Wing based in Pittsburgh, Pennsylvania for use of its kits.<sup>49</sup> See, Exhibit U.

### **LEGAL FRAMEWORK**

67. The Consumer Protection Law prohibits any “person” from engaging in, “unfair or deceptive acts or practices in the conduct of any trade or commerce.”<sup>50</sup>

68. The Attorney General is empowered under the Consumer Protection Law to bring an action in the name of the Commonwealth to temporarily or permanently enjoin an act or practice, whenever there is, “reason to believe that any person is using or is about to use

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<sup>47</sup> <https://www.deltagamma.org/wp-content/uploads/2023/10/Leda-Health-Partnership-Services-10.2023.pdf>. Exhibit T.

<sup>48</sup> News, *Forensic: On the Scene and in the Lab* (August 9, 2023).<https://www.forensicmag.com/599174-University-Partners-with-Leda-Health-to-Explore-Feasibility-of-Early-Evidence-Sexual-Assault-Kits/>. Exhibit P.

<sup>49</sup> Leda Health, “Pittsburgh’s Leda Health Partners with AFWERX to Create a Holistic Approach to Sexual Violence Prevention.” Linked In. [https://www.linkedin.com/posts/ledahealth\\_new-pittsburghs-leda-health-partners-with-activity-7148707280614547456-s7nD](https://www.linkedin.com/posts/ledahealth_new-pittsburghs-leda-health-partners-with-activity-7148707280614547456-s7nD). Exhibit U.

<sup>50</sup> 73 P.S. §201-3.



any method, act or practice” that violates the Consumer Protection Law and the proceeding is in the public interest.<sup>51</sup>

69. The Attorney General may bring an action to protect individuals or organizations from conduct that violates the Consumer Protection Law.<sup>52</sup>

70. Acts or practices are unfair or deceptive if they are capable of being interpreted in a misleading way.<sup>53</sup>

71. “Person” is defined twice in the Consumer Protection Law, both as, “natural persons, corporations, trusts, partnerships, incorporated or unincorporated associations, and any other legal entities”,<sup>54</sup> and as, “an individual, corporation, trust, estate, partnership, unincorporated association or any other legal or commercial entity.”<sup>55</sup> Leda Health, which is a corporation, meets both definitions of “person” in the Consumer Protection Law.

72. “Trade” and “commerce” are defined in the Consumer Protection Law as, “the advertising, offering for sale, sale or distribution of any services and any property, tangible or intangible, real, personal or mixed, and any other article, commodity, or thing of value wherever situate, and includes any trade or commerce directly or indirectly affecting the people of this Commonwealth.”<sup>56</sup>

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<sup>51</sup> 73 P.S. §201-4.

<sup>52</sup> See, FTC v. American Future Systems, No. 2-20-cv-02266 JHS (E.D. Pa. April 30, 2021), in ruling against the Defendant’s Motion to Dismiss, the Court stated that, “the General Assembly intended to empower the Attorney General to bring a public action to protect both individuals and businesses.”

<sup>53</sup> Commonwealth v. Peoples Benefit Services, Inc., 923 A.2d 1230, 1236 (Pa. Commw. 2007) (citing Commonwealth v. Nickel, 26 Pa. D. & C.3d 115, 120 (1983).

<sup>54</sup> 73 P.S. § 201-2(2).

<sup>55</sup> 73 P.S. §201-2(11).

<sup>56</sup> 73 P.S. §201-2.

73. The Attorney General may bring an action to protect consumers under the Consumer Protection Law even when a private citizen has not purchased a good or service.<sup>57</sup>

74. The unfair or deceptive acts or practices prohibited by the Consumer Protection Law include, but are not limited to:

- a. Causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services;<sup>58</sup>
- b. Causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another;<sup>59</sup>
- c. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connect that he does not have;<sup>60</sup> and
- d. Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.<sup>61</sup>

## **CLAIMS FOR RELIEF**

### **COUNT I**

**Violations of the Unfair Trade Practices and Consumer Protection Law,  
73 P.S. §§ 201-1 et seq.  
Leda Health’s misleading and deceptive marketing regarding the sufficiency of Leda  
Health’s Early Evidence Kit under the Pennsylvania Sexual Assault Evidence Kit  
Standards.**

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<sup>57</sup> Anadarko Petroleum Co. v. Commonwealth, 206 A.3d 51 (2019). Pennsylvania courts also have noted that the Consumer Protection Law should be construed broadly to protect consumers from unfair or deceptive business practices. *See, e.g., Commonwealth v. Golden Gate National Senior Care, LLC*, 648 Pa. 604, 643, 194 A. 3d 1010, 1034 (2018).

<sup>58</sup> 73 P.S. § 201-2(4)(ii).

<sup>59</sup> 73 P.S. § 201-2(4)(iii).

<sup>60</sup> 73 P.S. § 201-2(4)(v).

<sup>61</sup> 73 P.S. § 201-2(4)(xxi).

75. The Commonwealth incorporates by reference the allegations contained in the preceding paragraphs as if fully set forth herein at length.
76. Leda Health willfully made representations and omissions to Pennsylvanians regarding the sufficiency and admissibility of its Early Evidence Kits as sexual assault evidence collection and testing kits and the adequacy of its emergency services for sexual assault survivors.
77. These representations and omissions failed to inform Pennsylvanians that its Early Evidence Kits and services did not meet Pennsylvania standards for sexual assault evidence collection and testing kits or Pennsylvania sexual assault emergency services.
78. These representations and omissions had the capacity to mislead or deceive Pennsylvanians.
79. These deceptive, misleading, and unfair representations were made in Leda Health's marketing materials on its website, [www.leda.co](http://www.leda.co), and on its *You Tube* channel.
80. Leda Health misleads Pennsylvanians by marketing and offering for sale or use "Early Evidence Kits" which do not meet the Pennsylvania Sexual Assault Evidence Kit minimum requirements.
81. A survivor using an Early Evidence Kit sold by Leda Health would receive a less comprehensive collection of evidence than is available at no cost at Pennsylvania hospitals required to meet the Sexual Assault Evidence Kit requirements.
82. The Leda Health Early Evidence Kits do not contain all elements of the kit mandated by the Commonwealth, have not been tested and approved by the Pennsylvania Department of Health, do not establish chain of custody and are not required to be taken into law enforcement possession within 72 hours.

83. Leda Health does not make clear to consumers that the Early Evidence Kit does not meet Pennsylvania Sexual Assault Evidence Kit requirements or that it has not been approved by the Pennsylvania Department of Health for use in the Commonwealth.

84. These misleading, deceptive and unfair acts or omissions by Leda Health violate the following provisions of the Consumer Protection Law:

- a. 73 P.S. § 201-2(4)(ii), which prohibits causing likelihood of confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services;
- b. 73 P.S. § 201-2(4)(iii), which prohibits causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another;
- c. 73 P.S. § 201-2(4)(v), which prohibits representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connect that he does not have; and
- d. 73 P.S. § 201-2(4)(xxi), which prohibits engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

85. The above described conduct has been willful and is unlawful under Section 201-3 of the Consumer Protection Law, 73 P.S. § 201-3.

86. The Commonwealth believes that the citizens of the Commonwealth will suffer harm unless the acts and practices complained of herein are permanently enjoined.

**PRAYER FOR RELIEF**

87. WHEREFORE, the Commonwealth respectfully requests that this Honorable Court issue an Order:

- a. Declaring the conduct of Corporate Defendant and Individual Defendant Campbell, as set forth in this Complaint, to be in violation of the Consumer Protection Law;

- b. Directing Corporate Defendant and Individual Defendant Campbell to comply with the Consumer Protection Law and any amendments thereto;
- c. Directing Corporate Defendant and Individual Defendant Campbell, pursuant to Section 201-8(b) of the Consumer Protection Law, to pay civil penalties in the amount of one thousand dollars (\$1,000.00) for each and every violation of the Consumer Protection Law the number of violations to be proven at trial, and three thousand dollars (\$3,000.00) for each such violation involving a victim aged sixty (60) or over;
- d. Permanently enjoining Corporate Defendant and Individual Defendant Campbell from engaging in conduct that violates the Consumer Protection Law as detailed in this Complaint;
- e. Awarding the Commonwealth the cost of investigation, attorneys' fee, filing fees and costs of this action.
- f. Granting such other relief as the Court deems necessary and appropriate.

## **COUNT II**

### **Violations of the Unfair Trade Practices and Consumer Protection Law, 73 P.S. §§ 201-1 *et seq.***

#### **Leda Health's misleading and deceptive marketing regarding the admissibility of information gathered by Leda Health's Early Evidence Kit in Pennsylvania Courts**

88. The Commonwealth incorporates by reference the allegations contained in the preceding paragraphs as if fully set forth herein at length.
89. Leda Health misleads Pennsylvanians by marketing and offering for sale, "Early Evidence Kits" which have not been found admissible by Pennsylvania courts, and do not meet Pennsylvania sexual assault evidence collection and testing kit requirements.

90. Leda Health’s disclaimer that it, “cannot guarantee that information collected through [its] Early Evidence Collection Kit will be offered, admitted or relied upon in a court of law,”<sup>62</sup> (Exhibit H) does not inform consumers that the Early Evidence Kits do not meet the minimum standards for sexual assault evidence collection in Pennsylvania, or that they have not been approved as sexual assault evidence kits by the Pennsylvania Department of Health, and are unlikely to be found admissible by any court. The laboratory utilized by Leda Health does not have access to CODIS, and therefore is not among the laboratories automatically approved to receive sexual assault evidence kits in Pennsylvania.

91. In using the term, “Evidence Kit” Leda Health is creating a likelihood of misunderstanding that the DNA collection kit meets minimum standards and may be admissible as evidence in a court. The disclaimer that Leda Health does not “guarantee” admissibility does not sufficiently inform consumers that the Early Evidence Kits have never been admitted by a court as evidence in a sexual assault case.

92. These misleading, deceptive and unfair acts or omissions by Leda Health violate the following provisions of the Consumer Protection Law:

- a. 73 P.S. § 201-2(4)(ii), which prohibits causing likelihood of confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services;
- b. 73 P.S. § 201-2(4)(iii), which prohibits causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another;
- c. 73 P.S. § 201-2(4)(v), which prohibits representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connect that he does not have; and

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<sup>62</sup> [www.leda.co/about](http://www.leda.co/about) (Exhibit H)

- d. 73 P.S. § 201-2(4)(xxi), which prohibits engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

93. The above described conduct has been willful and is unlawful under Section 201-3 of the Consumer Protection Law, 73 P.S. § 201-3.

94. The Commonwealth believes that the citizens of the Commonwealth will suffer harm unless the acts and practices complained of herein are permanently enjoined.

**PRAYER FOR RELIEF**

95. WHEREFORE, the Commonwealth respectfully requests that this Honorable Court issue an Order:

- a. Declaring the conduct of Corporate Defendant and Individual Defendant Campbell, as set forth in this Complaint, to be in violation of the Consumer Protection Law;
- b. Directing Corporate Defendant and Individual Defendant Campbell to comply with the Consumer Protection Law and any amendments thereto;
- c. Directing Corporate Defendant and Individual Defendant Campbell, pursuant to Section 201-8(b) of the Consumer Protection Law, to pay civil penalties in the amount of one thousand dollars (\$1,000.00) for each and every violation of the Consumer Protection Law the number of violations to be proven at trial, and three thousand dollars (\$3,000.00) for each such violation involving a victim aged sixty (60) or over.
- d. Permanently enjoining Corporate Defendant and Individual Defendant Campbell from engaging in conduct that violates the Consumer Protection Law as detailed in this Complaint.
- e. Awarding the Commonwealth the cost of investigation, attorneys' fee, filing fees and costs of this action.

- f. Granting such other relief as the Court deems necessary and appropriate

**COUNT III**

**Violations of the Unfair Trade Practices and Consumer Protection Law,  
73 P.S. §§ 201-1 *et seq.*  
Leda Health's misleading and deceptive marketing regarding the sufficiency of  
Leda Health's Sexual Emergency Services for Sexual Assault Survivors under  
Pennsylvania Standards**

96. The Commonwealth incorporates by reference the allegations contained in the preceding paragraphs as if fully set forth herein at length
97. Leda Health misleads Pennsylvanians by failing to disclose that the Early Evidence Kits and other Leda Health services do not meet standards under Pennsylvania's standards for sexual assault emergency services.
98. Leda Health's services do not include many of the services that must be provided to sexual assault survivors by hospitals in Pennsylvania, including: medical examinations and laboratory or diagnostic tests required to ensure the health, safety and welfare of the victim; medication, as deemed appropriate by the attending physician, including HIV and sexually transmitted disease prophylaxis; and the opportunity for the victim to consult with the rape crisis center or sexual assault counselor in person and in private at the hospital.
99. Leda Health's services do not meet the requirements of the Pennsylvania sexual assault emergency services statute as they are not offered free of charge and do not provide the full range of services available at medical or forensic facility.
100. Leda Health does not make clear in its marketing materials that its services do not meet Pennsylvania standards for sexual assault survivor emergency services. This misleading omission could induce a sexual assault survivor to foregoing the



comprehensive services available at a hospital, believing that Leda Health is providing equivalent services.

101. Leda Health misleads Pennsylvanians by marketing that it provides treatment services for survivors who are unable or do not want to go to a hospital, without disclosing that the services offered by Leda Health do not meet Pennsylvania sexual assault emergency standards and that they have not been found admissible by any court.

102. These misleading, deceptive and unfair acts or omissions by Leda Health violate the following provisions of the Consumer Protection Law:

- a. 73 P.S. § 201-2(4)(ii), which prohibits causing likelihood of confusion or misunderstanding as to the source, sponsorship, approval or certification of goods or services;
- b. 73 P.S. § 201-2(4)(iii), which prohibits causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another;
- c. 73 P.S. § 201-2(4)(v), which prohibits representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connect that he does not have; and
- d. 73 P.S. § 201-2(4)(xxi), which prohibits engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding.

103. The above described conduct has been willful and is unlawful under Section 201-3 of the Consumer Protection Law, 73 P.S. § 201-3.

104. The Commonwealth believes that the citizens of the Commonwealth will suffer harm unless the acts and practices complained of herein are permanently enjoined.

**PRAYER FOR RELIEF**

105. WHEREFORE, the Commonwealth respectfully requests that this Honorable Court issue an Order:

- a. Declaring the conduct of Corporate Defendant and Individual Defendant Campbell, as set forth in this Complaint, to be in violation of the Consumer Protection Law;
- b. Directing Corporate Defendant and Individual Defendant Campbell to comply with the Consumer Protection Law and any amendments thereto;
- c. Directing Corporate Defendant and Individual Defendant Campbell, pursuant to Section 201-8(b) of the Consumer Protection Law, to pay civil penalties in the amount of one thousand dollars (\$1,000.00) for each and every violation of the Consumer Protection Law, the number of violations to be proven at trial, and three thousand dollars (\$3,000.00) for each such violation involving a victim aged sixty (60) or over.
- d. Permanently enjoining Corporate Defendant and Individual Defendant Campbell from engaging in conduct that violates the Consumer Protection Law as detailed in this Complaint.
- e. Awarding the Commonwealth the cost of investigation, attorneys' fee, filing fees and costs of this action.
- f. Granting such other relief as the Court deems necessary and appropriate.

Respectfully Submitted,

COMMONWEALTH OF PENNSYLVANIA  
Michelle Henry  
Attorney General



**June 18, 2024**  
Date

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Harrisburg, PA 17120

## VERIFICATION

I, Carrie E. Wilson, as a Consumer Protection Agent for the Commonwealth of Pennsylvania verify that the statements made in the foregoing Commonwealth's Complaint are true and correct to the best of my knowledge or information and belief. I understand that this verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn fabrication to authorities, which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Date: \_\_\_\_\_

6/18/24

Carrie E. Wilson

**IN THE COURT OF COMMON PLEAS FOR ALLEGHENY COUNTY,  
PENNSYLVANIA**

<b>COMMONWEALTH OF PENNSYLVANIA</b>	:	<b>Civil Division</b>
<b>by ATTORNEY GENERAL</b>	:	
<b>MICHELLE HENRY</b>	:	<b>GD No.:</b> _____
	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>LEDA HEALTH CORPORATION,</b>	:	
	:	
<b>And MADISON CAMPBELL, Individually and</b>	:	
<b>as CEO of LEDA HEALTH CORPORATION</b>	:	
	:	
<b>Defendants.</b>	:	

**CERTIFICATION**

I certify that this filing complies with the provisions of the *Public Access Policy of the United Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Date: June 18, 2024



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