

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

Aeroflot, Aero California, Air Pacific, Allegiant Air, Aviacsa Airlines,  
Harmony Airways, and DOES 1-100.

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Environmental World Watch, Inc., in the public interest

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

*Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.*

*Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol/](http://www.courtinfo.ca.gov/selfhelp/espanol/)) o poniéndose en contacto con la corte o el colegio de abogados locales.*

The name and address of the court is:  
(El nombre y dirección de la corte es):

Superior Court of the State of California for the County of San Francisco  
Civic Center Courthouse  
400 McAllister Street, San Francisco, CA 94102-4514

CASE NUMBER:  
(Número del Caso)

CGC-06-455658

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Reuben Yeroushalmi, Yeroushalmi & Associates, 3700 Wilshire Blvd., Suite 480, Los Angeles, CA 90010,  
213-382-3183

DATE: AUG 29 2006  
(Fecha)

Gordon Park

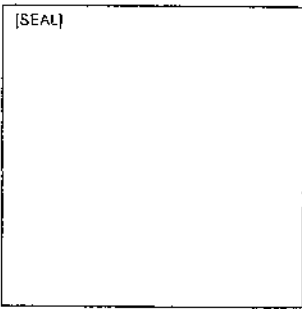
Clerk, by  
(Secretario)

[Signature]

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED: You are served**

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):  
 under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
4.  by personal delivery on (date):

1 REUBEN YEROUSHALMI (SBN 193981)  
2 DANIEL D. CHO (SBN 105409)  
3 BEN YEROUSHALMI (SBN 232540)  
4 NICK BYRD (SBN 227953)  
5 YEROUSHALMI & ASSOCIATES  
6 3700 WILSHIRE BLVD., SUITE 480  
7 LOS ANGELES, CA 90010  
8 213-382-3183

CASE MANAGEMENT CONFERENCE SET

**ENDORSED  
FILED**  
San Francisco County Superior Court

AUG 29 2006

**GORDON PARK-LI, Clerk**  
By: PARAM NAT. Deputy Clerk

Attorneys for Plaintiff,  
Environmental World Watch, Inc. **JAN 26 2007 - 9:00 AM**

DEPARTMENT 212

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

12 Environmental World )  
13 Watch, Inc., in the public )  
14 interest, )  
15 Plaintiff, )  
16 v. )  
17 Aeroflot, Aero California, Air )  
18 Pacific, Allegiant Air, Aviacsa )  
19 Airlines, Harmony Airways, and )  
20 DOES 1-100, )  
21 Defendants. )

Case No. **CGC-06-455658**

Action is an unlimited civil case (amount  
demanded exceeds \$25,000)

PROPOSITION 65, THE SAFE DRINKING  
WATER AND TOXIC ENFORCEMENT ACT OF  
SECTIONS 25249.5, ET SEQ.)

GENERAL ALLEGATIONS

1. Plaintiff Environmental World Watch, Inc. ("Plaintiff") is a corporation qualified to do business in the State of California. It brings this action in the public interest as defined under Health and Safety Code section 25249.7, subdivision (d).

**COPY**

1 2. Plaintiff is ignorant of the true names and capacities of defendants Does 1-100, and  
2 therefore sues these defendants by such fictitious names. Plaintiff will amend this  
3 complaint to allege their true names and capacities when ascertained. Plaintiff is  
4 informed, believes, and thereon alleges that each fictitiously named defendant is  
5 responsible in some manner for the occurrences herein alleged and the damages caused  
6 thereby.

7  
8 3. At all times mentioned herein, "Defendants" include and Does 1-100.

9  
10 4. At all times mentioned each defendant was a "[p]erson in the course of doing business"  
11 within the meaning of Health and Safety Code section 25249.11, subdivision (b).  
12 Plaintiff is informed, believes, and thereon alleges that at all times mentioned herein each  
13 defendant had ten or more employees.

14  
15 5. The Court has jurisdiction over this lawsuit pursuant California Constitution Article VI,  
16 Section 10, which grants the Superior Court original jurisdiction in all causes except  
17 those given by statute to other trial courts.

18 **CAUSE OF ACTION**

19 **(BY ENVIRONMENTAL WORLD WATCH, INC. AGAINST DEFENDANTS**  
20 **AEROFLOT, AERO CALIFORNIA, AIR PACIFIC, ALLEGIANT AIR, AVIACSC**  
21 **AIRLINES, HARMONY AIRWAYS, AND DOES 1-100, FOR VIOLATION OF**  
22 **PROPOSITION 65, THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT**  
**ACT OF 1986 (HEALTH AND SAFETY CODE SECTIONS 25249.5, ET SEQ.)**

23 6. Plaintiff ENVIRONMENTAL WORLD WATCH, INC. repeats and incorporates by  
24 reference the previous paragraphs of this complaint as though fully set forth herein.

25  
26 7. Defendants Aeroflot, Aero California, Air Pacific, Allegiant Air, Aviacsa Airlines,  
27 Harmony Airways, and DOES 1-100, (referred herein after collectively as the "Airline  
28 Defendants") are and at all times mentioned herein were airlines that flew airplanes in

1 and out of airports located in California. Between January 4, 2001, and the filing date of  
2 this Complaint, the Airline Defendants exposed their employees to jet engine exhaust.  
3 The exposures of employees to jet engine exhaust took place when the Airline  
4 Defendants landed their airplanes, during the process of refueling, while employees  
5 exited the airplanes, while employees performed maintenance on the airplanes, while  
6 employees boarded the Airline Defendants' airplanes, while the Airline Defendants'  
7 airplanes taxied upon landing, and during take-off, or any other time while Airline  
8 Defendants operated their airplanes on or near the ground. The exposed employees  
9 include baggage handlers, maintenance workers, pilots, flight attendants, cleaning  
10 personnel, ticket agents and all other employees working at the gate, warehouse workers,  
11 and all other airline crew and personnel working at the Airline Defendants' respective  
12 gates or terminals where airplanes dock. Airline Defendants exposed these employees to  
13 chemicals designated to cause cancer or reproductive toxicity, pursuant to California  
14 Code of Regulations, title 22, section 12000 ("Covered Chemicals"), contained in jet  
15 engine exhaust without first giving clear and reasonable warning of such pursuant to  
16 Health and Safety Code sections 25249.5, et seq. ("Proposition 65"). The sources of  
17 exposures included inhalation caused by the exposed employees inhaling and breathing  
18 the ambient air, which contained jet engine exhaust, while the airplanes were on the  
19 runway, at the terminal, and while the airplanes taxied at the airports listed in Exhibit A  
20 applicable to each respective defendant, as specified therein. Exposures occurred at each  
21 of the airports listed in Exhibit A applicable to each respective defendant, as specified  
22 therein.  
23  
24  
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28

1 8. The Airline Defendants are and at all times mentioned herein were airlines that flew  
 2 airplanes in and out of airports located in California. Between January 4, 2001, and the  
 3 filing date of this Complaint, the Airline Defendants exposed persons to jet engine  
 4 exhaust. The Airline Defendants caused exposures when the Airline Defendants landed  
 5 their airplanes, during the process of refueling, while passengers exited and boarded the  
 6 Airline Defendants' airplanes, while the airplanes taxied, and during take-off. Exposed  
 7 persons included people visiting and working at the airports listed in Exhibit A, including  
 8 passengers, well-wishers, children, pregnant women, taxi and shuttle drivers, catering and  
 9 food service delivery personnel, police and security personnel, airport employees and  
 10 ground crews, neighborhood residents, and passersby. The Airline Defendants exposed  
 11 these persons to the Covered Chemicals contained in jet engine exhaust without first  
 12 giving clear and reasonable warning of such pursuant to Proposition 65. The sources of  
 13 exposures included inhalation caused by the exposed persons inhaling and breathing the  
 14 ambient air containing jet engine exhaust while traversing runway areas and jet bridges at  
 15 the airports found in Exhibit A. Some of the exposures for which a warning is required  
 16 occurred near the gate or terminal where the Airline Defendants dock their airplanes.  
 17 Exposures occurred at each of the airports listed in Exhibit A.

18 9. Jet engine exhaust contains the following Covered Chemicals.

23 Benz[a]anthracene	Chrysene	Benzo[a]pyrene	Indeno[1,2,3-cd]pyrene
24 Formaldehyde (gas)	Acetaldehyde	Naphthalene	Benzene
25 1,3-Butadiene	Benzo[b]fluoranthene	Benzo[k]fluoranthene	Dibenz[a,h]anthracene
26 Toluene	Carbon Monoxide		

27 10. On July 1, 1987, Benz[a]anthracene first appeared on the Governor's Proposition 65 list  
 28 of Chemicals known to cause developmental toxicity. (Cal. Code Regs., tit 22, §12000,

1           subd. (b.) Pursuant to Health and Safety Code section 25249.9 (hereinafter "§25249.9"),  
2           twenty months after first appearing on the Governor's Proposition 65 list,  
3           Benz[a]anthracene became subject to Proposition 65 warning requirements.

4  
5           11. On January 1, 1990, Chrysene first appeared on the Governor's Proposition 65 list of  
6           Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b.)) Pursuant  
7           to §25249.9, twenty months after first appearing on the Governor's Proposition 65 list,  
8           Chrysene became subject to Proposition 65 warning requirements.

9  
10           12. On July 1, 1987, Benzo[a]pyrene first appeared on the Governor's Proposition 65 list of  
11           Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b.)) Pursuant  
12           to §25249.9, twenty months after first appearing on the Governor's Proposition 65 list,  
13           Benzo[a]pyrene became subject to Proposition 65 warning requirements.

14  
15           13. On January 1, 1988, Indeno[1,2,3-cd]pyrene first appeared on the Governor's Proposition  
16           65 list of Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b.))  
17           Pursuant to §25249.9, twenty months after first appearing on the Governor's Proposition  
18           65 list, Indeno[1,2,3-cd]pyrene became subject to Proposition 65 warning requirements.

19  
20           14. On January 1, 1988, Formaldehyde (gas) first appeared on the Governor's Proposition 65  
21           list of Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b.))  
22           Pursuant to §25249.9, twenty months after first appearing on the Governor's Proposition  
23           65 list, Formaldehyde (gas) became subject to Proposition 65 warning requirements.

24  
25           15. On April 1, 1988, Acetaldehyde first appeared on the Governor's Proposition 65 list of  
26           Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b.)) Pursuant  
27           to §25249.9, twenty months after first appearing on the Governor's Proposition 65 list,  
28           Acetaldehyde became subject to Proposition 65 warning requirements.

- 1 16. On April 19, 2002, Naphthalene first appeared on the Governor's Proposition 65 list of  
2 Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b).) Pursuant  
3 to §25249.9, twenty months after first appearing on the Governor's Proposition 65 list,  
4 Naphthalene became subject to Proposition 65 warning requirements.  
5
- 6 17. On February 27, 1987, Benzene first appeared on the Governor's Proposition 65 list of  
7 Chemicals known to cause cancer, and on December 26, 1997, for male reproductive  
8 toxicity. (Cal. Code Regs., tit 22, §12000, subd. (b).) Pursuant to §25249.9, twenty  
9 months after first appearing on the Governor's Proposition 65 list, Benzene became  
10 subject to Proposition 65 warning requirements.  
11
- 12 18. On April 1, 1988, 1,3-Butadiene first appeared on the Governor's Proposition 65 list of  
13 Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b).) Pursuant  
14 to §25249.9, twenty months after first appearing on the Governor's Proposition 65 list,  
15 1,3-Butadiene became subject to Proposition 65 warning requirements.  
16
- 17 19. On July 1, 1987, Benzo[b]fluoranthene first appeared on the Governor's Proposition 65  
18 list of Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b).)  
19 Pursuant to §25249.9, twenty months after first appearing on the Governor's Proposition  
20 65 list, Benzo[b]fluoranthene became subject to Proposition 65 warning requirements.  
21
- 22 20. On July 1, 1987, Benzo[k]fluoranthene first appeared on the Governor's Proposition 65  
23 list of Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b).)  
24 Pursuant to §25249.9, twenty months after first appearing on the Governor's Proposition  
25 65 list, Benzo[k]fluoranthene became subject to Proposition 65 warning requirements.  
26
- 27 21. On January 1, 1988, Dibenz[a,h]anthracene first appeared on the Governor's Proposition  
28 65 list of Chemicals known to cause cancer. (Cal. Code Regs., tit 22, §12000, subd. (b).)

1 Pursuant to §25249.9, twenty months after first appearing on the Governor's Proposition  
2 65 list, Dibenz[a,h]anthracene became subject to Proposition 65 warning requirements.

3 22. On January 1, 1991, Toluene first appeared on the Governor's Proposition 65 list of  
4 Chemicals known to cause reproductive toxicity. (Cal. Code Regs., tit 22, §12000, subd.  
5 (b).) Pursuant to §25249.9, twenty months after first appearing on the Governor's  
6 Proposition 65 list, Toluene became subject to Proposition 65 warning requirements.  
7

8 23. On January 1, 1989, Carbon Monoxide first appeared on the Governor's Proposition 65  
9 list of Chemicals known to cause reproductive toxicity. (Cal. Code Regs., tit 22, §12000,  
10 subd. (b).) Pursuant to §25249.9, twenty months after first appearing on the Governor's  
11 Proposition 65 list, Carbon Monoxide became subject to Proposition 65 warning  
12 requirements.  
13

14 24. At least sixty days prior to commencing this action by the filing of this complaint,  
15 Plaintiff gave notices of alleged violations of Proposition 65 subject to a private action to  
16 the Attorney General and applicable district attorneys and city attorneys in whose  
17 jurisdictions the violations allegedly occurred, and to each named defendant.  
18

19 25. Plaintiff gave these notices and filed this action more than twenty months after each of  
20 the chemicals listed in Paragraph 9 of this Complaint first appeared on the Governor's  
21 Proposition 65 list, and after such chemicals became subject to Proposition 65 warning  
22 requirements.  
23

24 26. Each of Plaintiff's respective notices of the alleged violations included a certificate of  
25 merit executed by the attorney for the noticing party, Plaintiff. The certificate of merit  
26 stated that the attorney for Plaintiff who executed the certificate had consulted with at  
27 least one person with relevant and appropriate expertise who had reviewed data regarding  
28



1 the exposure to the chemicals listed in Paragraph 9 of this Complaint that are subjects of  
2 this action. Based on that information, the attorney for Plaintiff who executed the  
3 certificate believed there was a reasonable and meritorious case for this private action.

4 The attorney for Plaintiff attached to the certificate of merit served on the Attorney  
5 General information sufficient to establish the basis of the certificate of merit.  
6

7 27. Plaintiff is informed, believes, and thereon alleges that neither the Attorney General, nor  
8 any applicable district attorney or city attorney, has commenced and is diligently  
9 prosecuting an action against the alleged violations.

10 28. At all times relevant to this action, Defendants knew they were exposing their employees  
11 and people visiting and working at the airports, including passengers, police and security  
12 personnel, catering personnel, and food service delivery personnel to the chemicals listed  
13 in Paragraph 9 of this Complaint without first giving clear and reasonable warning of  
14 such to the persons exposed. The State of California has designated that these chemicals  
15 cause cancer and/or developmental toxicity. Therefore, between January 4, 2001, and the  
16 filing date of this complaint, Defendants, without first giving clear and reasonable  
17 warning, knowingly and intentionally exposed the aforementioned persons to the  
18 chemicals listed in Paragraph 9 of this Complaint and known to the State of California to  
19 cause cancer and/or developmental toxicity.  
20  
21  
22

23 29. The route of exposure for the chemicals listed in Paragraph 9 of this Complaint included  
24 inhalation caused by the exposed persons inhaling and breathing the ambient air  
25 containing jet engine exhaust while traversing runway areas, terminals, jet bridges, and  
26 other areas at the airports found in Exhibit A.  
27  
28

1 30. Individuals exposed to the chemicals listed in Paragraph 9 of this Complaint suffered and  
2 continue to suffer irreparable harm due to exposure to such chemicals without prior clear  
3 and reasonable warning.  
4

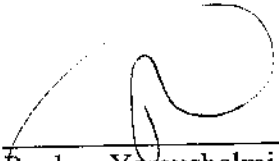
5  
6 **PRAYER FOR RELIEF**

7 Plaintiff demands against each defendant as follows:

- 8 1. A permanent injunction;  
9 2. Penalties pursuant to Health and Safety Code section 25249.7, subdivision (b) of  
10 \$2,500.00 per day per violation;  
11 3. Costs of suit;  
12 4. Reasonable attorney's fees and costs; and  
13 5. Any further relief that the court may deem just and equitable.  
14

15  
16  
17 Dated: August 24, 2006

YEROUSHALMI & ASSOCIATES

18  
19  
20   
21 Reuben Yeroushalmi  
22 Attorneys for Plaintiff,  
23 Environmental World Watch, Inc.  
24  
25  
26  
27  
28

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>REUBEN YEROUSHALMI (SBN 193981)</b> <b>YEROUSHALMI &amp; ASSOCIATES</b> <b>3700 WILSHIRE BLVD., SUITE 480, LOS ANGELES, CA 90010</b> TELEPHONE NO.: 213-382-3183 FAX NO.: 213-382-3430 ATTORNEY FOR (Name): <b>Environmental World Watch, Inc.</b>	FOR COURT USE ONLY <b>ENDORSED FILED</b> <b>San Francisco County Superior Court</b>  <b>AUG 29 2006</b> <b>GORDON PARK-LI, Clerk</b> <b>PARAM NAT.</b> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: 400 McAllister Street CITY AND ZIP CODE: San Francisco 94102-4514 BRANCH NAME: Civic Center Courthouse	CASE NUMBER: <b>CGC - 06 - 455658</b> JUDGE: DEPT.:
CASE NAME: <b>Environmental World Watch, Inc. v. Aeroflot et al.</b>	CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less) <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Complex Case Designation Filed with first appearance by defendant (Cal. Rules of Court, rule 1B11)

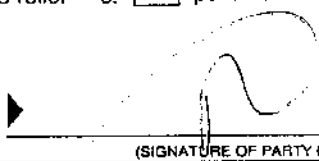
All five (5) items below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input checked="" type="checkbox"/> Environmental /Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case  is  is not complex under rule 1800 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |   |
|--|---|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses   |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial post-judgment judicial supervision  |
3. Type of remedies sought (check all that apply):  
 a.  monetary    b.  nonmonetary; declaratory or injunctive relief    c.  punitive
4. Number of causes of action (specify): One
5. This case  is  is not a class action suit.
- Date: August 24, 2006

Reuben Yeroushalmi  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate, Family, or Welfare and Institutions Code). (Cal. Rules of Court, rule 201.8.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 1800 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

COPY