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brianacree@earthlink.net

Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

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

MATEEL ENVIRONMENTAL
JUSTICE FOUNDATION,

Plaintiff,
v.

HYDE GROUP, INC.; LDR INDUSTRIES,
INC.; TECHTRONIC INDUSTRIES, INC.;
and TECHTRONIC INDUSTRIES NORTH
AMERICA, INC.,

Defendants.

CASE NO. CGC-10-504373

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

TOXIC TORT/ENVIRONMENTAL

FILED
SUPERIOR COURT
COUNTY OF SAN FRANCISCO
2010 OCT -5 AM 10:06
CLERK OF THE COURT
BY: DEPUTY CLERK
D. STEFFE

CASE MANAGEMENT CONFERENCE SET

MAR 04 2011 - 9:24 AM

DEPARTMENT 212

1 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

2 INTRODUCTION

3 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
4 failure of defendant HYDE GROUP, INC.; LDR INDUSTRIES, INC.; TECHTRONIC
5 INDUSTRIES, INC.; and TECHTRONIC INDUSTRIES NORTH AMERICA, INC.,
6 (hereinafter "Defendants"), to give clear and reasonable warnings to those residents of California,
7 who handle and use hose nozzles and hose accessories (such as couplers) that are made of, or
8 incorporate leaded brass and/or bronze (hereinafter referred to as "leaded brass hose nozzles and
9 hose accessories"), that handling and use of these products causes those residents to be exposed
10 to lead and lead compounds, lead acetate, lead phosphate, and lead subacetate (hereinafter,
11 collectively, "lead"). Lead is known to the State of California to cause cancer, birth defects and
12 male and female reproductive toxicity. Defendants manufacture, distribute, and/or market
13 Leaded brass hose nozzles and hose accessories. These products cause exposures to lead, a
14 chemical known to the State of California to cause cancer, birth defects and other reproductive
15 harm.

16 2. Defendants are businesses that manufacture, market, and/or distribute leaded brass
17 hose nozzles and hose accessories. Defendants intend that residents of California handle and use
18 leaded brass hose nozzles and hose accessories that Defendants manufacture, market, and/or
19 distribute. When these products are handled and used in their normally intended manner, they
20 expose people to lead. In spite of knowing that residents of California were and are being
21 exposed to lead when they handle and use leaded brass hose nozzles and hose accessories,
22 Defendants did not and do not provide clear and reasonable warnings that these products cause
23 exposure to chemicals known to cause cancer, birth defects and other reproductive harm. The
24 leaded brass hose nozzles and hose accessories to which this Complaint pertains are those
25 referenced in the Products List that accompanied the Notice of Violation that is appended to and
26 incorporated by reference in this Complaint.

27 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
28 to compel Defendant to bring its business practices into compliance with section 25249.5 et seq.

1 by providing a clear and reasonable warning to each individual who has been and who in the
2 future may be exposed to the above mentioned toxic chemicals from the use of Defendants'
3 products.

4 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
5 of Defendants to provide clear and reasonable warnings regarding exposure to chemicals known
6 to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order that
7 defendants identify and locate each individual person who in the past has purchased a brass
8 product and to provide to each such purchaser a clear and reasonable warning that the brass
9 product will cause exposures to chemicals known to cause birth defects.

10
11 PARTIES

12 5. Plaintiff MATEEL ENVIRONMENTAL JUSTICE FOUNDATION ("Mateel")
13 is a non-profit organization dedicated to, among other causes, the protection of the environment,
14 promotion of human health, environmental education, and consumer rights. Mateel is based in
15 Eureka, California, and is incorporated under the laws of the State of California. Mateel is a
16 "person" pursuant to Health & Safety Code Section 25118. Mateel brings this enforcement
17 action in the public interest pursuant to Health & Safety Code §25249.7(d). Residents of
18 California are regularly exposed to lead and lead compounds from leaded brass hose nozzles and
19 hose accessories manufactured, distributed or marketed by Defendant and are so exposed without
20 a clear and reasonable Proposition 65 warning.

21 6. Defendants are each persons doing business within the meaning of Health &
22 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or
23 market leaded brass hose nozzles and hose accessories in California, including the City and
24 County of San Francisco. Manufacture, distribution and/or marketing of these products in the
25 City and County of San Francisco and/or to people who live in San Francisco, causes people to
26 be exposed to lead and lead compounds while they are physically present in the City and County
27 of San Francisco.

28 7. Plaintiff brings this enforcement action against Defendants pursuant to Health &

1 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of a
2 Notice of Violation, dated July 22, 2010 which Mateel sent to California's Attorney General.
3 Notices identical in substance were sent to every District Attorney in the state, and to the City
4 Attorneys of every California city with a population greater than 750,000. On the same date,
5 Mateel sent identical Notices of Violation to Defendants. Attached to the Notices of Violation
6 sent to the Defendants was a summary of Proposition 65 that was prepared by California's Office
7 of Environmental Health Hazard Assessment. In addition, the Notices of Violation plaintiff sent
8 were accompanied by a Certificate of Service attesting to the service of the Notice of Violation
9 on each entity which received it. Pursuant to California Health & Safety Code Section
10 25249.7(d), a Certificate of Merit attesting to the reasonable and meritorious basis for the action
11 was also sent with the Notice of Violation. Factual information sufficient to establish the basis
12 of the Certificate of Merit was enclosed with the Notice of Violation Mateel sent to the Attorney
13 General.

14 8. Defendants are businesses that employ more than ten people.

15 JURISDICTION

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

21 10. This Court also has jurisdiction over Defendants because they are businesses that
22 have sufficient minimum contacts in California and within the City and County of San Francisco.
23 Defendants intentionally availed themselves of the California and San Francisco County markets
24 for leaded brass hose nozzles and hose accessories. It is thus consistent with traditional notions
25 of fair play and substantial justice for the San Francisco Superior Court to exercise jurisdiction
26 over them.

27 11. Venue is proper in this Court because Defendants market their products in and
28 around San Francisco and thus cause people to be exposed to lead and lead compounds while

1 those people are physically present in San Francisco. Liability for Plaintiff's causes of action, or
2 some parts thereof, has accordingly arisen in San Francisco during the times relevant to this
3 Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

4
5 FIRST CAUSE OF ACTION
6 (Claim for Injunctive Relief)

7 12. Plaintiff realleges and incorporates by reference into this First Cause of Action, as
8 if specifically set forth herein, paragraphs 1 through 11, inclusive.

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

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

16 15. Since at least July 22, 2007 Defendants have engaged in conduct that violates
17 Health and Safety Code Section 25249.6 et seq. This conduct includes knowingly and
18 intentionally exposing to the above mentioned toxic chemicals, those California residents who
19 handle and use leaded brass hose nozzles and hose accessories. The normally intended use of
20 leaded brass hose nozzles and hose accessories causes exposure to lead, a chemical known to the
21 State of California to cause cancer, birth defects and other reproductive harm. Defendants have
22 not provided clear and reasonable warnings, within the meaning of Health & Safety Code
23 Sections 25249.6 and 25249.11.

24 16. At all times relevant to this action, Defendants knew that the leaded brass hose
25 nozzles and hose accessories they manufactured, distributed or marketed were causing exposures
26 to lead. Defendants intended that residents of California handle and use leaded brass hose
27 nozzles and hose accessories in such ways as would lead to significant exposures to lead.

28 17. By the above described acts, Defendants have violated Cal. Health & Safety Code

1 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition
2 65, to provide warnings to all present and future customers, and to provide warnings to their past
3 customers who purchased defendants' products without receiving a clear and reasonable warning.
4

5 SECOND CAUSE OF ACTION
6 (Claim for Civil Penalties)

7 18. Plaintiff realleges and incorporates by reference into this Second Cause of Action,
8 as if specifically set forth herein, paragraphs 1 through 17, inclusive.

9 19. By the above described acts, Defendants are liable and should be liable pursuant
10 to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each
11 individual exposed without proper warning to lead and lead compounds from the handling or use
12 of Defendants' Leaded brass hose nozzles and hose accessories.

13 PRAYER FOR RELIEF

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

15 1. Pursuant to the First Cause of Action, that Defendants be enjoined, restrained, and
16 ordered to comply with the provisions of Section 25249.6 of the California Health & Safety
17 Code;

18 2. Pursuant to the Second Cause of Action, that Defendants be assessed a civil
19 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
20 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
21 Defendants' manufacturing, distributing or marketing of leaded brass hose nozzles and hose
22 accessories;

23 3. That Defendants be ordered to identify and locate each individual who purchased
24 Leaded brass hose nozzles and hose accessories and provide a warning to each such person that
25 the Leaded brass hose nozzles and hose accessories the person purchased will expose that person
26 to chemicals known to cause birth defects.

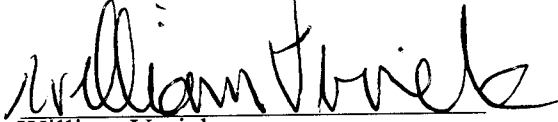
27 4. That, pursuant to Civil Procedure Code § 1021.5, Defendants be ordered to pay to
28

1 Plaintiff the attorneys fees and costs it incurred in bringing this enforcement action.

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

3 Dated: September 30, 2010

KLAMATH ENVIRONMENTAL LAW CENTER

4
5 By 
6 William Verick
7 Attorney for Plaintiff
8 Mateel Environmental Justice Foundation
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Klamath

ENVIRONMENTAL
JUSTICE FOUNDATION

July 22, 2010

PROPOSITION 65 ENFORCEMENT REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
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 § 25249.6. 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 occur when California residents come into contact with the brass parts of air and water hoses, hose connectors, couplers, and hose accessory kits as well as tools that connect to air or water hoses such as hose nozzles and pressure washers (hereinafter collectively "brass products") these businesses market. A list of specific examples of the specific types of products at issue is attached. Though a specific model or UPC number may be given as an example, this notice pertains to all similar types of brass products. The brass products that people handle are made from leaded brass, which contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they handle these brass products. Lead is transferred from the brass products to peoples' hands and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. The listed companies 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 at least July 22, 2007, and will continue every day until the lead is removed from the brass products, or until clear and reasonable warnings are given. 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 brass products made outside of California, except as to workplaces these businesses themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the listed businesses' property and in each of California's 58 counties.

Cordially,

William Verick

SERVICE LIST

PROPOSITION 65 ENFORCEMENT REPORTING
ATTENTION: PROP 65 COORDINATOR
1515 CLAY STREET, SUITE 2000
POST OFFICE 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
PO BOX 1948
SACRAMENTO, CA 95812-1948

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
200 EAST SANTA CLARA STREET
SAN JOSE, CA 95113

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.
OROVILLE, CA 95965

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

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 95482

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
110 UNION STREET
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
10810 JUSTICE CENTER DR. STE 240
ROSEVILLE, CA 95678

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, SUITE 1100
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 95936

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
800 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

BART SWANK, PRESIDENT
FLORIDA PNEUMATIC MFG. CORP.
A SUBSIDIARY OF P&F INDUSTRIES, INC.
851 JUPITER PARK LANE
JUPITER, FL 33458

SYDNEY JACKOFF, PRESIDENT
GREAT NECK SAW
MANUFACTURERS, INC.
165 E 2ND STREET
MINEOLA, NY 11501

RANDY L GREELY, CEO
HBD/THERMOID, INC.
5200 UPPER METRO PL STE 110
DUBLIN, OH 43017

RICHARD B HARDY, PRESIDENT
HYDE GROUP, INC.
54 EASTFORD RD.
SOUTHBRIDGE, MA 01550

LANCE ERICSON, CEO
ILLINOIS INDUSTRIAL TOOL, INC.
8811 S 77TH AVE
BRIDGEVIEW, IL 60455

LARRY GREENSPON, PRESIDENT
LDR INDUSTRIES, INC
600 N KILBOURN AVE
CHICAGO, IL 60624

ALAN J LACY, PRESIDENT
SEARS, ROEBUCK AND COMPANY
3333 BEVERLY ROAD B2-1008
HOFFMAN ESTATES, IL 60179

ROBERT J ULRICH, PRESIDENT
TARGET CORPORATION
1000 NICOLLET MALL TPN9
MINNEAPOLIS, MN 55403

JOSEPH GALLI JR, PRESIDENT
TECHTRONIC INDUSTRIES
NORTH AMERICA, INC.
1428 PEARMAN DAIRY RD
ANDERSON, SC 29625

DAVID RAUCH, PRESIDENT
U.S. WIRE & CABLE CORP.
1 FLEXON PLAZA
NEWARK, NJ 07114

PRODUCT LIST

FLORIDA PNEUMATIC MFG. CORPORATION A SUBSIDIARY OF P&F INDUSTRIES, INC. SEARS, ROEBUCK AND COMPANY

CRAFTSMAN 16 PIECE PROFESSIONAL ACCESSORY KIT 916199 UPC CODE: 722470 216209;
CRAFTSMAN 20 PIECE ACCESSORY KIT 916191 UPC CODE: 722470 216193; CRAFTSMAN QUICK
CONNECT COUPLER 916373 UPC CODE: 722470 216308; CRAFTSMAN QUICK CONNECT COUPLER KIT
916378 UPC CODE: 722470 216353; CRAFTSMAN 11 PIECE AIR COMPRESSOR ACCESSORY KIT
916391 UPC CODE: 722470 216414 These product descriptions pertain not only to the specific models of the
products listed, but also for all units of all models of brass couplers, air or water hoses or accessories.

GREAT NECK SAW MANUFACTURERS, INC.

OEM 1/4" MALE COUPLER 1/4" NPT (M) #25847 UPC CODE: 076812 258472; OEM AIR HOSE 3/8" X 50'
1/4" NPT (M) ENDS #25837 UPC CODE: 076812 258373; OEM AIR HOSE 3/8" X 50' 1/4" NPT (M) ENDS
#25838 UPC CODE: 076812 258380; OEM CONNECTOR KIT 1/4" NPT (F) #25851 UPC CODE: 076812
258519 These product descriptions pertain not only to the specific models of the products listed, but also for all units
of all models of brass couplers, air or water hoses or accessories.

HBD/THERMOID, INC.

THERMOID SHOP AIR TOOL HOSE PART# 438-25 3/8" ID X 25' UPC CODE: 078698 438252 This product
description pertains not only to the specific model of the product listed, but also for all units of all models of brass
couplers, air or water hoses or accessories.

HYDE GROUP, INC.

HYDE 28" PIVOT NOZZLE WAND FOR PRESSURE WASHERS
28430 UPC CODE: 079423 284304 This product description pertains not only to the specific model of the product
listed, but also for all units of all models of brass couplers, air or water hoses or accessories.

ILLINOIS INDUSTRIAL TOOL, INC.

IIT 50' 3/8" RUBBER AIR HOSE 11050 UPC CODE: 039593 110506 This product description pertains not only to
the specific model of the product listed, but also for all units of all models of brass couplers, air or water hoses or
accessories.

LDR INDUSTRIES, INC

LDR 3/4 " HOSE CONNECTOR 3/4" X 3/4" FEMALE-FEMALE L13 504 2420 UPC CODE: 019442 107963;
LDR 3/4" HOSE CONNECTOR SWIVEL MALE-MALE L14 504 2430 UPC CODE: 019442 107925; LDR HOSE
CONNECTOR 1/2" X 3/4" SWIVEL HOSE FEMALE-FEMALE L12 UPC CODE: 019442 107918 These product
descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass
couplers, air or water hoses or accessories.

TARGET CORPORATION

U.S. WIRE AND CABLE CORPORATION

ROOM ESSENTIALS 50' HOSE OUTDOOR 084 20 0237 ID050405-VPG-RP BLUE UPC CODE: 044882
664332; ROOM ESSENTIALS 50' HOSE OUTDOOR 084 20 0238 ID050405-VPG-RP YELLOW UPC CODE:
044882 664356 These product descriptions pertain not only to the specific models of the products listed, but also for
all units of all models of brass couplers, air or water hoses or accessories.

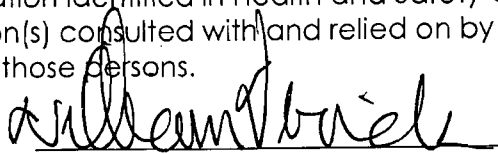
TECHTRONIC INDUSTRIES NORTH AMERICA, INC.

POWER WASHER COUPLER UPC CODE: 046396 550811; POWERCARE DETERGENT HOSE KIT AP31027
719-577 UPC CODE: 046396 550675; POWERCARE 1/4" QUICK CONNECT WAND WITH ADAPTERS
AP31021 719-379 UPC CODE: 046396 550613 These product descriptions pertain not only to the specific models
of the products listed, but also for all units of all models of brass couplers, air or water hoses or accessories.

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: July 22, 2010



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 July 22, 2010, 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 July 22, 2010, at Eureka, California.



Nicole Frank