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10 CENTER FOR ENVIRONMENTAL HEALTH

ENDORSED  
FILED  
ALAMEDA COUNTY

MAR 16 2009

CLERK OF THE SUPERIOR COURT  
By BARBARA LAMOTTE 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 \_\_\_\_\_  
21 And Consolidated Cases.  
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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 –  
SEA WORLD, INC.**

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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 SEAWORLD, INC. in place of the reference to DOE 7 in each place that it appears in the Fourth Amended Complaint.

Date: March 13, 2009

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 March 13, 2009, 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.**  
**RG 06-269531 – SEA WORLD, INC.**

8 I transmitted via electronic mail the documents listed above to the electronic mail  
9 addresses set forth below at 5:35 p.m. on March 13, 2009:

10 *Please see attached service list.*

11 The transmission was reported as complete and without error.

12 I declare under penalty of perjury that the foregoing is true and correct, and that this  
13 declaration was executed on March 13, 2009, at San Francisco, California.

14 Signed: 

Jennie Romer

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

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