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**FILED BY FAX**

ALAMEDA COUNTY

February 04, 2011

CLERK OF  
THE SUPERIOR COURT  
By Catherine Green, Deputy

CASE NUMBER:  
**RG10514803**

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 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 9 COUNTY OF ALAMEDA

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 11 CENTER FOR ENVIRONMENTAL HEALTH ) Case No. RG 10-514803  
 12 Plaintiff, )  
 v. ) **C.C.P. §474 AMENDMENT TO**  
 13 ) **COMPLAINT - CENTER FOR**  
 AEROPOSTALE, INC., et al. ) **ENVIRONMENTAL HEALTH V.**  
 14 ) **AEROPOSTALE, INC.; CASE NO. RG**  
 Defendants. ) **10-514803**  
 15 )  
 16 ) Action Filed: May 12, 2010

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1           On May 12, 2010, Plaintiff Center for Environmental Health ("CEH") filed its original  
2 Complaint in *CEH v. Aeropostale, Inc., et al.*, ("*Aeropostale Case*") Alameda County Superior  
3 Court Case No. RG 10-514803. On July 30, 2010 CEH filed its First Amended Complaint in the  
4 *Aeropostale Case*.  
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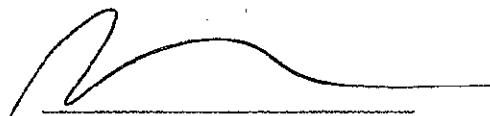
6           Pursuant to California Code of Civil Procedure §474, CEH hereby amends the First  
7 Amended Complaint as follows:

8           1.     By inserting the name COST PLUS, INC. in place of the reference to DOE 12 in  
9 each place that it appears in the First Amended Complaint.  
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12 Date: February 4, 2011

Respectfully submitted,

13 LEXINGTON LAW GROUP  
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17 \_\_\_\_\_  
18 Howard Hirsch  
19 Attorneys for Plaintiff  
20 CENTER FOR ENVIRONMENTAL  
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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.

On February 4, 2011, I served a true copy of the following document:

**C.C.P. §474 AMENDMENT TO COMPLAINT - CENTER FOR ENVIRONMENTAL HEALTH V. AEROPOSTALE, INC.; CASE NO. RG 10-514803**

On this date, I deposited fully prepaid and sealed envelopes containing the above-mentioned document with the United States Postal Service, addressed to the following individuals:

*Please see attached.*

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on February 4, 2011, at San Francisco, California.

Signed:   
Patrick Carey

*CEH v. Aeropostale, Inc., et al.*  
**Alameda County Superior Case No. RG 10-514803**  
**SERVICE LIST**

ATTORNEY	PARTY REPRESENTED
<p>Jeffrey Margulies                      Fulbright &amp; Jaworski L.L.P.                      555 South Flower Street, 41st Floor                      Los Angeles, CA 90071                      jmargulies@fulbright.com                      ilopez@fulbright.com</p>	<p>Aeropostale, Inc.; Aeropostale West, Inc.; A.I.J.J. Enterprises, Inc.; Hot Topic, Inc.; The New 5-7-9 and Beyond, Inc.; Rogers Sports Management Group; Rainbow Apparel Distribution Center Corp.; Rainbow USA, Inc. and BCBG Max Azria Group, Inc.</p>
<p>Eileen M. Nottoli                      Allen Matkins Leck Gamble Mallory &amp; Natsis LLP                      Three Embarcadero Center, 12<sup>th</sup> Floor                      San Francisco, CA 94111                      enottoli@allenmatkins.com</p>	<p>AE Retail West LLC; American Eagle Outfitters, Inc.; The Buckle, Inc.; Catherines, Inc.; Catherines of California, Inc.; Catherines Stores Corporation; Fashion Bug of California; Fashion Bug Retail Companies, Inc.; Fiesta Jewelry Corporation; Haskell Jewels, Ltd.; MJM Jewelry Corp. dba Berry Jewelry Company; Old Navy, LLC; Tanya Creations, Inc.; and Target Corporation</p>
<p>John J. Allen                      Marissa M. Dennis                      Allen Matkins Leck Gamble Mallory &amp; Natsis LLP                      515 South Figueroa Street, 9<sup>th</sup> Floor                      Los Angeles, California 90071                      jallen@allenmatkins.com                      mdennis@allenmatkins.com</p>	<p>Charlotte Russe, Inc.; Charlotte Russe Holdings, Inc.; and Forever 21 Retail Inc.</p>
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