

1 LEXINGTON LAW GROUP
Mark N. Todzo, State Bar No. 168389
2 Howard Hirsch, State Bar No. 213209
Lisa Burger, State Bar No. 239676
3 1627 Irving Street
San Francisco, CA 94122
4 Telephone: (415) 759-4111
Facsimile: (415) 759-4112

5 Attorneys for Plaintiff
6 CENTER FOR ENVIRONMENTAL HEALTH

ENDORSED
FILED
Superior Court of California
County of San Francisco

OCT 14 2010

CLERK OF THE COURT
BY: WESLEY RAMIREZ
Deputy Clerk

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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN FRANCISCO
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12 CENTER FOR ENVIRONMENTAL HEALTH,)
a non-profit corporation,)

13 Plaintiff,)

14 v.)

15 BASIC INTERNATIONAL, INC. DBA BASIC)
16 MEDICAL INDUSTRIES, INC.; DASH)
MEDICAL GLOVES, INC.; AMMEX)
17 CORPORATION; BIG TIME PRODUCTS,)
LLC; BOSS MANUFACTURING COMPANY;)
18 GOLDMAX INDUSTRIES, INC.; PRO-STAT,)
INC.; RITE AID CORPORATION; and)
19 Defendant DOES 1 through 200, inclusive,)

20 Defendants.)
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Case No. CGC-09-494337

**EX PARTE APPLICATION FOR
ORDER TO AMEND FIRST
AMENDED COMPLAINT TO ADD
TRUE NAME OF DOE 1 PURSUANT
TO C.C.P. § 474 – CYPRESS MEDICAL
PRODUCTS LLC**

Hearing Date: October 14, 2010
Time: 11:00 a.m.
Department: 301

Complaint filed: November 10, 2009

1 which CEH acquired and tested from defendant Rite Aid Corporation. *Id.* ¶ 6.

2 **CONCLUSION**

3 . Because CEH was ignorant of Cypress's role as a manufacturer of DEHP-
4 containing vinyl gloves when filing its original complaint (as well as its First Amended
5 Complaint), CEH named Doe 1 as a defendant in this case pursuant to C.C.P. § 474. Now that
6 CEH has learned Cypress's identity, Plaintiff CEH respectfully requests that the Court grant this
7 Application to amend the operative complaint in this action pursuant to C.C.P. § 474 by inserting
8 the name Cypress Medical Products LLC in place of the reference to Doe 1 in each place that it
9 appears in the First Amended Complaint.

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Dated: October 12, 2010

Respectfully submitted,
LEXINGTON LAW GROUP



Lisa Burger
Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL
HEALTH