

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
email: wverick@igc.org
5 ecorights@earthlink.net

6 DAVID WILLIAMS, SBN 144479
BRIAN ACREE, SBN 202505
7 370 Grand Avenue, Suite 5
Oakland, CA 94610
8 Telephone: (510) 271-0826
Facsimile: (510) 271-0829
9 Email: davidhwilliams@earthlink.net
brianacree@earthlink.net

10 Attorneys for Plaintiff,
11 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

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

15 MATEEL ENVIRONMENTAL
16 JUSTICE FOUNDATION,

17 Plaintiff,
18 v.

19 CAMCO MANUFACTURING, INC., L.R.
20 NELSON CORPORATION, and 99 CENTS
21 ONLY STORES,

22 Defendants.

CASE NO. **CGC-07-467065**

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

23 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

24 INTRODUCTION

25 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
26 failure of defendants CAMCO MANUFACTURING, INC., L.R. NELSON CORPORATION,
27 and 99 CENTS ONLY STORES (hereinafter "Defendants"), to give clear and reasonable
28 warnings to those residents of California, who handle and use brass hose accessories and similar

ENDORSED
FILED
San Francisco County Superior Court

SEP 11 2007

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

CASEMANAGEMENT CONFERENCE SET

FEB 08 2008 - 9⁰⁰AM

DEPARTMENT 212

1 devices (Leaded Brass Hose Accessories). The bodies of these Leaded Brass Hose Accessories
2 are made from leaded brass, which contains lead and lead compounds ("lead"), which are
3 chemicals known to cause cancer, birth defects and other reproductive harm. California
4 residents are exposed to lead when they handle these Leaded Brass Hose Accessories.

5 2. Defendants are businesses that manufacture, market, and/or distribute Leaded
6 Brass Hose Accessories. Defendants intend that residents of California handle and use Leaded
7 Brass Hose Accessories that Defendants manufacture, market, and/or distribute. When these
8 products are handled and used in their normally intended manner, they expose people to lead. In
9 spite of knowing that residents of California were and are being exposed to these chemicals
10 when they handle and use Leaded Brass Hose Accessories, Defendants did not and do not
11 provide clear and reasonable warnings that these products cause exposure to chemicals known to
12 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 Leaded Brass Hose Accessories and to provide to each such purchaser
19 a clear and reasonable warning that the Leaded Brass Hose Accessories will cause exposures to
20 chemicals known to cause birth 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 Leaded Brass Hose Accessory
4 Products manufactured, distributed or marketed by Defendants and are so exposed without a
5 clear and reasonable 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 Leaded Brass Hose Accessories in California, including the City and County of San
9 Francisco. Manufacture, distribution and/or marketing of these products in the City and County
10 of San Francisco and/or to people who live in San Francisco, causes people to be exposed to lead
11 and lead compounds while they are physically present in the City and County of San Francisco.

12 7. Plaintiff brings this enforcement action against Defendants pursuant to Health &
13 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a
14 60-day Notice letter, dated May 24, 2007 which Mateel sent to California's Attorney General.
15 Substantially identical letters were sent to every District Attorney in the state, and to the City
16 Attorneys of every California city with a population greater than 750,000. On the same date,
17 Mateel sent to each Defendant a letter substantively identical to the Notice letter it sent on that
18 date to the Attorney General. Attached to the 60-Day Notice Letters sent to each defendant was
19 a summary of Proposition 65 that was prepared by California's Office of Environmental Health
20 Hazard Assessment. In addition, each 60-Day Notice Letter plaintiff sent was accompanied by a
21 Certificate of Service attesting to the service of the 60-Day Notice Letter on each entity which
22 received it. Pursuant to California Health & Safety Code Section 25249.7(d), a Certificate of
23 Merit attesting to the reasonable and meritorious basis for the action was also sent with each 60-
24 Day Notice Letter. Factual information sufficient to establish the basis of the Certificate of Merit
25 was enclosed with the 60-Day Notice letters Mateel sent to the Attorney General on the two
26 dates.

27 8. Defendants are all businesses that employ more than ten people.

28 JURISDICTION

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

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

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

16 FIRST CAUSE OF ACTION
17 (Claim for Injunctive Relief)

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

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

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

27 15. Since at least three (3) years prior to the filing of this complaint Defendants have
28 engaged in conduct that violates Health and Safety Code Section 25249.6 et seq. This conduct

1 includes knowingly and intentionally exposing to the above mentioned toxic chemicals, those
2 California residents who handle and use Leaded Brass Hose Accessories. The normally intended
3 use of Leaded Brass Hose Accessories causes exposure to lead and lead compounds, which are
4 chemicals known to the State of California to cause cancer, birth defects and other reproductive
5 harm. Defendants have not provided clear and reasonable warnings, within the meaning of
6 Health & Safety Code Sections 25249.6 and 25249.11.

7 16. At all times relevant to this action, Defendants knew that the Leaded Brass Hose
8 Accessories they manufactured, distributed or marketed were causing exposures to lead and lead
9 compounds. Defendants intended that residents of California handle and use Leaded Brass Hose
10 Accessories in such ways as would lead to significant exposures to these chemicals.

11 17. By the above described acts, Defendants have violated Cal. Health & Safety Code
12 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition
13 65, to provide warnings to all present and future customers, and to provide warnings to their past
14 customers who purchased defendants' products without receiving a clear and reasonable
15 warning.

16 SECOND CAUSE OF ACTION
17 (Claim for Civil Penalties)

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

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

24 PRAYER FOR RELIEF

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

26 1. Pursuant to the First Cause of Action, that all Defendants be enjoined, restrained,
27 and ordered to comply with the provisions of Section 25249.6 of the California Health & Safety
28

1 Code;

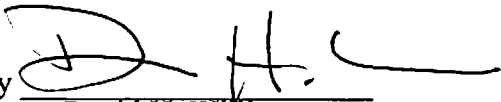
2 2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil
3 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
4 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
5 Defendants' manufacturing,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

6 3. That Defendants be ordered to identify and locate each individual who purchased
7 Leaded Brass Hose Accessory Products and provide a warning to each such person that the
8 Leaded Brass Hose Accessories the person purchased will expose that person to chemicals
9 known to cause birth defects.

10 4. That, pursuant to Civil Procedure Code § 1021.5, Defendants be ordered to pay to
11 Plaintiff the attorneys fees and costs it incurred in bringing this enforcement action.

12 5. For such other relief as this court deems just and proper.

13 Dated: September 11, 2007

14
15 By 
16 David H. Williams
17 Attorney for Plaintiff
18 Mateel Environmental Justice Foundation
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28



Klamath

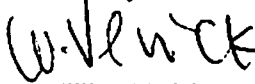
May 24, 2007

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 §§ 25249.5 and 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 pertain to hose accessories made from leaded-brass alloys. The alloys used to make these hose accessories contain lead and lead compounds (hereinafter "lead"). A list of the types of products to which this notice pertains is provided in the attached products list. These products violate Health & Safety Code § 25249.6 when California residents handle the hose accessories either to install them or to use them in gardening and irrigation. Lead from the alloy comes off on their hands and is then absorbed through the skin, enters the body through cuts and abrasions, is ingested orally by being transferred from hands to food which is then eaten, or by hand-to-mouth (or other mucous membranes) behavior such as nail biting, or lead is transferred from hands to cigarettes and then inhaled when the cigarette is smoked. Health & Safety Code § 25249.6 violations also occur when the lead from these hose accessories leaches or otherwise enters the stream of drinking water and is then ingested by people who drink the lead-contaminated water. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. The listed private businesses did not and do not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since May 24, 2004, and will continue every day until the lead is removed from the alloys used to make these hose accessories. This notice makes no allegation as to violations that occurred prior to May 24, 2004. 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 leaded-brass hose accessories made outside of California, except as to workplaces these private businesses themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off these private businesses' property and in each of California's 58 counties.

Cordially,



William Verick

PRODUCT LIST

CAMCO MANUFACTURING, INC.

CAMCO WATER DIVERTER WITH EASY HOSE GRIPPER #22473 UPC: 014717 224734

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 brass hose accessories.

L.R. NELSON CORPORATION

NELSON 4 OUTLET MANIFOLD WITH MOUNTING HARDWARE #N83 UPC: 077855

800840 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 brass hose accessories.

99 CENTS ONLY STORES

GARDEN TIME 3" SOLID BRASS NOZZLE UPC: 018068 175561; GARDEN TIME 2"

SOLID BRASS NOZZLE UPC: 018068 175554 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose accessories.

ORCHARD SUPPLY HARDWARE CORPORATION

BACK YARD PRO 5/8" HOSE MENDER MODEL#66C4210 SKU#6516587 UPC: 732799

854112; BACK YARD PRO 3/4" HOSE MENDER MODEL#66C4110 SKU#6516611 UPC:

732799 854068; BACK YARD PRO 3/4" MALE HOSE MENDER MODEL#66C4130

SKU#6516629 UPC: 732799 854075; BACK YARD PRO 1/2" MALE HOSE MENDER

MODEL#66C4330 SKU#6516702 UPC: 732799 854174; BACK YARD PRO 5/8" MALE

HOSE MENDER MODEL#66C4220 SKU#6516588 UPC: 732799 854099; BACK YARD PRO

BRASS HOSE MENDER MODEL#665C230 SKU#6516660 UPC: 732799 854167; BACK

YARD PRO 1/2" HOSE MENDER MODEL#66C4310 SKU#6516710 UPC: 732799 854198;

BACK YARD PRO 1/2" FEMALE HOSE MENDER MODEL#66C4350 SKU#6516694 UPC:

732799 854181; BACK YARD PRO BRASS MALE COUPLING MODEL#665C210

SKU#6516678 UPC: 732799 828762; BACK YARD PRO BRASS FEMALE COUPLING

MODEL#665H210 SKU#6516652 UPC: 732799 828779; BACK YARD PRO 3/4" MALE

HOSE MENDER SKU#6516629 MODEL#66C4130 UPC: 732799 854075; BACK YARD PRO

3/4" FEMALE HOSE MENDER SKU#6516603 MODEL#66C4150 UPC: 732799 854082;

BACK YARD PRO 5/8" FEMALE HOSE MENDER SKU#6516579 MODEL#66C4250

UPC: 732799 854105 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose accessories.

THRIFTY SUPPLY CO., INC.

THRIFCO PLUMBING FIRE HOSE NOZZLE ONE-PIECE BRASS 1" FIP X 8" #3377-T

UPC: 048314 033772; THRIFCO PLUMBING 5/8" HOSE MENDER BRASS HEAVY DUTY

#346-T UPC: 048314 003461 These product descriptions pertain not only to the specific models

of the products listed, but also for all units of all models of similar types of brass hose accessories.

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 CONSUMER &
ENVIRONMENTAL PROTECTION
1200 THIRD AVENUE, SUITE 700
SAN DIEGO, CA 92101

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALAMEDA
1225 FALLON STREET ROOM 900
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
708 COURT STREET
JACKSON, CA 95642

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

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 953249

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF COLUSA
547 MARKET STREET
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
220 SOUTH LASSEN ST. STE B
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 730
MARIPOSA, CA 95338

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MENDOCINO
PO BOX 1000
UKIAH, CA 95462

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

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF MODOC
204 SOUTH COURT STREET
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 STREET
P.O. BOX 1131
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
520 MAIN STREET #404
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
901 G STREET
SACRAMENTO, CA 95814

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
330 W. BROADWAY
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
1112 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 95916

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
600 SOUTH VICTORIA AVE
VENTURA, CA 93009

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YOLO
301 SECOND STREET
WOODLAND, CA 95695

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

DONALD R. CAINE, PRESIDENT
CAMCO MANUFACTURING, INC.
121 LANDMARK DRIVE
GREENSBORO, NC 27409

DAVID P. RANSBURG, CEO
L.R. NELSON CORPORATION
ONE SPINKLER LANE
PEORIA, IL 61615

ERIC SCHIFFER, CEO
99 CENTS ONLY STORES
4000 UNION PACIFIC AVE
COMMERCE, CA 90023

ROBERT LYNCH, CEO
ORCHARD SUPPLY HARDWARE
CORPORATION
3333 BEVERLY ROAD, B2-130B
HOFFMAN ESTATES, IL 60179

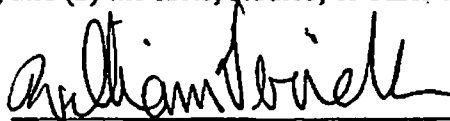
GARY PODANY, CEO
THRIFTY SUPPLY CO., INC.
22 BLUE SKY CT
SACRAMENTO, CA 95828

GARY PODANY, CEO
THRIFTY SUPPLY CO., INC.
4610 LEI STREET
FAIR OAKS, CA 95628

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 24, 2007



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, 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 May 24, 2007, 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 24, 2007, at Eureka, California.



Nicole Frank