

State of California - Department of Justice - Attorney General's Office - Proposition 65 Enforcement Reporting

FORM JUS 1500
(03-01)

Attention: Prop 65 Coordinator, 1515 Clay Street, Suite 2000, Oakland, CA 94612

PRIVATE ENFORCEMENT FILING - Health and Safety Code section 25249.7(e) and (f)

REPORT OF CIVIL COMPLAINT FILING

Please print or type required information

Original Filing Supplemental Filing Corrected Filing

PARTIES TO THE ACTION	PLAINTIFF(S)	Mateel Environmental Justice Foundation		
	DEFENDANT(S)	THE BOMBAY COMPANY, INC.; ACTRON MANUFACTURING COMPANY; DARICE, INC.; GC/WALDOM ELECTRONICS, INC.; VANCO INTERNATIONAL, INC.; VIDEO DISPLAY CORPORATION; and VICTOR AUTOMOTIVE PRODUCTS, INC.		
CASE INFO	COURT DOCKET NUMBER	440164	COURT NAME	San Francisco Superior Court
	SHORT CASE NAME	Mateel v. Bombay		
REPORT INFO	TYPE OF CLAIM (Check All That Apply)		RELIEF SOUGHT (Check All That Apply)	
	<input type="checkbox"/> Proposition 65 Unlawful Discharge	<input checked="" type="checkbox"/> Proposition 65 Failure to Warn	<input checked="" type="checkbox"/> Warning	<input type="checkbox"/> Discharge Ban
	<input type="checkbox"/> B&P Code section 17200	<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Civil Penalty	For Internal Use Only
COPY OF COMPLAINT MUST BE ATTACHED				
FILER INFO	NAME OF CONTACT William Verick			
	ORGANIZATION Klamath Environmental Law Center		TELEPHONE NUMBER ((707)) 268-8900	
	ADDRESS 424 First Street		FAX NUMBER ((707)) 268-8901	
	CITY Eureka	STATE ZIP CA 95501-0404	E-MAIL ADDRESS wverick@igc.org	

FILING INSTRUCTIONS: This form can be completed online and printed. If electronic filing is not available, mail the completed form with a copy of the complaint to the attention of the Prop 65 Coordinator at the address shown above. If you need additional space to complete this form please use an attachment.

1 WILLIAM VERICK, SBN 140972
2 Klamath Environmental Law Center
3 FREDRIC EVENSON, SBN 198059
4 424 First Street
5 Eureka, CA 95501
6 Telephone: (707) 268-8900
7 Facsimile: (707) 268-8901

8 DAVID WILLIAMS, SBN 144479
9 BRIAN ACREE, SBN 202505
10 Public Interest Lawyers Group
11 2070 Allston Way, Suite 300
12 P.O. Box 12157
13 Berkeley, CA 94712-3157
14 Telephone: (510) 647-1900
15 Facsimile: (510) 6471905

16 Attorneys for Plaintiff,
17 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 COUNTY OF SAN FRANCISCO
20 (Unlimited Jurisdiction)

21 MATEEL ENVIRONMENTAL
22 JUSTICE FOUNDATION,

23 Plaintiff,

24 v.

25 THE BOMBAY COMPANY, INC.;
26 ACTRON MANUFACTURING
27 COMPANY; DARICE, INC.; GC/WALDOM
28 ELECTRONICS, INC.; VANCO
INTERNATIONAL, INC.; VIDEO DISPLAY
CORPORATION; VICTOR AUTOMOTIVE
PRODUCTS, INC., and DOES 1 through 100
inclusive,

Defendants.

MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

INTRODUCTION

1. This Complaint seeks civil penalties and an injunction to remedy the continuing failure of defendants THE BOMBAY COMPANY, INC; ACTRON MANUFACTURING

ENROBSED
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 SFP 9 - 2005 9:00AM

DEPARTMENT 212

CASE NO. 05-440164

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

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

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

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

1 60-day Notice letters dated May 20, 2003, April 6, 2004, and June 4, 2004 which Mateel sent to
2 California's Attorney General. Substantially identical letters were sent to every District Attorney
3 in the state, and to the City Attorneys of every California city with a population greater than
4 750,000. On those same dates, Mateel sent identical 60-Day Notice letters to each defendant.
5 Attached to the 60-Day Notice Letters sent to each defendant was a summary of Proposition 65
6 that was prepared by California's Office of Environmental Health Hazard Assessment. In
7 addition, each 60-Day Notice Letter plaintiff sent was accompanied by a Certificate of Service
8 attesting to the service of the 60-Day Notice Letter on each entity which received it. Pursuant to
9 California Health & Safety Code Section 25249.7(d), a Certificate of Merit attesting to the
10 reasonable and meritorious basis for the action was also sent with each 60-Day Notice Letter.
11 Factual information sufficient to establish the basis of the Certificate of Merit was enclosed with
12 the 60-Day Notice letter Mateel sent to the Attorney General.

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

14 JURISDICTION

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

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

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

1 Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

2 FIRST CAUSE OF ACTION
3 (Claim for Injunctive Relief)

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

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

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

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

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

25
26 18. By the above described acts, Defendants have violated Cal. Health & Safety Code
27 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition
28

1 65 and requiring them to provide warnings to their past customers who purchased defendants'
2 products without receiving a clear and reasonable warning.

3 SECOND CAUSE OF ACTION
4 (Claim for Civil Penalties)

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

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

11 PRAYER FOR RELIEF

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

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

16 2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil
17 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
18 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
19 Defendants' manufacturing, distributing or marketing of Leaded Wire or Cable Products;

20 3. That Defendants be ordered to identify and locate each individual who purchased
21 Leaded Wire or Cable Products and provide a warning to each such person that the Leaded Wire
22 or Cable Products the person purchased will expose that person to chemicals known to cause
23 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

COUNTY OF KLAMATH
CLATSOP COUNTY

December 31, 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 December 31, 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

PRODUCT LIST

COMPANY NAME	PRODUCT
BOMBAY COMPANY, INC.	BOMBAY KIDS FLOWER HOLIDAY LIGHTS #5885314
SANTA'S BEST	SANTAS BEST MICKEY MOUSE EZ LIGHT ILLUMINATED TREE TRIMMER SET MODEL #6618

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
401 CIVIC CENTER DR WEST
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
DOWNEYVILLE, 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

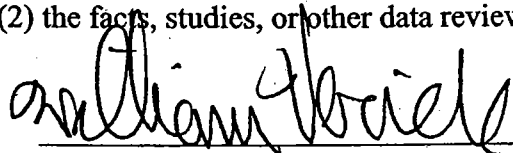
James D. Carreker, President
The Bombay Company, Inc.
5930 Descso Drive
Dallas, TX 75225

Edward H. Ruff, CEO
Santa's Best
770 W. Frontage Rd. Ste 160
Winnetka, IL 60093

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: December 31, 2004



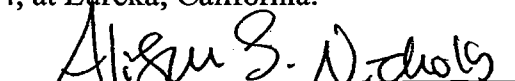
William Verick

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 S. 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 December 31, 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 December 31, 2004, at Eureka, California.



Alison S. Nichols



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

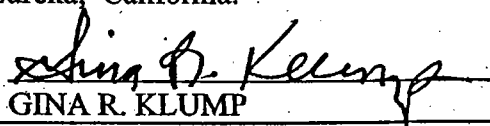
SERVICE LIST

- 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
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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
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151 W. MISSION ST.
SAN JOSE, CA 95110
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LOS ANGELES, CA 90012
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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
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- OFFICE OF THE DISTRICT
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COUNTY OF BUTTE
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- OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
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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
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ALTURAS, CA 9610
- 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
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11562 B AVE
AUBURN, CA 95603-2687
- OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF PLUMAS
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QUINCY, CA 95971
- OFFICE OF THE DISTRICT ATTORNEY
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RIVERSIDE, CA 92501
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SACRAMENTO, CA 95804
- OFFICE OF THE DISTRICT ATTORNEY
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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
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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. #212F
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 Coe
Angelo Brothers Company
12401 Mcnulty Rd
Philadelphia, Pennsylvania 19154
- Paul Brassard President
Aikon 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 Coe
Cyber Acoustics, Llc
11700 Ne 60th Way #D
Vancouver, Wa 98682
- Brad Jenkins President
Earthlink, Inc.
595 Menlo Drive
Rocklin, ca 95765
- Jurick Geoffrey President
Emerson Radio Corp
- 40 Emerson Radio Corp
Parsippany, NJ 07054
- Jurick Geoffrey President
Emerson Radio Corp
9 Entin Rd
Parsippany, NJ 07054
- President or Coe Gpx Inc.
900 N 23rd St
St Louis, Mo 63106
- President or Coe Jasco Products
311 Nw 122nd St.
Oklahoma City Ok 73114
- Kwon Oh in President
Jungsohn 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
Xeense Connectivity, Inc
442 Littlefield Ave
S San Francisco, ca 94080
- Hsien Ming Lee President
Macseense Connectivity, Inc.
12200 E Washington Blvd G
Whittier, ca 92606
- Darren Richardson President
Mad Catz, Inc.
7480 Mission Valley Rd Ste 101
San Diego, ca 92108
- Salomon Suwalsky President
Royal Consumer Information Produc
Inc.
765 Us Highway 202
Bridgewater, NJ 08807
- Eli Hatari President
Sandisk Corporation
140 Caspian Court
Sunnyvale, ca 94089
- K Tieuji President
Sanrio Inc
570 Eccles Ave
S San Francisco, ca 94080
- Robert Schneider President
Sem Microsystems (U.s.) Inc.
Luitpoldstrabe 6
85276 Pfaffenhofen, Germany
- Robert Schneider President
Sem Microsystems, Inc.
160 Knowles Dr
Los Gatos, ca 95032
- Ned C Jackson President
Telux Communications, Inc.
12000 Portland Avenue S
Burnsville, Mn 55337
- President or Coe
Vector Products, Inc.
4140 Sw 28th Way
Fort Lauderdale, Fl 33312
- President or Coe
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.

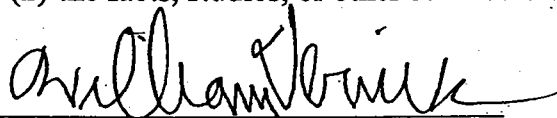

GINA R. KLUMP

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; PVoiceLINK 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 linea8 model; linea8, 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 vo 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

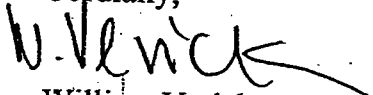
EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

ATTORNEY GENERAL COPY
CONTAINS OFFICIAL
INFORMATION PURSUANT TO
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Cordially,


William Verick

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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
DOWNEVILLE, CA 95936
- 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. #2123
SANTA ROSA, CA 95403
- OFFICE OF THE DISTRICT
ATTORNEY
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1100 I ST. #200
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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
- 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.
195 CARTER DR.
EDISON, NJ 08817
- PRESIDENT OR CEO
TECHNOLOGY RESEARCH
CORPORATION
5250 140TH AVE N
CLEARWATER, FL 33760
- JAMES SHARMAN, PRESIDENT
WKI HOLDING COMPANY, INC.
11911 FREEDOM DRIVE SUITE 600
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 CHALFOUX,
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

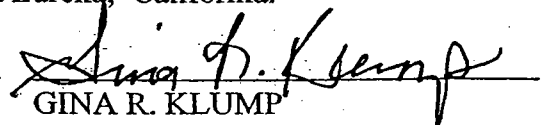

William Verick

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 Heater GT-7400

Audio Technica Handheld Microphone #ATR10BL

Brightlink Wireless Accessories, Earbud Headset, Noki:
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 #1634

Fire Shield 8-Foot Safety Extension Cord 13 AMP 12
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



Klamath

ENVIRONMENTAL
LAW CENTER

June 4, 2004

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

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 June 4, 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

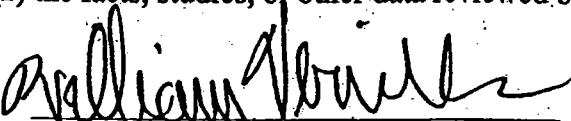
SERVICE LIST

- 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.
GROVILLE, 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
WILLIAMS CA 96090
- 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 95317
- OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MONTEY
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
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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
ALLTRADE, INC.
1431 VIA PLATA
LONG BEACH, CA 90810
- MICHAEL J POTTER, PRESIDENT
BIG LOTS STORES, INC.
300 PHILLIP 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
- OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF SOLANO
600 UNION AVE
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ATTORNEY
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PRESIDENT
CAMPBELL HAUSFELD/SCOTT
FETZER COMPANY
28800 CLEMENS ROAD
WEST LAKE, OH 44145
- MIKE CATAN, PRESIDENT
DARICE INC
13000 DARICE PKWY, PARK &
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 AMERICA, 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 TECHNOLOGIE
INC.
625 BARCLAY BLVD
LINCOLNSHIRE, IL 60069
- MIKE MC COOY, PRESIDENT
PLAD 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
SECO PRODUCTS, INC.
8485 BROADWELL ROAD
CINCINNATI, OH 45244
- JOHN M TRANI, PRESIDENT
THE STANLEY WORKS
1000 STANLEY DRIVE
NEW BRITAIN, CT 06053
- PRESIDENT OR CEO
VANCO INTERNATIONAL IN
506 KINGSLAND DR.
BATAVIA, IL 60510
- DONALD D ORDWAY, PRES
VIDEO DISPLAY CORPORAT
1868 TUCKER INDUSTRIAL
TUCKER, GA 30084
- ED CARPENTER, PRESIDENT
VICTOR AUTOMOTIVE PRO
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

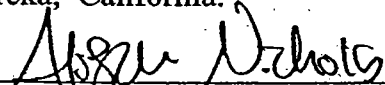

William Verick

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 ALLTRADE	Actron LED Circuit Tester CP7847 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