

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

FEB 17 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.)
22 _____)
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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 –
H.E.R. ACCESSORIES, LLC; ZOOM
EYEWORKS, 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 as follows:

1. By inserting the name H.E.R. ACCESSORIES, LLC in place of the reference to DOE 17 in each place that it appears in the Fourth Amended Complaint;
2. By inserting the name ZOOM EYEWORKS, INC. in place of the reference to DOE 18 in each place that it appears in the Fourth Amended Complaint;

Date: February 17, 2009

Respectfully submitted,

LEXINGTON LAW GROUP, LLP



Eric S. Somers
Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

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PROOF OF SERVICE

I declare that:

I am employed in San Francisco County, California. I am over the age of 18 years and 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.

On February 17, 2009, I served true copies of the following document:

**C.C.P. §474 AMENDMENT TO FOURTH AMENDED COMPLAINT –
CENTER FOR ENVIRONMENTAL HEALTH V. NADRI, INC.; CASE NO.
RG 06-269531 – H.E.R. ACCESSORIES, LLC; ZOOM EYEWORKS, INC.**

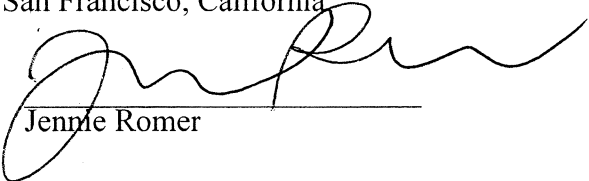
I transmitted via electronic mail the document listed above to the electronic mail addresses set forth below at 12:48 p.m. on February 17, 2009,

See attached service list.

The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on February 17, 2009, at San Francisco, California

Signed:



Jennie Romer

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 jromer@lexlawgroup.com lfleece@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, 20th 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 & Markoff 270 North Canon Drive, Penthouse Beverly Hills, California 90210 Fax: 310-550-6770 mrwainer@aol.com</p>	<p>AList, Inc</p>
<p>Houman Fakhimi Fakhimi & Associates 3 Hutton Centre Drive, Suite 620 Santa Ana, CA 92707 Fax: 714-542-2188 hfakhimi@lawhf.com</p>	<p>Beena Beauty Holding, Inc.; Planet Beauty, Inc.</p>
<p>José R. Allen Skadden, Arps, Slate, Meagher & 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>

ATTORNEY	PARTY REPRESENTED
<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>Richard Guadagni 1390 South Main Street, Suite 312 Walnut Creek, CA 34596 Phone: 925-944-1555 Fax: 925-944-1551 stevenguadagni@yahoo.com</p>	<p>Cousin Corporation of America</p>
<p>Jeffrey Margulies Fulbright & Jaworski LLP 555 South Flower Street, 41st Floor Los Angeles, CA 90071 Fax: 213-892-9494 jmargulies@fulbright.com ilopez@fulbright.com</p>	<p>Elite Distributing Company dba Edco; Furla (U.S.A.) Incorporated; Goody Products, Inc.; I Love Bracelets, Inc.</p>
<p>Kevin Salute Attorney at Law 12925 Riverside Drive, 2nd Floor Sherman Oaks, CA 91423 Fax: 818-475-1634 kevin@salutelaw.com</p>	<p>Hayun Fashion Investments Corporation</p>
<p>Frank N. Lee Law Office of Frank N. Lee 3435 Wilshire Blvd. , Suite 450 Los Angeles, CA 90010 Fax: 213-487-9776 franklee@gmail.com</p>	<p>JOIA Accessories, Inc.</p>
<p>Scott Dunning Dunning Law Firm 2000 Can Ness Avenue, Suite 602 San Francisco, CA 94109 Fax: 415-956-0881 sdunning@dunninglawfirm.com pchang@dunninglawfirm.com</p>	<p>Intuition Inc.; Jerry Lee</p>

ATTORNEY	PARTY REPRESENTED
<p>Michael R. Leslie Robyn C. Crowther Lisa Prince Caldwell Leslie & Proctor, PC 1000 Wilshire Blvd., Suite 600 Los Angeles, CA 90017 Fax: 213-629-9022 leslie@caldwell-leslie.com crowther@caldwell-leslie.com prince@caldwell-leslie.com</p>	<p>Lisa Kline, Inc.</p>
<p>Jay W. Connolly Seyfarth Shaw, LLP 560 Mission Street, Suite 3100 San Francisco, CA 94105 jconnolly@seyfarth.com</p>	<p>Mango NY, Inc.</p>
<p>Andrew Dimitriou Dimitriou & Associates 180 Montgomery Street, Suite 2200 San Francisco, CA 2200 Fax: 415-434-1155</p>	<p>Nova, Inc.</p>
<p>Charles S. Bronitsky Rice & 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>Malcolm C. Weiss Catherine Allen Hunton & Williams 550 South Hope Street, Suite 2000 Los Angeles, CA 90071-2627 mweiss@hunton.com callen@hunton.com</p>	<p>Quest Beads & Cast, 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>

ATTORNEY	PARTY REPRESENTED
<p>Bruce T. H. Burke Kelly L. Huey Burke & 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 & Roman LLP 114 Sansome Street, 4th 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 & 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 & Crutcher LLP 555 Mission Street, Suite 3000 San Francisco, CA 94105-2933 Fax: 415-374-8409 njalali@gibsondunn.com</p>	<p>Whole Foods Market California, Inc.</p>