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9 Attorneys for Plaintiff,  
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

**ENDORSED  
FILED**  
San Francisco County Superior Court

OCT - 6 2006  
**GORDON PAHK-LI, Clerk**  
BY: PARAM NATT  
Deputy Clerk

**CASE MANAGEMENT CONFERENCE SET**

**MAR - 9 2007 - 9<sup>00</sup> AM**

**DEPARTMENT 212**

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

10  
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12  
13 MATEEL ENVIRONMENTAL  
14 JUSTICE FOUNDATION,  
15 Plaintiff,  
16 v.

CASE NO. CGC - 06 - 456752

COMPLAINT FOR INJUNCTIVE RELIEF  
AND CIVIL PENALTIES

17 BRADSHAW INTERNATIONAL, INC.;  
18 LOVE-LESS ASH COMPANY; KORG  
19 USA; NOBLE WIRE AND TERMINAL  
CORP.; QUINCY COMPRESSOR, INC.;  
20 SCHECTER GUITAR RESEARCH, INC.;  
ST LOUIS MUSIC, INC; and DOES 1  
21 through 100 inclusive,  
22 Defendants.

TOXIC TORT/ENVIRONMENTAL

23  
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 BRADSHAW INTERNATIONAL, INC.; LOVE-LESS ASH COMPANY;  
28 KORG USA; NOBLE WIRE AND TERMINAL CORP.; QUINCY COMPRESSOR, INC.;

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

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

22 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7  
23 to compel Defendants to bring their business practices into compliance with section 25249.5 et  
24 seq. by providing a clear and reasonable warning to each individual who has been and who in the  
25 future may be exposed to the above mentioned toxic chemicals from the use of Defendants’  
26 products. Plaintiff seeks an order that defendants identify and locate each individual person who  
27 in the past has purchased Leaded Wire or Cable Products and to provide to each such purchaser a  
28 clear and reasonable warning that the Leaded Wire or Cable Products will cause exposures to

1 chemicals known to cause birth defects.

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

5 PARTIES

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

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

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

25 8. Plaintiff brings this enforcement action against Defendants pursuant to Health &  
26 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a  
27 60-day Notice letter dated June 29, 2006, which Mateel sent to California's Attorney General.  
28 Substantially identical letters were sent to every District Attorney in the state, and to the City

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

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

#### 12 JURISDICTION

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

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

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

FIRST CAUSE OF ACTION  
(Claim for Injunctive Relief)

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2  
3 13. Plaintiff realleges and incorporates by reference into this First Cause of Action, as  
4 if specifically set forth herein, paragraphs 1 through 12, inclusive.

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

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

12 16. Since at least June 29, 2003, Defendants have engaged in conduct that violates  
13 Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and  
14 intentionally exposing to the above mentioned toxic chemicals, those California residents who  
15 handle and use Leaded Wire or Cable Products. The normally intended use of Leaded Wire or  
16 Cable Products causes exposure to lead and lead compounds, which are chemicals known to the  
17 State of California to cause cancer, birth defects and other reproductive harm. Defendants have  
18 not provided clear and reasonable warnings, within the meaning of Health & Safety Code  
19 Sections 25249.6 and 25249.11.

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

24 18. By the above described acts, Defendants have violated Cal. Health & Safety Code  
25 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition  
26 65 and requiring them to provide warnings to their past customers who purchased defendants'  
27 products without receiving a clear and reasonable warning.  
28





# Klamath

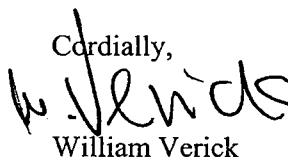
June 29, 2006

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 businesses on the attached service list have been, are, will be and threaten to be 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 private businesses market products with, or that are themselves, Cords. Some examples of the 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 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 when they smoke the cigarettes. People are thus exposed to these chemicals via the ingestion, inhalation, dermal absorption, mucous membrane absorption and subcutaneous routes. These private companies did not and do not provide people with clear and reasonable warnings before they expose them to lead. The above referenced violations have occurred every day since at least June 29, 2003 and will continue every day until the lead is taken out of these products or until warnings are given. 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 private businesses make outside of California, except as to workplaces these businesses maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the property of these businesses and in each of California's 58 counties.

Cordially,



William Verick

## PRODUCT LIST

### **ANDIS COMPANY, INC.**

ANDIS ADJUSTABLE HOME PET TRIMMER #LR51303 UPC: 040102 188152: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **BRADSHAW INTERNATIONAL, INC.**

GOOD COOK IMMERSION HEATER #16990 UPC: 076753 169905: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **CALRAD ELECTRONICS, INC.**

5.1 DIGITAL CABLE 6 RCA CABLES FOR DTS PROCESSORS TO SURROUND AMPS 6': This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **LOVE-LESS ASH COMPANY**

LOVE-LESS ASH COMPANY WET/DRY DUSTLESS VAC MODEL 16003 16 GALLON UPC: 617450 160033: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **MARSHALL AMPLIFICATION/KORG USA**

MG SERIES 30DFX AMPLIFIER: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **NOBLE WIRE AND TERMINAL CORP.**

12' TEST LEAD #8712 UPC: 715995 318497: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **QUINCY COMPRESSOR**

AIR MASTER SERIES COMPRESSOR #115285-110 2HP 4,1 CFM PSI: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **SAKAR INTERNATIONAL, INC.**

MAXIMO CONCEPTS TRAVEL AUTO MUG DUAL MUG KIT UPC: 21331 427212: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **SCHECTER GUITAR RESEARCH, INC.**

SCHECTER DIAMOND SERIES GRYPHON ELECTRIC GUITAR: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.

### **ST. LOUIS MUSIC, INC.**

CRATE GT 15 R AMPLIFIER: This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar types of products.



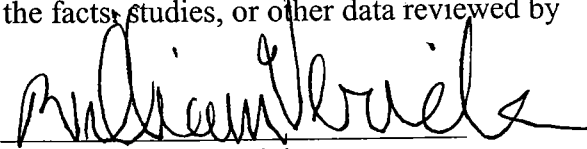
## SERVICE LIST

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	MICHAEL CIRAVOLO, PRESIDENT SCHECTER GUITAR RESEARCH, INC. 1536 N. HIGHLAND AVE LOS ANGELES, CA 90028
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	EUGENE KORNBLOM, CEO ST LOUIS MUSIC, INC 1400 FERGUSON AVE ST LOUIS, MO 63133-1794
OFFICE OF THE CITY ATTORNEY CITY OF SAN FRANCISCO CITY HALL ROOM 206 400 VAN NESS SAN FRANCISCO, CA 94102	OUNTY 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	
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	
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	
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	
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 TUOLUMNE P.O. BOX 519 REDBLUFF, CA 96080	
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	
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	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 AMADOR 108 COURT ST. SUITE 202 JACKSON, CA 95642	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MADERA 209 W. YOSEMITE AVE. MADERA, CA 93637	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 YUBA 215 5TH ST. MARYSVILLE, CA 95901	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF BUTTE 25 COUNTY CENTER DR. OROVILLE, CA 95965	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIN HALL OF JUSTICE #183 SAN RAFAEL, CA 94903	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SAN FRANCISCO 850 BRYANT ST #322 SAN FRANCISCO, CA 94103	MATT ANDIS, PRESIDENT ANDIS COMPANY, INC. PO BOX 085005 RACINE, WI 53408-5005	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CALAVERAS GOVERNMENT CENTER 891 MOUNTAIN RANCH ROAD SAN ANDREAS, CA95249	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	DOUGLAS J. BRADSHAW, PRESIDENT BRADSHAW INTERNATIONAL, INC. 9409 BUFFALO AVE RANCHO CUCAMONGA, CA 91730	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF COLUSA 547 MARKET ST. COLUSA, CA 95932	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	ROBERT A. SHUPPER, PRESIDENT CALRAD ELECTRONICS, INC. 819 N. HIGHLAND AVE. LOS ANGELES, CA 90038	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF CONTRA COSTA P.O. BOX 670 MARTINEZ, CA 94553	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MERCED 2222 M ST. MERCED, CA 95340	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA BARBARA 1112 SANTA BARBARA ST. SANTA BARBARA, CA 93101-2008	COLLEEN LOVELESS, PRESIDENT LOVE-LESS ASH COMPANY 600 S NICK LANE PRICE, UT 84501-3523	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF DEL NORTE 450 H ST #171 CRESCENT CITY, CA 95531	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	ROBERT A. SHUPPER, PRESIDENT CALRAD ELECTRONICS, INC. 819 N. HIGHLAND AVE. LOS ANGELES, CA 90038	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF EL DORADO 515 MAIN ST. PLACERVILLE, CA 95667	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MONO P.O. BOX 617 BRIDGEPORT, CA 93517	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SANTA CRUZ 701 OCEAN ST. #200 SANTA CRUZ, CA 95060	MICHAEL KOVINS, PRESIDENT KORG USA 316 SOUTH SERVICE ROAD MELVILLE, NY 11747-3201	
OFFICE OF THE DISTRICT ATTORNEY COUNTY OF FRESNO 2220 TULARE ST #1000 FRESNO, CA 93721	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SACRAMENTO P.O. BOX 749 SACRAMENTO, CA 95804	OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SHASTA 1525 COURT ST. REDDING, CA 96001	CONSTANCE J. NICHOLS, PRESIDENT NOBLE WIRE & TERMINAL CORP 1620 32ND STREET SPRINGFIELD, OR 97478-5529	
		OFFICE OF THE DISTRICT ATTORNEY COUNTY OF SIERRA P.O. BOX 457 DOWNIEVILLE, CA 95936	JOHN THOMPSON, PRESIDENT QUINCY COMPRESSOR, INC. 701 N DOBSON AVE BAY MINETTE, AL 36507-3199	
			CHARLES SAKA, PRESIDENT SAKAR INTERNATIONAL, INC. 195 CARTER DRIVE EDISON, NJ 08817-2068	

**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 29, 2006

  
William Verick

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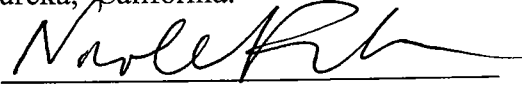
This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed 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, Nicole Frank, 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 29, 2006 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 29, 2006, at Eureka, California.

  
Nicole Frank