

1 Eric S. Somers, State Bar No. 139050  
2 Mark N. Todzo, State Bar No. 168389  
3 Howard Hirsch, State Bar No. 213209  
4 LEXINGTON LAW GROUP, LLP  
5 1627 Irving Street  
6 San Francisco, CA 94122  
7 Telephone: (415) 759-4111  
8 Facsimile: (415) 759-4112

9 Attorneys for Plaintiff  
10 CENTER FOR ENVIRONMENTAL HEALTH

**ENDORSED  
FILED  
ALAMEDA COUNTY**

JUL 24 2008

**CLERK OF THE SUPERIOR COURT**

By Y. Singh Deputy

11 IN THE SUPERIOR COURT OF THE STATE CALIFORNIA  
12 FOR THE COUNTY OF ALAMEDA

13 PEOPLE OF THE STATE OF CALIFORNIA,  
14 *ex rel.* BILL LOCKYER, Attorney General,

15 Plaintiff,

16 v.

17 BURLINGTON COAT FACTORY  
18 WAREHOUSE CORPORATION, *et al.*

19 Defendants.

20 And Consolidated Cases.

Lead Case No. RG 04-162075

(Consolidated with Case Nos. RG 04-162037, RG 04-169511, and RG 06-269531)

**C.C.P. §474 AMENDMENT TO FOURTH  
AMENDED COMPLAINT – CENTER  
FOR ENVIRONMENTAL HEALTH V.  
NADRI, INC.; CASE NO. RG 06-269531**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

On May 12, 2006, Plaintiff Center for Environmental Health (“CEH”) filed its original Complaint in *CEH v. Nadri, Inc.*, Alameda County Superior Court Case No. RG 06-269531 (“*Nadri Case*”). On July 12, 2006, the *Nadri Case* was consolidated under the above-captioned lead case. On November 8, 2007, CEH filed the Fourth Amended Complaint in the *Nadri Case* (the “Fourth Amended Complaint”).

Pursuant to California Code of Civil Procedure §474, CEH hereby amends the Fourth Amended Complaint by inserting the name CHARLES GANTT DBA COUNTRY CLUTTER in place of the reference to DOE 6 in each place that it appears in the Fourth Amended Complaint.

Date: July 9, 2008

Respectfully submitted,  
LEXINGTON LAW GROUP, LLP

  
Eric S. Somers  
Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH

1 **PROOF OF SERVICE**

2 I declare that:

3 I am employed in San Francisco County, California. I am over the age of 18 years and  
4 not a party to the within cause; my business address is 1627 Irving Street, San Francisco, CA  
94122, and my electronic notification address is jromer@lexlawgroup.com.

5 On July 9, 2008, I served true copies of the following documents:

6 **C.C.P. §474 AMENDMENT TO FOURTH AMENDED COMPLAINT –**  
7 **CENTER FOR ENVIRONMENTAL HEALTH V. NADRI, INC.; CASE NO.**  
8 **RG 06-269531**

9 I transmitted via electronic mail the documents listed above to the electronic mail  
10 addresses set forth below at 5:50 p.m. on July 9, 2008,

11 *See attached service list.*

12 The transmission was reported as complete and without error

13 I declare under penalty of perjury that the foregoing is true and correct, and that this  
14 declaration was executed on July 9, 2008, at San Francisco, California.

15 Signed:

16   
17 \_\_\_\_\_  
18 Jennie Romer  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**People v. Burlington Coat Factory Warehouse Corporation, et al.**  
**Alameda Superior Case No. RG04-162075**  
**SERVICE LIST**

ATTORNEY	PARTY REPRESENTED
<p>Eric S. Somers  Howard Hirsch  Lexington Law Group, LLP  1627 Irving Street  San Francisco, CA 94122  Fax: 415-759-4112  esomers@lexlawgroup.com  hhirsch@lexlawgroup.com  lburger@lexlawgroup.com  lfleece@lexlawgroup.com  jromer@lexlawgroup.com</p>	<p>Center for Environmental Health</p>
<p>Edward G. Weil, Supervising Attorney General  Harrison M. Pollak, Deputy Attorney General  1515 Clay Street, 20<sup>th</sup> Floor  Oakland, CA 94612-0550  Fax: 510-622-2270  Ed.Weil@doj.ca.gov  harrison.pollak@doj.ca.gov</p>	<p>State of California</p>
<p>Maurice Wainer  Snipper, Wainer &amp; Markoff  270 North Canon Drive, Penthouse  Beverly Hills, California 90210  Fax: 310-550-6770  mrwainer@aol.com</p>	<p>A-List, Inc. dba Kitson</p>
<p>Peter M. Callahan  Callahan, McCune &amp; Willis, APLC  111 Fashion Lane  Tustin, CA 92780-3397  Fax: 714-730-1642  peter_callahan@cmwlaw.net</p> <p>Anna Gehriger  Callahan, McCune &amp; Willis, APLC  500 Sansome Street, Ste. 410  San Francisco, CA 94111  Fax: 415-593-6984  anna_gehriger@cmwlaw.net</p>	<p>Aminco International (USA), Inc.; Wincraft, Inc.</p>

ATTORNEY	PARTY REPRESENTED
<p>James Robert Maxwell  Alexis Janssen Morris  Rogers Joseph O'Donnell  311 California Street  San Francisco, CA 94104  Fax: 415-956-6457  jmaxwell@rjo.com  amorris@rjo.com</p>	<p>Amscan Holdings, Inc.; PA Acquisition Corp.; Party City Corporation; Safeway Inc.; Save Mart Supermarkets</p>
<p>Houman Fakhimi  Rachele Shakoori  Fakhimi &amp; Associates  3 Hutton Centre Drive, Suite 620  Santa Ana, CA 92707  Fax: 714-542-2188  rachel@lawhf.com  hfakhimi@lawhf.com</p>	<p>Beena Beauty Holding, Inc.; Planet Beauty, Inc.</p>
<p>José R. Allen  Skadden, Arps, Slate, Meagher &amp; Flom LLP  Four Embarcadero Center, Suite 3800  San Francisco, CA 94111-4144  Fax: 415-984-2698  jose.allen@skadden.com</p>	<p>Busch Entertainment Corporation</p>
<p>Robert L. Falk  William F. Tarantino  Morrison &amp; Foerster LLP  425 Market Street  San Francisco, CA 94105  Fax: 415-268-7522  rfalk@mof.com  wtarantino@mof.com  mimwalle@mof.com</p>	<p>Chico's FAS, Inc.; JJI International, Inc.</p>
<p>Charles E. Lykes, Jr.  Attorney-at-Law  501 South Ft. Harrison Avenue, Ste. 101  Clearwater, FL 33756  Fax: 727-442-8562  charles@lykeslaw.com</p>	<p>Cousin Corporation of America</p>

ATTORNEY	PARTY REPRESENTED
<p>John P. Kinsey Sagaser, Jones &amp; Helsley P.O. Box 1632 Fresno, CA 93717 Fax: 559-233-9330 jkinsey@sjhattorneys.com bordway@sjhattorneys.com</p>	<p>Creative Visions, Inc. dba Country Clutter</p>
<p>Steven G. Teraoka, Esq. Elizabeth P. Shoemaker, Esq. Teraoka &amp; Partners, LLP One Embarcadero Center, Suite 1020 San Francisco, CA 94111 Fax: 415-981-0222 steve@teraokalaw.com liz@teraokalaw.com</p>	<p>Daiso California LLC</p>
<p>James M. Mattesich Lisa L. Halko Greenberg Traurig, LLP 1201 K Street, Suite 1100 Sacramento, CA 95814 Fax: 916-448-1709 mattesichj@gtlaw.com halkol@gtlaw.com</p>	<p>Estée Lauder Companies, Inc.; Estée Lauder, Inc.</p>
<p>Jeffrey Margulies Fulbright &amp; Jaworski LLP 555 South Flower Street, 41<sup>st</sup> Floor Los Angeles, CA 90071 Fax: 213-892-9494 jmargulies@fulbright.com ilopez@fulbright.com</p>	<p>Ethel &amp; Myrtle, Inc.; Furla (U.S.A.) Incorporated; Goody Products, Inc.; I Love Bracelets, Inc.; Paper Source, Inc.</p>
<p>Joong Y. Im Law Office of Joong Y. Im 2095 Van Ness Ave. San Francisco, CA 94109 Fax: 415-775-1308 JOONGIMESQ@aol.com</p>	<p>Hand&amp;Mind, Inc.; Maxfield, Inc.</p>
<p>Kevin Salute Attorney at Law 12925 Riverside Drive, 2<sup>nd</sup> Floor Sherman Oaks, CA 91423 Fax: 818-475-1634 kevin@salutelaw.com</p>	<p>Hayun Fashion Investments Corporation</p>

ATTORNEY	PARTY REPRESENTED
<p>Lawrence I. Washor Washor &amp; Associates 21800 Oxnard Street, suite 790 Woodland Hills, CA 91367 Fax: 310-479-1022 lwashor@washor.com</p> <p>Robert F. Salkowski Zarco Einhorn &amp; Salkowski, P.A. Bank Of America Tower Ste. 2700 100 Southeast 2nd Street Miami, Florida 33131 Fax: 305-374-5428 rsalkowski@zarcolaw.com</p>	<p>I &amp; JC Corp.</p>
<p>Scott Dunning Dunning Law Firm 2000 Van Ness Avenue, Suite 602 San Francisco, CA 94109 sdunning@dunninglawfirm.com pchang@dunninglawfirm.com</p>	<p>Intuition, Inc. and Jerry Lee</p>
<p>Eileen Nottoli John J. Allen Marissa M. Prayongratana Allen Matkins Leck Gamble Mallory &amp; Natsis LLP Three Embarcadero Center, 12<sup>th</sup> Floor San Francisco, CA 94111 Fax: 415-273-7420 enottoli@allenmatkins.com jallen@allenmatkins.com mprayongratana@allenmatkins.com</p>	<p>Jest Jewels, Inc.; Vendor Group</p>
<p>William K. Koska Waller Lansden Dortch &amp; Davis, LLP 520 South Grand Avenue, Suite 800 Los Angeles, CA 90071 Fax: 213-362-3679 william.koska@wallerlaw.com</p>	<p>Jigsaw USA, Inc.</p>
<p>John E. Dittoe Reed Smith LLP 1999 Harrison Street, Suite 2400 Oakland, CA 94612 Fax: 510-273-8832 jdittoe@reedsmith.com</p>	<p>Jimmy Z Surf Company, Inc.</p>

ATTORNEY	PARTY REPRESENTED
<p>J. Brittain Habegger Dawn Newton Fitzgerald Abbott &amp; Beardsley LLP 1221 Broadway, 21<sup>st</sup> Floor Oakland, CA 94612 Fax: 510-451-1527 bhabegger@fablaw.com dnewton@fablaw.com</p> <p>Cheri L. Crow Law Offices of Suzanne C. Cummings &amp; Associates, P.C. Two Main Street, Suite 300 Stoneham, MA 02180 ccrow@scummingslaw.com</p>	<p>Learning Express, Inc.</p>
<p>Michael R. Leslie Robyn C. Crowther Michelle C. Brauer Caldwell Leslie &amp; Proctor, PC 1000 Wilshire Blvd., Suite 600 Los Angeles, CA 90017 Fax: 213-629-9022 leslie@caldwell-leslie.com crowther@caldwell-leslie.com brauer@caldwell-leslie.com</p>	<p>Lisa Kline, Inc.</p>
<p>Martin Glickfeld Law Offices of Martin Glickfeld 2133 Lombard Street San Francisco, CA 94123 Fax: 415-441-7493 martin14@prodigy.net</p>	<p>Maui Magnets, Inc.</p>
<p>Andrew Dimitriou Dimitriou &amp; Associates 180 Montgomery Street, Suite 2200 San Francisco, CA 2200 Fax: 415-434-1155</p>	<p>Nova, Inc.</p>
<p>Kimon Manolius Warren R. Webster Hanson Bridgett LLP 425 Market Street, 26<sup>th</sup> Floor San Francisco, CA 94105 Fax: 415-541-9366 kmanolius@hansonbridgett.com wwebster@hansonbridgett.com</p>	<p>Only in San Francisco, LLC</p>



ATTORNEY	PARTY REPRESENTED
<p>Charles S. Bronitsky  Rice &amp; Bronitsky  350 Cambridge Ave., Suite 225  Palo Alto, CA 94306  Fax: 650-649-2316  charlie@bronitsky.com</p>	<p>Peninsula Beauty Supply Inc.</p>
<p>Thomas A. Evans  Robert D. Phillips, Jr.  Reed Smith LLP  Mailing Address: P.O. Box 2084  Oakland, CA 94604-2084  Fax: 510-273-8832  tevans@reedsmith.com  rphillips@reedsmith.com</p>	<p>Raley's</p>
<p>Bruce T. H. Burke  Kelly L. Huey  Burke &amp; Kessler  11 Embarcadero West, Suite 230  Oakland, CA 94607  Fax: 510-444-8102  bthburke@yahoo.com</p>	<p>Shoe Pavilion Corporation; Shoe Pavilion, Inc.</p>
<p>Kenneth Keller  Anne Kearns  Krieg, Keller, Sloan, Reilley &amp; Roman LLP  114 Sansome Street, 4<sup>th</sup> Floor  San Francisco, CA 94104  Fax: (415) 249-8333  akearns@kksrr.com</p>	<p>Urban Outfitters, Inc., Urban Outfitters West LLC</p>
<p>Charles C. Ivie  Vanessa C. Adriance  Gibson, Dunn &amp; Crutcher LLP  333 South Grand Avenue  Los Angeles, CA 90071  Fax: 213-229-6412  civie@gibsondunn.com  vadriance@gibsondunn.com</p> <p>Neema Jalali  Gibson, Dunn &amp; Crutcher LLP  One Montgomery Street, Suite 3100  San Francisco, CA 94104  Fax: 415-393-8409  njalali@gibsondunn.com</p>	<p>Whole Foods Market California, Inc.</p>