

NOV 10 2005

GORDON PARK-LI, Clerk  
BY: JUN P. PANELO  
Deputy Clerk

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3 Eureka, CA 95501  
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CASE MANAGEMENT CONFERENCE SET

APR 14 2006 - 9 00 AM

DEPARTMENT 212

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  
9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN FRANCISCO  
12 (Unlimited Jurisdiction)

13 MATEEL ENVIRONMENTAL  
JUSTICE FOUNDATION,

CASE NO. 0505446585

14 Plaintiff,

COMPLAINT FOR INJUNCTIVE RELIEF  
AND CIVIL PENALTIES

15 v.

17 ALERT STAMPING & MANUFACTURING  
COMPANY, INC.; FLUKE ELECTRONICS  
18 CORP.; FLUKE CORPORATION; FRY'S  
ELECTRONICS, INC. HARTFORD  
19 COMPUTER GROUP, INC.;  
INTERNATIONAL COMPONENTS CORP.;  
20 LARIN CORP.; M.S.A. TRADING  
CORPORATION, INC.; MUELLER  
21 ELECTRIC COMPANY; WALDOM  
ELECTRONICS CORPORATION; and  
22 DOES 1 through 100 inclusive,

TOXIC TORT/ENVIRONMENTAL

23 Defendants.

24 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

25 INTRODUCTION

26 1. This Complaint seeks civil penalties and an injunction to remedy the continuing  
27 failure of defendants ALERT STAMPING & MANUFACTURING COMPANY, INC.; FLUKE  
28

COPY

1 ELECTRONICS CORP.; FLUKE CORPORATION; FRY'S ELECTRONICS, INC.  
2 HARTFORD COMPUTER GROUP, INC.; INTERNATIONAL COMPONENTS CORP.;  
3 LARIN CORP.; M.S.A. TRADING CORPORATION, INC.; MUELLER ELECTRIC  
4 COMPANY; WALDOM ELECTRONICS CORPORATION; and DOES 1 through 100 inclusive  
5 (hereinafter "Defendants"), to give clear and reasonable warnings to those residents of California,  
6 who handle and use products that are or that incorporate thermoset/thermoplastic coated wires  
7 and cables in which the coating material contains lead (hereinafter referred to as "Leaded Wire or  
8 Cable Products"), that handling and use of these products causes those residents to be exposed to  
9 lead and lead compounds, lead acetate, lead phosphate, and lead subacetate (hereinafter,  
10 collectively, "lead"). The types of products to which this Complaint pertains are those types  
11 listed in the Product List appended to the Proposition 65 60-Day Notice Letter that is attached to  
12 and incorporated by reference into this Complaint. Lead is known to the State of California to  
13 cause cancer, birth defects and male and female reproductive toxicity. Defendants manufacture,  
14 distribute, and/or market Leaded Wire or Cable Products. These products cause exposures to lead  
15 and lead compounds, which are chemicals known to the State of California to cause cancer, birth  
16 defects and other reproductive harm.

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

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

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

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

8 PARTIES

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

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

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

28 8. Plaintiff brings this enforcement action against Defendants pursuant to Health &

1 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a  
2 60-day Notice letter dated June 27, 2005, which Mateel sent to California's Attorney General.  
3 Substantially identical letters were sent to every District Attorney in the state, and to the City  
4 Attorneys of every California city with a population greater than 750,000. On that same day,  
5 Mateel sent identical 60-Day Notice letters to each defendant. Attached to the 60-Day Notice  
6 Letters sent to each defendant was a summary of Proposition 65 that was prepared by  
7 California's Office of Environmental Health Hazard Assessment. In addition, each 60-Day  
8 Notice Letter plaintiff sent was accompanied by a Certificate of Service attesting to the service of  
9 the 60-Day Notice Letter on each entity which received it. Pursuant to California Health & Safety  
10 Code Section 25249.7(d), a Certificate of Merit attesting to the reasonable and meritorious basis  
11 for the action was also sent with each 60-Day Notice Letter. Factual information sufficient to  
12 establish the basis of the Certificate of Merit was enclosed with the 60-Day Notice letter Mateel  
13 sent to the Attorney General.

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

15 JURISDICTION

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

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

26 12. Venue is proper in this Court because Defendants market their products in and  
27 around San Francisco and thus cause people to be exposed to lead and lead compounds while  
28 those people are physically present in San Francisco. Liability for Plaintiff's causes of action, or

1 some parts thereof, has accordingly arisen in San Francisco during the times relevant to this  
2 Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

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

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

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

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

14 16. Since at least June 27, 2002, Defendants have engaged in conduct that violates  
15 Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and  
16 intentionally exposing to the above mentioned toxic chemicals, those California residents who  
17 handle and use Leaded Wire or Cable Products. The normally intended use of Leaded Wire or  
18 Cable Products causes exposure to lead and lead compounds, which are chemicals known to the  
19 State of California to cause cancer, birth defects and other reproductive harm. Defendants have  
20 not provided clear and reasonable warnings, within the meaning of Health & Safety Code  
21 Sections 25249.6 and 25249.11.

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

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 65 and requiring them to provide warnings to their past customers who purchased defendants'

1 products without receiving a clear and reasonable warning.

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

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

6 20. By the above described acts, Defendants are liable and should be liable pursuant  
7 to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each  
8 individual exposed without proper warning to lead and lead compounds from the handling or use  
9 of Defendants' Leaded Wire or Cable Products.

10 PRAYER FOR RELIEF

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

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

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

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

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

24 Dated: November 8, 2005

25 KLAMATH ENVIRONMENTAL LAW  
26 CENTER

27 By 

28 William Verick  
Attorney for Plaintiff  
Mateel Environmental Justice Foundation



# Klamath

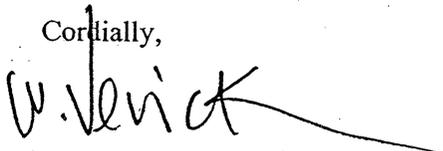
June 27, 2005

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") 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 specific types of products that incorporate Cords are those listed in the attached Product List. Though a specific model or SKU or product number is given as an example, this notice pertains to all models, and all variations, of the specific type of product of which the named model is an example. 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 are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any of these products these companies makes outside of California, except as to workplaces these companies itself maintain in California. These violations have occurred every day since at least June 27, 2002 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 DISTRICT ATTORNEY COUNTY OF GLENN P.O. BOX 430 WILLOWS, CA 95988	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONTEREY 240 CHURCH ST. P.O. BOX 180 SALINAS, CA 93902	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SISKIYOU P.O. BOX 986 YREKA, CA 96097	Jim Lico, President Fluke Electronics Corp. 6920 Seaway Blvd. Everett, WA 98203
OFFICE OF THE CITY ATTORNEY CITY OF OAKLAND 505 14TH ST 12TH FLOOR OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF HUMBOLDT 825 5TH ST. EUREKA, CA 95501	COUNTY OF NAPA 931 PARKWAY MALL P.O. BOX 720 NAPA, CA 94559-0720	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SOLANO 600 UNION AVE FAIRFIELD, CA 94533	Jim Lico, President Fluke Corporation 6920 Seaway Blvd. Everett, WA 98203
OFFICE OF THE CITY ATTORNEY CITY OF SAN FRANCISCO CITY HALL ROOM 206 400 VAN NESS SAN FRANCISCO, CA 94102	COUNTY OF IMPERIAL COURTHOUSE, FLOOR 2 939 W. MAIN ST EL CENTRO, CA 92243	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF NEVADA COURTHOUSE ANNEX NEVADA CITY, CA 95959	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SONOMA 600 ADMINISTRATION DR. #212J SANTA ROSA, CA 95403	John Fry, President Fry's Electronics, Inc. 600 E. Brokaw Rd. San Jose, CA 95112
OFFICE OF THE CITY ATTORNEY CITY OF SACRAMENTO 980 9 <sup>th</sup> Street, 10 <sup>th</sup> Floor SACRAMENTO, CA 95814	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF INYO P.O. DRAWER D INDEPENDENCE, CA 93526	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ORANGE 400 CIVIC CENTER DR WEST SANTA ANA, CA 92701	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF STANISLAUS 1100 I ST. #200 MODESTO, CA 95354	Tony Graffia, Sr., President Hartford Computer Group, Inc. 2200 S. Mount Prospect Rd. Des Plaines, IL 60018
OFFICE OF THE CITY ATTORNEY CITY OF SAN JOSE 151 W. MISSION ST. SAN JOSE, CA 95110	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KERN 1215 TRUXTUN AVE. FLOOR 4 BAKERSFIELD, CA 93301	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLACER 11562 B AVE AUBURN, CA 95603-2687	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SUTTER 1160 CIVIC CENTER BLVD. #A YUBA CITY, CA 95993	Irwin Friedman, President International Components Corp. 175 Marcus Blvd Hauppauge, NY 11788
OFFICE OF THE CITY ATTORNEY CITY OF LOS ANGELES 200 N. MAIN ST. LOS ANGELES, CA 90012	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF KINGS 1400 W. LACEY BLVD. HANFORD, CA 93230	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF PLUMAS P.O. BOX 10716 QUINCY, CA 95971	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TEHAMA P.O. BOX 519 REDBLUFF, CA 96080	James D'Addario, President J. D'Addario & Co., Inc. 595 Smith St. Farmingdale, NY 11735
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 LAKE 255 N. FORBES ST # 424 LAKEPORT, CA 95453	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF RIVERSIDE 4075 MAIN ST. RIVERSIDE, CA 92501	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TRINITY P.O. BOX 310 WEAVERVILLE, CA 96093	C. Michael Jacobi, President Katy Industries, Inc. 765 Straits Turnpike Ste. 2000 Middlebury, CT 06762
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALAMEDA 225 FALLON ST. #9 OAKLAND, CA 94612	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF LASSEN COUNTY ADMINISTRATION BUILDING 707 NEVADA ST. SUSANVILLE, CA 96130	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SACRAMENTO P.O. BOX 749 SACRAMENTO, CA 95804	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TULARE COURTHOUSE #224 VISALIA, CA 93291	Shouyun Zhang, President Larin Corp. 2029 Business Pkwy Ontario, CA 91761
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF ALPINE P.O. BOX 248 MARKLEEVILLE, CA 96120	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 SAN BENITO 419 4TH ST HOLLISTER, CA 95023	VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE c/o GREGORY BROSE D.D.A. 4245 MARKET ST #205 VENTURA, CA 93003	Mark T. Kane, President M.S.A. Trading Corporation, Inc. 7930 Deering Ave. Canoga Park, CA 91304
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 SAN DIEGO 101 W. BROADWAY #1440 SAN DIEGO, CA 92101	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF TUOLUMNE 2 S. GREEN ST. SONORA, CA 95370	E. Scott Emerson, President Mueller Electric Company 1583 E. 31st St. Cleveland, OH 44114
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 MADERA 209 W. YOSEMITE AVE. MADERA, CA 93637	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN FRANCISCO 850 BRYANT ST #322 SAN FRANCISCO, CA 94103	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF YUBA 215 5TH ST. MARYSVILLE, CA 95901	Basel Nizan, CEO Waldom Electronics Corporati 1801 Morgan St. Rockford, IL 61102-2690
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF COLUSA 547 MARKET ST. COLUSA, CA 95932	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA P.O. BOX 748 MARIPOSA, CA 95338	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN JOAQUIN 222 E. WEBER AVE #202 STOCKTON, CA 95202	Paul Blanch, President Alert Stamping & Manufacturing Co., Inc. 24500 Solon Rd Bedford, OH 44146	Michael J. Potter, President Big Lots, Inc. 300 Phillipi Rd. Columbus, OH 43228
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CONTRA COSTA P.O. BOX 670 MARTINEZ, CA 94553	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MENDOCINO 301 S. STATE ST. UKIAH, CA 95482	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN LUIS OBISPO COUNTY GOVERNMENT CENTER #450 SAN LUIS OBISPO, CA 93408	Michael J. Potter, President Big Lots Stores, Inc. 300 Phillipi Rd. Columbus, OH 43228	Michael J. Potter, President PNS Stores, Inc. 300 Phillipi Rd. Columbus, OH 43228
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF DEL NORTE 450 H ST #171 CRESCENT CITY, CA 95531	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MERCED 2222 M ST. MERCED, CA 95340	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA BARBARA 1105 SANTA BARBARA ST. SANTA BARBARA, CA 93101	James F. Halpin, CEO Larry Mondry, CEO COMPUSA Inc. 14951-N. Dallas Parkway Dallas TX 75240	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF EL DORADO 515 MAIN ST. PLACERVILLE, CA 95667	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MODOC P.O. BOX 1171 ALTURAS, CA 9610	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA CLARA 70 W. HEDDING ST. SAN JOSE, CA 95110		
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF FRESNO 2220 TULARE ST #1000 FRESNO, CA 93721	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONO P.O. BOX 617 BRIDGEPORT, CA 93517	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		

## PRODUCT LIST

### **ALERT STAMPING & MANUFACTURING CO., INC.**

PROLITE DIRECT BEAN HALOGEN AUTOMOTIVE WORK LIGHT HC-20 Uniform Product Code Number: 040082 010306. This product description pertains not only to the specific model of the product listed, but for all units of all models of Automotive Work Lights.

### **BIG LOTS INC., BIG LOTS STORES, INC., PNS STORES, INC.,**

TRIQUEST GOLD SERIES 6FT COAX VIDEO CABLE MODEL 5606. This product description pertains not only to the specific model of the product listed, but for all units of all models of Video Coaxial Cable.

### **COMPUSA INC.**

2-BUTTON PS/2 MOUSE Uniform Product Code Number: 047669 243751. This product description pertains not only to the specific model of the product listed, but for all units of all models of PS Mice.

OPTICAL USB NOTEBOOK MOUSE Uniform Product Code Number: 859611 000509. This product description pertains not only to the specific model of the product listed, but for all units of all models of Notebook Mice.

WINDOWS KEYBOARD COMBO SET SKU# 306143 Uniform Product Code Number: 049696109178. This product description pertains not only to the specific model of the product listed, but for all units of all models of Keyboard Sets.

### **FLUKE CORPORATION, FLUKE ELECTRONICS CORP.**

WAVETEK METERMAN TL244A TEST LEAD SET Uniform Product Code Number: 095969 085359. This product description pertains not only to the specific model of the product listed, but for all units of all models of Test Lead Sets.

### **FRY'S ELECTRONICS, INC.**

WAGAN TECH 4-WAY SOCKET OUTPUT Product Number: 9139. This product description pertains not only to the specific model of the product listed, but for all units of all models of Socket Outputs.

### **HARTFORD COMPUTER GOUPI INC.**

ARGUS DIGITAL CAMERA DC 2250 Uniform Product Code Number: 760215 302091. This product description pertains not only to the specific model of the product listed, but for all units of all models of Digital Cameras.

### **INTERNATIONAL COMPONENTS CORP.**

INTERNATIONAL CC GOLD RCA PLUG TO RCA PLUG MODEL #95-260 This product description pertains not only to the specific model of the product listed, but for all units of all models of Patch cords, Audio cables, and Speaker wire.

### **J. D'ADDARIO**

PLANET WAVES THE CIRCUIT BREAKER 10 Ft with right angle plug Product Number: #PW-AGRA-10. This product description pertains not only to the specific model of the product listed, but for all units of all models of Circuit Breakers.

PLANET WAVES THE CIRCUIT BREAKER 15 Ft Instrument Cable with Cut-off Switch Product Number: #PW-AG-15. This product description pertains not only to the specific model of the product listed, but for all units of all models of Circuit Breakers.

### **KATY INDUSTRIES**

GC ELECTRONICS 50 FT. MODULAR FOUR CONDUCTOR LINE CORD 30-9920 This product description pertains not only to the specific model of the product listed, but for all units of all models of Conductor Line Cords.

### **LARIN CORP.**

LARIN 500 WATTS PORTABLE UTILITY HALOGEN LIGHT MODEL # SH500 Uniform Product Code Number: 008435 555829. This product description pertains not only to the specific model of the product listed, but for all units of all models of Portable Utility Lights.

### **M.S.A. TRADING CORPORATION, INC.**

SMART PLANET CAR POWER MUG #PM-1 Uniform Product Code Number: 831121 000927. This product description pertains not only to the specific model of the product listed, but for all units of all models of Automotive, Heated Mugs.

### **MUELLER ELECTRIC COMPANY**

MUELLER TEST LEADS #080040 This product description pertains not only to the specific model of the product listed, but for all units of all models of Test Leads.

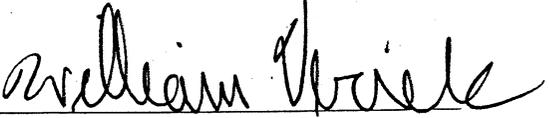
### **WALDOM ELECTRONICS CORPORATION**

20 FT AUDIO EXTENSION CABLE # 30-1830 This product description pertains not only to the specific model of the product listed, but for all units of all models of Audio Cables.

**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 27, 2005

  
\_\_\_\_\_  
William Verick

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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.

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**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 27, 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 June 27, 2005, at Eureka, California.

  
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ALISON NICHOLS