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10 Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO
13 (Unlimited Jurisdiction)

14 MATEEL ENVIRONMENTAL
15 JUSTICE FOUNDATION,

16 Plaintiff,

17 v.

18 WKI HOLDING COMPANY, INC.;
19 PROGRESSIVE INTERNATIONAL CORP.;
20 AUDIO TECHNICA US, INC.; JASCO
INDUSTRIES, INC.; PLAID
21 ENTERPRISES, INC., and DOES 1 through
22 100 inclusive,

23 Defendants.

24 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

25 INTRODUCTION

26 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
27 failure of defendants WKI HOLDING COMPANY, INC.; PROGRESSIVE INTERNATIONAL
28 CORP.; AUDIO TECHNICA US, INC.; JASCO PRODUCTS; R & B, INC.; LKG

ENDORSED
FILED
San Francisco County Superior Court

APR 6 - 2005

GORDON PARK-LI, Clerk
BY: CRISTINA E. BAUTISTA
Deputy Clerk

CASE MANAGEMENT CONFERENCE SET

PLAN I SEP 9 - 2005 9:00 AM

DEPARTMENT 212

CASE NO. **05-440165**

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

1 INDUSTRIES, INC.; PLAID ENTERPRISES, INC., and DOES 1 through 100 inclusive
2 (hereinafter "Defendants"), to give clear and reasonable warnings to those residents of California,
3 who handle and use products that are or that incorporate thermoset/thermoplastic coated wires
4 and cables in which the coating material contains lead (hereinafter referred to as "Leaded Wire or
5 Cable Products"), that handling and use of these products causes those residents to be exposed to
6 lead and lead compounds, lead acetate, lead phosphate, and lead subacetate (hereinafter,
7 collectively, "lead"). The products to which this Complaint pertains are those listed in the
8 Appendices A to the Proposition 65 60-Day Notice Letters attached to and incorporated by
9 reference into this Complaint. Lead is known to the State of California to cause cancer, birth
10 defects and male and female reproductive toxicity. Defendants manufacture, distribute, and/or
11 market Leaded Wire or Cable Products. These products cause exposures to lead and lead
12 compounds, which are chemicals known to the State of California to cause cancer, birth defects
13 and other reproductive harm.

14 2. Defendants are businesses that manufacture, market, and/or distribute Leaded
15 Wire or Cable Products. Defendants intend that residents of California handle and use Leaded
16 Wire or Cable Products that Defendants manufacture, market, and/or distribute. When these
17 products are handled and used in their normally intended manner, they expose people to lead. In
18 spite of knowing that residents of California were and are being exposed to these chemicals when
19 they handle and use Leaded Wire or Cable Products, Defendants did not and do not provide clear
20 and reasonable warnings that these products cause exposure to chemicals known to cause cancer,
21 birth defects and other reproductive harm.

22 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
23 to compel Defendants to bring their business practices into compliance with section 25249.5 et
24 seq. by providing a clear and reasonable warning to each individual who has been and who in the
25 future may be exposed to the above mentioned toxic chemicals from the use of Defendants'
26 products.

27 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
28 of Defendants to provide clear and reasonable warnings regarding exposure to chemicals known

1 to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order that
2 defendants identify and locate each individual person who in the past has purchased Leaded Wire
3 or Cable Products and to provide to each such purchaser a clear and reasonable warning that the
4 Leaded Wire or Cable Products will cause exposures to chemicals known to cause birth defects.

5 PARTIES

6 5. Plaintiff MATEEL ENVIRONMENTAL JUSTICE FOUNDATION ("Mateel")
7 is a non-profit organization dedicated to, among other causes, the protection of the environment,
8 promotion of human health, environmental education, and consumer rights. Mateel is based in
9 Eureka, California, and is incorporated under the laws of the State of California. Mateel is a
10 "person" pursuant to Health & Safety Code Section 25118. Mateel brings this enforcement
11 action in the public interest pursuant to Health & Safety Code §25249.7(d). Residents of
12 California are regularly exposed to lead and lead compounds from Leaded Wire or Cable
13 Products manufactured, distributed or marketed by Defendants and are so exposed without a
14 clear and reasonable Proposition 65 warning.

15 6. Defendants are each a person doing business within the meaning of Health &
16 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or
17 market Leaded Wire or Cable Products in California, including the City and County of San
18 Francisco. Manufacture, distribution and/or marketing of these products in the City and County
19 of San Francisco and/or to people who live in San Francisco, causes people to be exposed to lead
20 and lead compounds while they are physically present in the City and County of San Francisco.

21 7. Mateel is unaware of the true names or capacities of the Defendants sued herein
22 under the fictitious names DOES 1 through 100, inclusive. Defendants DOES 1 through 100
23 inclusive are therefore sued herein pursuant to Cal. Code Civ. Proc. §474. When Mateel learns
24 their identities, it will amend the complaint.

25 8. Plaintiff brings this enforcement action against Defendants pursuant to Health &
26 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of a
27 60-day Notice letters dated May 20, 2003, April 6, 2004, and June 4, 2004 which Mateel sent to
28 California's Attorney General. Substantially identical letters were sent to every District Attorney

1 in the state, and to the City Attorneys of every California city with a population greater than
2 750,000. On those same dates, Mateel sent identical 60-Day Notice letters to each defendant.
3 Attached to the 60-Day Notice Letters sent to each defendant was a summary of Proposition 65
4 that was prepared by California's Office of Environmental Health Hazard Assessment. In
5 addition, each 60-Day Notice Letter plaintiff sent was accompanied by a Certificate of Service
6 attesting to the service of the 60-Day Notice Letter on each entity which received it. Pursuant to
7 California Health & Safety Code Section 25249.7(d), a Certificate of Merit attesting to the
8 reasonable and meritorious basis for the action was also sent with each 60-Day Notice Letter.
9 Factual information sufficient to establish the basis of the Certificate of Merit was enclosed with
10 the 60-Day Notice letter Mateel sent to the Attorney General.

11 9. Defendants are all businesses that employ more than ten people.

12 JURISDICTION

13 10. The Court has jurisdiction over this action pursuant to California Health & Safety
14 Code Section 25249.7. California Constitution Article VI, Section 10 grants the Superior Court
15 "original jurisdiction in all causes except those given by statute to other trial courts." Chapter 6.6
16 of the Health & Safety Code, which contains the statutes under which this action is brought, does
17 not grant jurisdiction to any other trial court.

18 11. This Court also has jurisdiction over Defendants because they are businesses that
19 have sufficient minimum contacts in California and within the City and County of San Francisco.
20 Defendants intentionally availed themselves of the California and San Francisco County markets
21 for Leaded Wire or Cable Products. It is thus consistent with traditional notions of fair play and
22 substantial justice for the San Francisco Superior Court to exercise jurisdiction over them.

23 12. Venue is proper in this Court because Defendants market their products in and
24 around San Francisco and thus cause people to be exposed to lead and lead compounds while
25 those people are physically present in San Francisco. Liability for Plaintiff's causes of action, or
26 some parts thereof, has accordingly arisen in San Francisco during the times relevant to this
27 Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

28 FIRST CAUSE OF ACTION

(Claim for Injunctive Relief)

13. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as if specifically set forth herein, paragraphs 1 through 12, inclusive.

14. The People of the State of California have declared by referendum under Proposition 65 (California Health & Safety Code § 25249.5 et seq.) their right "[t]o be informed about exposures to chemicals that cause cancer, birth defects, and reproductive harm."

15. To effectuate this goal, Section 25249.6 of the Health and Safety Code mandates that persons who, in the course of doing business, knowingly and intentionally expose any individual to a chemical known to the State of California to cause cancer or birth defects must first provide a clear and reasonable warning to such individual prior to the exposure.

16. Since at least May 20, 2002, Defendants have engaged in conduct that violates Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and intentionally exposing to the above mentioned toxic chemicals, those California residents who handle and use Leaded Wire or Cable Products. The normally intended use of Leaded Wire or Cable Products causes exposure to lead and lead compounds, which are chemicals known to the State of California to cause cancer, birth defects and other reproductive harm. Defendants have not provided clear and reasonable warnings, within the meaning of Health & Safety Code Sections 25249.6 and 25249.11.

17. At all times relevant to this action, Defendants knew that the Leaded Wire or Cable Products they manufactured, distributed or marketed were causing exposures to lead and lead compounds. Defendants intended that residents of California handle and use Leaded Wire or Cable Products in such ways as would lead to significant exposures to these chemicals.

18. By the above described acts, Defendants have violated Cal. Health & Safety Code § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition 65 and requiring them to provide warnings to their past customers who purchased defendants' products without receiving a clear and reasonable warning.

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SECOND CAUSE OF ACTION
(Claim for Civil Penalties)

19. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as if specifically set forth herein, paragraphs 1 through 18, inclusive.

20. By the above described acts, Defendants are liable and should be liable pursuant to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each individual exposed to lead and lead compounds from the handling or use of Defendants' Leaded Wire or Cable Products.

PRAYER FOR RELIEF

Wherefore, plaintiff prays for judgment against DEFENDANTS, as follows:

1. Pursuant to the First Cause of Action, that all Defendants be enjoined, restrained, and ordered to comply with the provisions of Section 25249.6 of the California Health & Safety Code;

2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of Defendants' manufacturing, distributing or marketing of Leaded Wire or Cable Products;

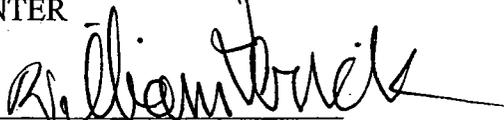
3. That Defendants be ordered to identify and locate each individual who purchased Leaded Wire or Cable Products and provide a warning to each such person that the Leaded Wire or Cable Products the person purchased will expose that person to chemicals known to cause birth defects.

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4. For such other relief as this court deems just and proper.

Dated: March 10, 2005

KLAMATH ENVIRONMENTAL LAW
CENTER

By 
William Verick
Attorney for Plaintiff
Mateel Environmental Justice Foundation



Klamath

ENVIRONMENTAL
LAW CENTER

May 20, 2003

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

ATTORNEY GENERAL COPY
CONTAINS OFFICIAL
INFORMATION PURSUANT TO
EVIDENCE CODE §1040

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") hereby give you notice that the private businesses on the attached service list are in violation of Cal. Health & Safety Code § 25249.6. This office and Mateel are both private enforcers of Proposition 65, both organizations may be reached at the below listed address and telephone number, I may be considered a "responsible individual" at both organizations, and I may be contacted at the same address and telephone number. The above referenced violations occur when California residents come into contact with thermoset/thermoplastic-coated wires, cables, and/or cords/cord sets, including PVC-coated wires, cords/cord sets, plugs and connectors, and both SPT and HPN cords/cord sets (hereinafter collectively "Cords"). These businesses market products with, or that are themselves, Cords. Some examples of the products that incorporate Cords are those listed in the attached Appendix A. Handling of, and contact with, these Cords exposes people to acrylonitrile, antimony trioxide, arsenic, 1,3 butadiene, carbon tetrachloride, carbon black extracts, chlorinated paraffins, chloroform, ethyl acrylate, ethylene thiourea, nickel, toluene, cadmium, hexavalent chromium, vinyl chloride, lead and lead compounds, lead acetate, lead phosphate, lead subacetate, and di(2ethylhexyl) phthalate. Handling Cords causes these chemicals to come off the coating of the Cords and to be transferred to the skin of the person handling the Cords. These chemicals are then ingested through hand-to-mouth contact and hand-to-food-to-mouth and hand-to-cigarette-to-mouth behavior. These chemicals are also absorbed through the skin and smokers inhale those chemicals transferred from hands to cigarettes. These exposures (and resulting violations) occur occupationally, environmentally, and as the result of the sale of consumer products and services. In occupational settings, the type of work that is done during which the above-referenced exposures occur is the handling of, and contact with, Cords, including during the manufacture, installation, maintenance, handling and/or use of electrical equipment to which these Cords are attached. As described above, the exposures that are the subject of this notice occur via the dermal absorption, inhalation, ingestion and subcutaneous routes. These violations have occurred every day since at least May 20, 2003 and will continue every day until reasonable warnings are given to those people exposed. Environmental exposure violations occur in every county of the State and occur both on and off the property of the aforementioned private businesses.

Cordially,

William Verick

SERVICE LIST

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY
GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

OFFICE OF THE CITY ATTORNEY
CITY OF OAKLAND
505 14TH ST 12TH FLOOR
OAKLAND, CA 94612

OFFICE OF THE CITY ATTORNEY
CITY OF SAN FRANCISCO
CITY HALL ROOM 206
400 VAN NESS
SAN FRANCISCO, CA 94102

OFFICE OF THE CITY ATTORNEY
CITY OF SACRAMENTO
980 9th Street, 10th Floor
SACRAMENTO, CA 95814

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
151 W. MISSION ST.
SAN JOSE, CA 95110

OFFICE OF THE CITY ATTORNEY
CITY OF LOS ANGELES
200 N. MAIN ST.
LOS ANGELES, CA 90012

OFFICE OF THE CITY ATTORNEY
CITY OF SAN DIEGO
202 C ST. FLOOR 3
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALAMEDA
225 FALLON ST. #9
OAKLAND, CA 94612

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALPINE
P.O. BOX 248
MARKLEEVILLE, CA 96120

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF AMADOR
108 COURT ST. SUITE 202
JACKSON, CA 95642

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF BUTTE
25 COUNTY CENTER DR.
OROVILLE, CA 95965

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF COLUSA
547 MARKET ST.
COLUSA, CA 95932

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CONTRA COSTA
P.O. BOX 670
MARTINEZ, CA 94553

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF DEL NORTE
450 H ST #171
CRESCENT CITY, CA 95531

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF EL DORADO
515 MAIN ST.
PLACERVILLE, CA 95667

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF FRESNO
2220 TULARE ST #1000
FRESNO, CA 93721

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF GLENN

P.O. BOX 430
WILLOWS, CA 95988

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF HUMBOLDT
825 5TH ST.
EUREKA, CA 95501

COUNTY OF IMPERIAL
COURTHOUSE, FLOOR 2
939 W. MAIN ST
EL CENTRO, CA 92243

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF INYO
P.O. DRAWER D
INDEPENDENCE, CA 93526

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF KERN
1215 TRUXTUN AVE. FLOOR 4
BAKERSFIELD, CA 93301

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF KINGS
1400 W. LACEY BLVD.
HANFORD, CA 93230

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LAKE
255 N. FORBES ST # 424
LAKEPORT, CA 95453

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LASSEN
COUNTY ADMINISTRATION
BUILDING
707 NEVADA ST.
SUSANVILLE, CA 96130

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF LOS ANGELES
18000 CRIMINAL COURTS
BUILDING
210 W. TEMPLE ST.
LOS ANGELES, CA 90012

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MADERA
209 W. YOSEMITE AVE.
MADERA, CA 93637

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MARIN
HALL OF JUSTICE #183
SAN RAFAEL, CA 94903

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MARIPOSA
P.O. BOX 748
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MENDOCINO
301 S. STATE ST.
UKIAH, CA 95482

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MERCED
2222 M ST.
MERCED, CA 95340

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MODOC
P.O. BOX 1171
ALTURAS, CA 9610

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONO
P.O. BOX 617
BRIDGEPORT, CA 93517

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONTEREY
240 CHURCH ST.
P.O. BOX 180
SALINAS, CA 93902

COUNTY OF NAPA
931 PARKWAY MALL
P.O. BOX 720
NAPA, CA 94559-0720

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF NEVADA
COURTHOUSE ANNEX
NEVADA CITY, CA 95959

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF ORANGE
700 CIVIC CENTER DR. WEST #A-200
SANTA ANA, CA 92701

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLACER
11562 B AVE
AUBURN, CA 95603-2687

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLUMAS
P.O. BOX 10716
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST.
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SACRAMENTO
P.O. BOX 749
SACRAMENTO, CA 95804

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BENITO
419 4TH ST
HOLLISTER, CA 95023

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BERNARDINO
316 MT. VIEW AVE.
SAN BERNARDINO, CA 92415-0004

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO
101 W. BROADWAY #1440
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN FRANCISCO
850 BRYANT ST #322
SAN FRANCISCO, CA 94103

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN JOAQUIN
222 E. WEBER AVE #202
STOCKTON, CA 95202

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN LUIS OBISPO
COUNTY GOVERNMENT CENTER #450
SAN LUIS OBISPO, CA 93408

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN MATEO
HALL OF JUSTICE AND RECORDS
REDWOOD CITY, CA 94063

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
1105 SANTA BARBARA ST.
SANTA BARBARA, CA 93101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CLARA
70 W. HEDDING ST.
SAN JOSE, CA 95110

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ
701 OCEAN ST. #200
SANTA CRUZ, CA 95060

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SHASTA
1525 COURT ST.
REDDING, CA 96001

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SIERRA
P.O. BOX 457
DOWNIEVILLE, CA 95936

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SISKIYOU
P.O. BOX 986
YREKA, CA 96097

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SOLANO

600 UNION AVE
FAIRFIELD, CA 94533

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SONOMA
600 ADMINISTRATION DR. #212J
SANTA ROSA, CA 95403

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF STANISLAUS
1100 I ST. #200
MODESTO, CA 95354

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SUTTER
1160 CIVIC CENTER BLVD. #A
YUBA CITY, CA 95993

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TEHAMA
P.O. BOX 519
REDBLUFF, CA 96080

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TRINITY
P.O. BOX 310
WEAVERVILLE, CA 96093

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TULARE
COURTHOUSE #224
VISALIA, CA 93291

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TUOLUMNE
2 S. GREEN ST.
SONORA, CA 95370

VENTURA COUNTY DISTRICT
ATTORNEY'S OFFICE
c/o GREGORY BROSE D.D.A.
4245 MARKET ST. #205
VENTURA, CA 93003

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YOLO
204 4TH ST
P.O. BOX 1247
WOODLAND, CA 95695

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

Henry Fu
President
American Lighting Industry, Inc.
800a Iwoa Ave
Riverside, ca 92507

President or Ceo
Angelo Brothers Company
12401 McNulty Rd
Philadelphia, Pennsylvania 19154

Paul Brassard President
Arkon Resources, Inc.
3750 Mt. View Ave
Pasadena, ca 91107

John J. Shalam President
Audiovox Corp
150 Marcus Blvd
Hauppauge, Ny 11788

Robert J Laikin President
Brightpoint, Inc.
6402 Corporate Dr
Indianapolis, in 46278

President or Ceo
Cyber Acoustics, Llc
11700 Ne 60th Way #D
Vancouver, Wa 98682

Brad Jenkins President
Earthlink, Inc.
595 Menlo Drive
Rocklin, ca 95765

Jurick Geoffery President
Emerson Radio Corp

40 Emerson Radio Corp
Parsippany, Nj 07054

Jurick Geoffery President
Emerson Radio Corp
9 Entin Rd
Parsippany, Nj 07054

President or Ceo Gpx Inc.
900 N 23rd St
St Louis, Mo 63106

President or Ceo Jasco Products
311 Nw 122nd St
Oklahoma City Ok 73114

Kwon Oh in President
Jungsoft Usa
5000 Shoreline Ct Ste 160
S San Francisco, ca 94080

Martin Goldberg President
Lenmar Enterprises Inc
4035 via Pescador
Camarillo, ca 93012

William Dragon President
London Fog Industries, Inc.
1700 Westlake Ave N Ste 200
Seattle, Wa 98109

Susan Fan President
Xsense Connectivity, Inc
442 Littlefield Ave
S San Francisco, ca 94080

Hsien Ming Lee President
Macsense Connectivity, Inc.
12200 E Washington Blvd G
Whittier, ca 90606

Darren Richardson President
Mad Catz, Inc.
7480 Mission Valley Rd Ste 101
San Diego, ca 92108

Salomon Suwalsky President
Royal Consumer Information Products,
Inc.
765 Us Highway 202
Bridgewater, Nj 08807

Eli Harari President
Sandisk Corporation
140 Caspian Court
Sunnyvale, ca 94089

K Tisuiji President
Sanrio Inc
570 Eccles Aave
S San Francisco, ca 94080

Robert Schneider President
Sam Microsystems (U.S.) Inc.
Luitpoldstrabe 6
85276 Pfaffenhofen, Germany

Robert Schineider President
Sam Microsystems, Inc.
160 Knowles Dr
Los Gatos, ca 95032

Ned C Jackson President
Telex Communications, Inc.
12000 Portland Avenue S
Burnsville, Mn 55337

President or Ceo
Vector Products, Inc.
4140 Sw 28th Way
Fort Lauderdale, Fl 33312

President or Ceo
Wagan Corporation
3589 Yale Way
Fremont, ca 94538

CERTIFICATE OF SERVICE

I, Gina Klump, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On May 20, 2003, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on May 20, 2003, at Eureka, California.

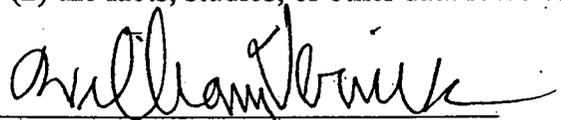

GINA R. KLUMP

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings. I am the attorney for the noticing party. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: May 20, 2003


William Verick

APPENDIX A

American Lighting Industry, Inc.	Mini Clip-on Light 25 watt item no. 9380B
Arkon Resources, Inc.	SF100 Sound Feeder Powered Audio Adapter
Audiovox	Audiovox FRS accessory charger pack FRS-CH5
Brightpoint, Inc.	Brightlink Wireless Accessories, earbud headset, Nokia Compatible
Cyber Acoustics	Cyber Acoustics stereo headset microphone for voice over internet applications, certified for speech recognition, model AC 644; PVVoiceLINK computer microphone for voice over internet applications, model CVL1101; Stereo headset microphone for voice over internet applications certified for speech recognition AC633
Earthlink, Inc.	Mailstation Standard 150 model DET1D
Emerson Radio Corp.	Stereo Radio Cassette Player, model EW96B
GPX Inc.	Compact Disc Player with headphones, C3849
Jasco Products	GE Audio cable, 6 ft. no. 00800 0604; GE Headphone extension kit, 25 ft. coiled cable, assorted adapters, no. 008000659
Jungsoft USA	USB Storage Device, NexDisk, 128mb
Lenmar Enterprises	Omni-Source SVC universal charger for 8mm & VHS-C camcorders BCV636
London Fog Industries, Inc.	London Fog Sterling edition travel hair dryer, 750 w dual voltage, model 134
Macsense Connectivity, Inc.	iParrot Stereo multimedia headset iP ST
Mad Catz, Inc.	RF Adapter for playstation 2 no. 08004
Royal Consumer Information Products, Inc.	Royal personal digital assistant line8 model; line8, PCUA: 14319G
Sandisk Corporation	Image Mate Dual Card Reader for compactflash and memory stick
Sanrio Inc.	Batz-Maru hair dryer 36321-9
SCM Microsystems	Dazzle memory stick reader DM-8100, 401117MS
Telex Communications, Inc.	Stereo computer headset H-51
Vector Products, Inc.	Vector Thermoelectric travel cooler and warmer, 12 volt dc, model TVEC221
Wagan Corporation	Wagan tech quick flow air compressor 12v dc, item #2014; Wagan Tech Universal Hands Free Cellular kit, item 2013



Klamath

ENVIRONMENTAL
LAW CENTER

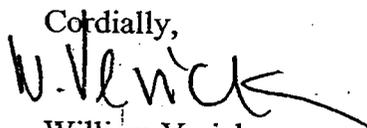
April 6, 2004

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

ATTORNEY GENERAL COPY
CONTAINS OFFICIAL
INFORMATION PURSUANT TO
EVIDENCE CODE §1040

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") hereby give you notice that the private businesses on the attached service list are in violation of Cal. Health & Safety Code § 25249.6. This office and Mateel are both private enforcers of Proposition 65, both organizations may be reached at the below listed address and telephone number, I may be considered a "responsible individual" at both organizations, and I may be contacted at the same address and telephone number. The above referenced violations occur when California residents come into contact with thermoset/thermoplastic-coated wires, cables, and/or cords/cord sets, including PVC-coated wires, cords/cord sets, plugs and connectors, and both SPT and HPN cords/cord sets (hereinafter collectively "Cords"). These businesses market products with, or that are themselves, Cords. Some examples of the products that incorporate Cords are those listed in the attached Appendix A. Handling of, and contact with, these Cords exposes people to acrylonitrile, antimony trioxide, arsenic, 1,3 butadiene, carbon tetrachloride, carbon black extracts, chlorinated paraffins, chloroform, ethyl acrylate, ethylene thiourea, nickel, toluene, cadmium, hexavalent chromium, vinyl chloride, lead and lead compounds, lead acetate, lead phosphate, lead subacetate, and di(2ethylhexyl) phthalate. Handling Cords causes these chemicals to come off the coating of the Cords and to be transferred to the skin of the person handling the Cords. These chemicals are then ingested through hand-to-mouth contact and hand-to-food-to-mouth and hand-to-cigarette-to-mouth behavior. These chemicals are also absorbed through the skin, through mucous membranes and enter the body through cuts, punctures and abrasions. Smokers also inhale those chemicals transferred from hands to cigarettes. People are thus exposed to these chemicals via the ingestion, inhalation, dermal absorption, mucous membrane absorption and subcutaneous routes. These exposures (and resulting violations) occur occupationally, environmentally, and as the result of the sale of consumer products and services. In occupational settings, the type of work that is done during which the above-referenced exposures occur is the handling of, and contact with, Cords, including during the manufacture, installation, maintenance, handling and/or use of electrical equipment to which these Cords are attached. As described above, the exposures that are the subject of this notice occur via the dermal absorption, inhalation, ingestion and subcutaneous routes. These violations have occurred every day since at least April 6, 2000 and will continue every day until reasonable warnings are given to those people exposed. Environmental exposure violations occur in every county of the State and occur both on and off the property of the aforementioned private businesses.

Cordially,

William Verick

SERVICE LIST

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980 9th Street, 10th Floor
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SAN JOSE, CA 95110

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OFFICE OF THE DISTRICT
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108 COURT ST. SUITE 202
JACKSON, CA 95642

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF BUTTE
25 COUNTY CENTER DR.
OROVILLE, CA 95965

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

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COLUSA, CA 95932

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COUNTY OF EL DORADO
515 MAIN ST.
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ATTORNEY
COUNTY OF HUMBOLDT
825 5TH ST.
EUREKA, CA 95501

OUNTY OF IMPERIAL
COURTHOUSE, FLOOR 2
939 W. MAIN ST
EL CENTRO, CA 92243

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P.O. DRAWER D
INDEPENDENCE, CA 93526

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ATTORNEY
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1215 TRUXTUN AVE. FLOOR 4
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ATTORNEY
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1400 W. LACEY BLVD.
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255 N. FORBES ST # 424
LAKEPORT, CA 95453

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COUNTY ADMINISTRATION
BUILDING
707 NEVADA ST.
SUSANVILLE, CA 96130

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ATTORNEY
COUNTY OF LOS ANGELES
18000 CRIMINAL COURTS
BUILDING
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SAN RAFAEL, CA 94903

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MARIPOSA, CA 95338

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ATTORNEY
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301 S. STATE ST.
UKIAH, CA 95482

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MERCED
2222 M ST.
MERCED, CA 95340

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ATTORNEY
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ALTURAS, CA 9610

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ATTORNEY
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P.O. BOX 617
BRIDGEPORT, CA 93517

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P.O. BOX 180
SALINAS, CA 93902

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931 PARKWAY MALL
P.O. BOX 720
NAPA, CA 94559-0720

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COURTHOUSE ANNEX
NEVADA CITY, CA 95959

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF ORANGE
700 CIVIC CENTER DR WEST #A-200
SANTA ANA, CA 92701

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11562 B AVE
AUBURN, CA 95603-2687

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COUNTY OF PLUMAS
P.O. BOX 10716
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST.
RIVERSIDE, CA 92501

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P.O. BOX 749
SACRAMENTO, CA 95804

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COUNTY OF SAN BENITO
419 4TH ST
HOLLISTER, CA 95023

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BERNARDINO
316 MT. VIEW AVE.
SAN BERNARDINO, CA 92415-0004

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO
101 W. BROADWAY #1440
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN FRANCISCO
850 BRYANT ST #322
SAN FRANCISCO, CA 94103

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN JOAQUIN
222 E. WEBER AVE #202
STOCKTON, CA 95202

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN LUIS OBISPO
COUNTY GOVERNMENT CENTER #450
SAN LUIS OBISPO, CA 93408

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN MATEO
HALL OF JUSTICE AND RECORDS
REDWOOD CITY, CA 94063

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
1105 SANTA BARBARA ST.
SANTA BARBARA, CA 93101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CLARA
70 W. HEDDING ST.
SAN JOSE, CA 95110

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ
701 OCEAN ST. #200
SANTA CRUZ, CA 95060

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SHASTA
1525 COURT ST.
REDDING, CA 96001

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SIERRA
P.O. BOX 457
DOWNTOWNVILLE, CA 95936

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SISKIYOU
P.O. BOX 986
YREKA, CA 96097

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SOLANO
600 UNION AVE
FAIRFIELD, CA 94533

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SONOMA
600 ADMINISTRATION DR. #212J
SANTA ROSA, CA 95403

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF STANISLAUS
1100 I ST. #200
MODESTO, CA 95354

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SUTTER
1160 CIVIC CENTER BLVD. #A
YUBA CITY, CA 95993

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ATTORNEY
COUNTY OF TEHAMA
P.O. BOX 519
REDBLUFF, CA 96080

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TRINITY
P.O. BOX 310
WEAVERVILLE, CA 96093

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TULARE
COURTHOUSE #224
VISALLA, CA 93291

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TUOLUMNE
2 S. GREEN ST.
SONORA, CA 95370

VENTURA COUNTY DISTRICT
ATTORNEY'S OFFICE
c/o GREGORY BROSE D.D.A.
4245 MARKET ST. #205
VENTURA, CA 93003

OFFICE OF THE DISTRICT
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COUNTY OF YOLO
204 4TH ST
P.O. BOX 1247
WOODLAND, CA 95695

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

ANDREW MOONEY, PRESIDENT
THE DISNEY STORE, INC
500 SOUTH BUENA VISTA ST
BURBANK, CA 91521

DAVID K THOMPSON,
PRESIDENT
BUENA VISTA ENTERTAINMENT,
INC
500 SOUTH BUENA VISTA
STREET
BURBANK, CA 91521

PRESIDENT OR CEO
PROGRESSIVE INTERNATIONAL
CORP
6111 S 228TH ST
KENT, WA 98032

PRESIDENT OR CEO
AUDIO TECHNICA US INC
1221 COMMERCE DR.
STOW, OH 44224

ROBERT J LAIKIN, PRESIDENT
BRIGHTPOINT
501 AIRTECH PKWY
PLAINFIELD, IN 46168

PRESIDENT OR CEO
SAKAR INTERNATIONAL INC.
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EDISON, NJ 08817

PRESIDENT OR CEO
TECHNOLOGY RESEARCH
CORPORATION
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CLEARWATER, FL 33760

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RESTON, VA 20190-5629

FRANK K LIU, PRESIDENT
UNICAL ENTERPRISES, INC
16960 GALE AVE
CITY OF INDUSTRY, CA 91745

W ALAN MCCOLLOUGH,
PRESIDENT
CIRCUIT CITY STORES, INC.
9950 MAYLAND DR
RICHMOND, VA 23233

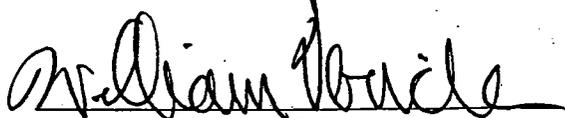
MICHAEL T CHALIFOUX,
PRESIDENT
CIRCUIT CITY STORES WEST
COAST, INC.
9950 MAYLAND DR
RICHMOND, VA 23233

John Hsu, Owner
HONOR TRADING CO.
3589 YALE WAY
FREMONT, CA 94538-6185

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings. I am the attorney for the noticing party. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: April 6, 2004

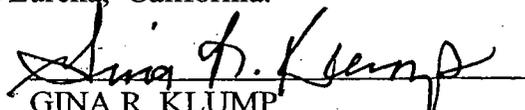

William Verick

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Gina Klump, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On April 6, 2004, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on April 6, 2004, at Eureka, California.


GINA R. KLUMP

Company

THE DISNEY STORE, INC.
BUENA VISTA ENTERTAINMENT,
INC.

PROGRESSIVE INTERNATIONAL
CORP.

AUDIO TECHNICA US INC.

BRIGHTPOINT

SAKAR INTERNATIONAL INC.

TECHNOLOGY RESEARCH
CORPORATION

WKI HOLDING COMPANY, INC.

UNICAL ENTERPRISES, INC

CIRCUIT CITY STORES WEST
COAST, INC.

HONOR TRADING CO.

APPENDIX A

Products

Power Rangers Dino Thunder
Power Ranger Radio FM auto scan radio

Progressive International Immersion Heather GT-7400

Audio Technica Handheld Microphone #ATR10BL

Brightlink Wireless Accessories, Earbud Headset, Nokia
Compatible

Brightlink Earbud Headset Item OHFPPT282 AM040

Brightlink Earbud Headset OHFPP61902 AM030

Cyber Gear Handsfree Mini Phone Item #32466

iConcepts Digital Camera Item # 69052

Cyber Gear Miniphone Recorder Item #60468

Cyber Gear Palm Tunes Touch Screen Databank with
Stylus Item #86468

Cyber Gear Micro Radio Item #45466

iConcepts PDA USB Hot Sync & Charger Item #16346

Fire Shield 8-Foot Safety Extension Cord 13 AMP 120
VOLTS 16 AWG Patent #4931894

Ekco Immersion Heater #00426

Northwestern Bell Caller ID Telephone #77519-3

Bell Phones by Northwestern Bell Phones Mini
Telephones #28000-M2

Bell Phones by Northwestern Bell Phones Classic
Favorite Trim Style Telephone #52820

Bell Phones by Northwestern Bell Phones Big Button
Plus Telephone #20200-3

Bell Phones by Northwestern Bell Phones Big Wall
Phone #51491

Audiobahn Earclip Style Stereo Headphones, model
ABN-150

Audiobahn Wraparound Stereo Headphones, model
ABN-11

Liquid Video S-Video/AV Cable For PlayStation 2,
GAMECUBE, Xbox GA-332

Liquid Video Starter Kit for PlayStation 2 GA-331

Liquid Video Starter Kit for Xbox GA-328

Liquid Video Starter Kit for GAMECUBE - GA-330

Wagan Tech Quick Flow Air Compressor, Item #2014



June 4, 2004

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

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Cordially,

William Verick

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ATTORNEY COUNTY OF GLENN
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COURTHOUSE ANNEX
NEVADA CITY, CA 95959

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COUNTY OF ORANGE
700 CIVIC CENTER DR WEST #A-200
SANTA ANA, CA 92701

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLACER
11562 B AVE
AUBURN, CA 95603-2687

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLUMAS
P.O. BOX 10716
QUINCY, CA 95971

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
4075 MAIN ST.
RIVERSIDE, CA 92501

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SACRAMENTO
P.O. BOX 749
SACRAMENTO, CA 95804

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BENITO
419 4TH ST
HOLLISTER, CA 95023

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN BERNARDINO
316 MT. VIEW AVE.
SAN BERNARDINO, CA 92415-0004

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO
101 W. BROADWAY #1440
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN FRANCISCO
850 BRYANT ST #322
SAN FRANCISCO, CA 94103

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN JOAQUIN
222 E. WEBER AVE #202
STOCKTON, CA 95202

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN LUIS OBISPO
COUNTY GOVERNMENT CENTER #450
SAN LUIS OBISPO, CA 93408

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SAN MATEO
HALL OF JUSTICE AND RECORDS
REDWOOD CITY, CA 94063

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
1105 SANTA BARBARA ST.
SANTA BARBARA, CA 93101

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CLARA
70 W. HEDDING ST.
SAN JOSE, CA 95110

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ
701 OCEAN ST. #200
SANTA CRUZ, CA 95060

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SHASTA
1525 COURT ST.
REDDING, CA 96001

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SIERRA
P.O. BOX 457
DOWNIEVILLE, CA 95936

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF SISKIYOU
P.O. BOX 986
YREKA, CA 96097

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SOLANO
600 UNION AVE
FAIRFIELD, CA 94533

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SONOMA
600 ADMINISTRATION DR. #212J
SANTA ROSA, CA 95403

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF STANISLAUS
1100 I ST. #200
MODESTO, CA 95354

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SUTTER
1160 CIVIC CENTER BLVD. #A
YUBA CITY, CA 95993

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TEHAMA
P.O. BOX 519
REDBLUFF, CA 96080

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TRINITY
P.O. BOX 310
WEAVERVILLE, CA 96093

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TULARE
COURTHOUSE #224
VISALIA, CA 93291

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF TUOLUMNE
2 S. GREEN ST.
SONORA, CA 95370

VENTURA COUNTY DISTRICT
ATTORNEY'S OFFICE
c/o GREGORY BROSE D.D.A.
4245 MARKET ST. #205
VENTURA, CA 93003

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YOLO
204 4TH ST
P.O. BOX 1247
WOODLAND, CA 95695

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

ROB LITTLE, PRESIDENT
ABAC AMERICAN IMC INC
1623 CEDAR LINE DR.
ROCK HILL SC 29730

THOMAS F. SLATER, CEO
ACTRON MANUFACTURING
COMPANY
15825 INDUSTRIAL PKWY
CLEVELAND, OH 44135

ANDRE LIVIAN, PRESIDENT
ALL TRADE, INC.
1431 VIA PLATA
LONG BEACH, CA 90810

MICHAEL J POTTER, PRESIDENT
BIG LOTS STORES, INC.
300 PHILLIPI RD
COLUMBUS, OH 43228

MAO KUEI LIN, PRESIDENT
BLITZZ TECHNOLOGY, INC.
53 PARKER
IRVINE, CA 92618

KEN SEMELSBERGER,
PRESIDENT
CAMPBELL HAUSFELD/SCOTT
FETZER COMPANY
28800 CLEMENS ROAD
WEST LAKE, OH 44145

MIKE CATAN, PRESIDENT
DARICE INC
13000 DARICE PKWY, PARK 12
STRONGSVILLE, OH 44149

GUS ALEXANDER, PRESIDENT
FAIP NORTH AMERICA, INC.
1825 GREENLEAF AVE
ELK GROVE VILLAGE, IL 60007

GUS ALEXANDER, PRESIDENT
FAIP NORTH AMERICA, INC.
560 S VERMONT ST
PALATINE, IL 60067

SCOTT CAMPBELL, PRESIDENT
GC/WALDOM ELECTRONICS INC
1801 MORGAN ST
ROCKFORD, IL 61102

SHIGEHARU MANO, PRESIDENT
HITACHI KOKI U.S.A., LTD.
50 PROSPECT AVE
TARRYTOWN, NY 10591

AKI NOZAKI, PRESIDENT
HITACHI KOKI U.S.A., LTD.
3950 STEVE REYNOLDS BLVD
NORCROSS, GA 30093

WAYNE TIMPE
LKG INDUSTRIES, INC
3660 PUBLISHERS DR.
ROCKFORD, IL 61109

PRESIDENT OR CEO
MIDWEST AIR TECHNOLOGIES
INC.
625 BARCLAY BLVD
LINCOLNSHIRE, IL 60069

MIKE MC COOEY, PRESIDENT
FLAID ENTERPRISES, INC
PO BOX 7600
NORCROSS, GA 30091

RICHARD BERMAN, PRESIDENT
R & B INC.
3400 E WALNUT ST.,
BOX 1800
COLMAR, PA 18915

FRED POND, PRESIDENT
RIDGE TOOL CO.
400 CLARK ST.
ELYRIA, OH 44035

PRESIDENT OR CEO
RMM CORPORATION
7677 EQUITABLE DR
EDEN PRAIRIE, MN 55344

PRESIDENT OR CEO
S-B POWER TOOL CO.
4300 W. PETERSON AVE.
CHICAGO, IL 60646

DAN CLAUSEY, PRESIDENT
S-B POWER TOOL CO.
1800 WEST CENTRAL ROAD
MT. PROSPECT, IL 60056

R W GERWE, PRESIDENT
SENCO PRODUCTS, INC.
8485 BROADWELL ROAD
CINCINNATI, OH 45244

JOHN M TRAM, PRESIDENT
THE STANLEY WORKS
1000 STANLEY DRIVE
NEW BRITAIN, CT 06053

PRESIDENT OR CEO
VANCO INTERNATIONAL INC
506 KINGSLAND DR.
BATAVIA, IL 60510

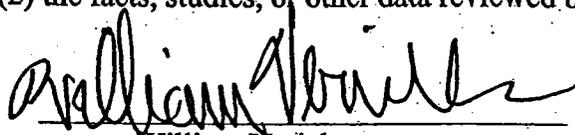
DONALD D ORDWAY, PRESIDENT
VIDEO DISPLAY CORPORATION
1868 TUCKER INDUSTRIAL DR
TUCKER, GA 30084

ED CARPENTER, PRESIDENT
VICTOR AUTOMOTIVE PRODUCT
INC.
501 S. WOLF RD.
DES PLAINES, IL 60016

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings. I am the attorney for the noticing party. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: June 4, 2004

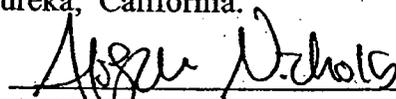

William Verick

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Alison Nichols, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On June 4, 2004, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on June 4, 2004, at Eureka, California.


ALISON NICHOLS

Appendix A

COMPANY NAME	EVIDENCE ON HAND
ABAC AMERICAN IMC INC	Ridgid Oil Lubricated Twin Stack Air Compressor #OL51035
ACTRON MANUFACTURING COMPANY	Actron LED Circuit Tester CP7847
ALLTRADE	Alltrade Air Plus 2 Gallon Air Compressor #540215 SKU:849990
BIG LOTS	TriQuest Model 2071 25ft. Handset Coiled Cord
BLITZZ TECHNOLOGY, INC.	Blitzz Wireless USB Adapter for Desktop & Notebook model:BWU613B
CAMPBELL HAUSFELD	CH Extreme Contractor Series 2 HP Air Compressor + 1 1/4" Brad Nailer Kit #FP210098AV
FAIP NORTH AMERICA, INC	POWERWASHER 1300 PSI MODEL: H100PLUS
GC WALDEN ELECTRONICS INC	GC Electronics 20ft Audio Extension Cable 30-1830
HITACHI	Hitachi 2 HP Twin Tank Air Compressor #EC 12
LKG INDUSTRIES INC	10ft Audio Extension Cable #38-179 Philmore Audio Cable RCA Plug-RCA Plug 12 ft Gold Plated No. CAG24 Philmore 6ft Stereo Cable 3.5 mm plugs No. PR5G Philmore MediaStar Stereo Cable 12 ft - 3.5mm Stereo Plugs No. 70-007
MIDWEST AIR TECHNOLOGIES	Craftsman 1.5 HP Max developed 2 gallon air compressor #915210 Task Force Air Compressor Oil Free Portable #83691
PLAID ENTERPRISES, INC.	Plaid Stencil Decor Stencil Cutter #34009
R & B INC.	Professional Conduct Tite Continuity Tester #86598 Conduct Tite Auto Wire Test & Strip Kit #84500 Conduct Tite Hi-Lo Voltage Tester #85599
RIDGE TOOL CO	Rigid Oil Lubricated Twin Stack Air Compressor #OL51035
RMM CORP.	PORTABLE AIR COMPRESSOR MODEL IF1099
S-B POWER TOOL CO. (BOSCH)	BOSCH 25 ft., 12 Gauge Contractor Grade Outdoor Extension Cord XC25
SENCO PRODUCTS	Senco FinishPro 18 Brad Nailer and Compressor Kit #PC0947
VANCO INTERNATIONAL	Audio Hook-Up Cable AC2W
VICTOR AUTOMOTIVE PRODUCTS	Victor Lighter Adapter Extension Cord V5103 10 foot 12V cord