

COPY

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

5 DAVID WILLIAMS, SBN 144479
BRIAN ACREE, SBN 202505
6 370 Grand Avenue, Suite 5
Telephone: (510) 271-0826
7 Facsimile: (510) 271-0829

8 Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

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

13 MATEEL ENVIRONMENTAL
JUSTICE FOUNDATION,

14 Plaintiff,

15 v.

17 RAMALLAH, INC., and DOES 1 through
18 100 inclusive,

19 Defendants.

CASE NO. 05-05-446600

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

20 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

21 INTRODUCTION

22 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
23 failure of defendants RAMALLAH, INC., and DOES 1 through 100 inclusive (hereinafter
24 "Defendants"), to give clear and reasonable warnings to those residents of California, who handle
25 and use Plastic Placemats (hereinafter referred to as "Placemats"), that handling and use of
26 these products causes those residents to be exposed to lead and lead compounds, lead acetate,
27 lead phosphate, and lead subacetate (hereinafter, collectively, "lead"). The types of products to
28 which this Complaint pertains are those types listed in the Product List appended to the

ENDORSED

NOV 10 2005

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

CASE MANAGEMENT CONFERENCE SET

APR 14 2006 9 00 AM

DEPARTMENT 212

1 Proposition 65 60-Day Notice Letter that is attached to and incorporated by reference into this
2 Complaint. Lead is known to the State of California to cause cancer, birth defects and male and
3 female reproductive toxicity. Defendants manufacture, distribute, and/or market Placemants.
4 These products cause exposures to lead and lead compounds, which are chemicals known to the
5 State of California to cause cancer, birth defects and other reproductive harm.

6 2. Defendants are businesses that manufacture, market, and/or distribute Placemants.
7 Defendants intend that residents of California handle and use Placemants that Defendants
8 manufacture, market, and/or distribute. When these products are handled and used in their
9 normally intended manner, they expose people to lead. In spite of knowing that residents of
10 California were and are being exposed to these chemicals when they handle and use Placemants,
11 Defendants did not and do not provide clear and reasonable warnings that these products cause
12 exposure to chemicals known to cause cancer, birth defects and other reproductive harm.

13 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
14 to compel Defendants to bring their business practices into compliance with section 25249.5 et
15 seq. by providing a clear and reasonable warning to each individual who has been and who in the
16 future may be exposed to the above mentioned toxic chemicals from the use of Defendants'
17 products. Plaintiff seeks an order that defendants identify and locate each individual person who
18 in the past has purchased Placemants and to provide to each such purchaser a clear and
19 reasonable warning that the Placemants will cause exposures to chemicals known to cause birth
20 defects.

21 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
22 of Defendants to provide clear and reasonable warnings regarding exposure to chemicals known
23 to cause cancer, birth defects and other reproductive harm.

24 PARTIES

25 5. Plaintiff MATEEL ENVIRONMENTAL JUSTICE FOUNDATION ("Mateel")
26 is a non-profit organization dedicated to, among other causes, the protection of the environment,
27 promotion of human health, environmental education, and consumer rights. Mateel is based in
28 Eureka, California, and is incorporated under the laws of the State of California. Mateel is a

1 "person" pursuant to Health & Safety Code Section 25118. Mateel brings this enforcement
2 action in the public interest pursuant to Health & Safety Code §25249.7(d). Residents of
3 California are regularly exposed to lead and lead compounds from Placemants manufactured,
4 distributed or marketed by Defendants and are so exposed without a clear and reasonable
5 Proposition 65 warning.

6 6. Defendants are each a person doing business within the meaning of Health &
7 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or
8 market Placemants in California, including the City and County of San Francisco. Manufacture,
9 distribution and/or marketing of these products in the City and County of San Francisco and/or to
10 people who live in San Francisco, causes people to be exposed to lead and lead compounds while
11 they are physically present in the City and County of San Francisco.

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

16 8. Plaintiff brings this enforcement action against Defendants pursuant to Health &
17 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a
18 60-day Notice letter dated April 1, 2005 which Mateel sent to California's Attorney General.
19 Substantially identical letters were sent to every District Attorney in the state, and to the City
20 Attorneys of every California city with a population greater than 750,000. On that same day,
21 Mateel sent identical 60-Day Notice letters to defendant Ramallah. Attached to the 60-Day
22 Notice Letter sent to Ramallah was a summary of Proposition 65 that was prepared by
23 California's Office of Environmental Health Hazard Assessment. In addition, each 60-Day
24 Notice Letter plaintiff sent was accompanied by a Certificate of Service attesting to the service of
25 the 60-Day Notice Letter on each entity which received it. Pursuant to California Health & Safety
26 Code Section 25249.7(d), a Certificate of Merit attesting to the reasonable and meritorious basis
27 for the action was also sent with each 60-Day Notice Letter. Factual information sufficient to
28 establish the basis of the Certificate of Merit was enclosed with the 60-Day Notice letter Mateel

1 sent to the Attorney General.

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

3 JURISDICTION

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

9 11. This Court also has jurisdiction over Defendants because they are businesses that
10 have sufficient minimum contacts in California and within the City and County of San Francisco.
11 Defendants intentionally availed themselves of the California and San Francisco County markets
12 for Placemants. It is thus consistent with traditional notions of fair play and substantial justice
13 for the San Francisco Superior Court to exercise jurisdiction over them.

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

19 FIRST CAUSE OF ACTION
20 (Claim for Injunctive Relief)

21 13. Plaintiff realleges and incorporates by reference into this First Cause of Action, as
22 if specifically set forth herein, paragraphs 1 through 12, inclusive.

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

26 15. To effectuate this goal, Section 25249.6 of the Health and Safety Code mandates
27 that persons who, in the course of doing business, knowingly and intentionally expose any
28

1 individual to a chemical known to the State of California to cause cancer or birth defects must
2 first provide a clear and reasonable warning to such individual prior to the exposure.

3 16. Since at least April 1, 2002, Defendants have engaged in conduct that violates
4 Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and
5 intentionally exposing to the above mentioned toxic chemicals, those California residents who
6 handle and use Placemants. The normally intended use of Placemants causes exposure to lead
7 and lead compounds, which are chemicals known to the State of California to cause cancer, birth
8 defects and other reproductive harm. Defendants have not provided clear and reasonable
9 warnings, within the meaning of Health & Safety Code Sections 25249.6 and 25249.11.

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

14 18. By the above described acts, Defendants have violated Cal. Health & Safety Code
15 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition
16 65 and requiring them to provide warnings to their past customers who purchased defendants'
17 products without receiving a clear and reasonable warning.

18 SECOND CAUSE OF ACTION
19 (Claim for Civil Penalties)

20 19. Plaintiff realleges and incorporates by reference into this Second Cause of Action,
21 as if specifically set forth herein, paragraphs 1 through 18, inclusive.

22 20. By the above described acts, Defendants are liable and should be liable pursuant
23 to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each
24 individual exposed without proper warning to lead and lead compounds from the handling or use
25 of Defendants' Placemants.

26 PRAYER FOR RELIEF

27 Wherefore, plaintiff prays for judgment against DEFENDANTS, as follows:
28

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

4 2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil
5 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
6 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
7 Defendants' manufacturing, distributing or marketing of Placemants;

8 3. That Defendants be ordered to identify and locate each individual who purchased
9 Placemants and provide a warning to each such person that the Placemants the person purchased
10 will expose that person to chemicals known to cause birth defects.

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

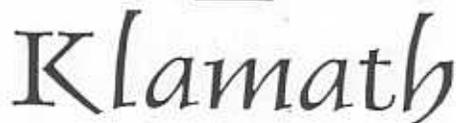
12 Dated: November 8, 2005

KLAMATH ENVIRONMENTAL LAW
CENTER

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
By



William Verick
Attorney for Plaintiff
Mateel Environmental Justice Foundation



Klamath

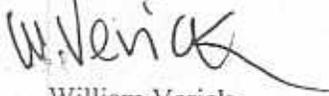
April 1, 2005

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") give you notice that the private business on the attached service list has been, is, will be and threatens to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual at both Mateel and this office. The above referenced violations occur when California residents come into contact with placemats -- the kind used to set tables -- that are made from plastic (hereinafter "plastic mats"). A list of specific examples of the specific products is attached. The plastic these placemats are made from contains lead and lead compounds ("lead"), chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they handle these placemats while setting tables, eating, bussing tables, or when they wash or clean the placemats. Lead in the plastic is transferred from the plastic to their hands and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the plastic, from oral contact with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. These lead exposures thus occur via the dermal absorption, subcutaneous, mucus membrane, ingestion and inhalation routes. The listed business did not and does not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since at least April 1, 2004 and will continue every day until the lead is removed from the plastic used to make these placemats, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any plastic placemats made outside of California, except as to workplaces these companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the company's property and in each of California's 58 counties.

Cordially,



William Verick

SERVICE LIST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF GLENN
P.O. BOX 430
WILLOWS, CA 95988

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

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

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

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

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

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

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

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

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

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

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

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

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

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MODOC
P.O. BOX 1171
ALTURAS, CA 96101

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
400 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
DOWNEVILLE, 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

AUDIE DUDUM, PRESIDENT
RAMALLAH, INC
880 HANNAH DRIVE
AMERICAN CANYON, CA 94589

PRODUCT LIST

RAMALLAH, INC.

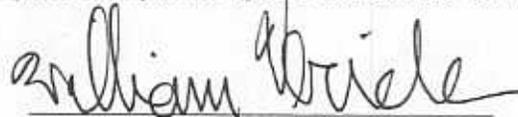
RED PLACEMAT #17069905 RN#83357 This product description pertains not only to the specific model of the product listed, but for all units of all models of the same brand of the Red Placemat #17069905.

WHITE PLACEMAT #17069998 RN#83357. This product description pertains not only to the specific model of the product listed, but for all units of all models of the same brand of the White Placemat #17069998.

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 1, 2005

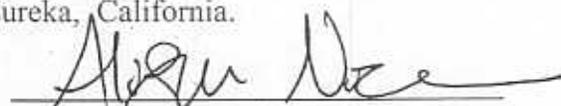

William Verick

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 April 1, 2005, 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 1, 2005, at Eureka, California.


ALISON NICHOLS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): William Verick, CSB#140972, Klamath Environmental Law Center, 424 First Street, Eureka, CA 95501-0404 TELEPHONE NO.: (707) 268-8900 FAX NO.: (707) 268-8901 ATTORNEY FOR (Name): Mateel Environmental Justice Foundation	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
CASE NAME: Mateel Environmental Justice Foundation v. Ramallah, Inc.	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 1811)
	CASE NUMBER: 05-446600 JUDGE: DEPT.:

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:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other P/PI/D/W (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/PI/D/W (23) Non-P/PI/D/W (Other) Tort <input checked="" 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-P/PI/D/W tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <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) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <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)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812) <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 type="checkbox"/> Environmental /Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

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): 2
5. This case is is not a class action suit.
- Date: November 8, 2005

William Verick
(TYPE OR PRINT NAME)

William Verick
(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.