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KLAMATH ENVIRONMENTAL LAW CENTER
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10
11 Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

12
13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF SAN FRANCISCO
15 (Unlimited Jurisdiction)

16 MATEEL ENVIRONMENTAL
JUSTICE FOUNDATION,

17 Plaintiff,

18 v.
19

20 GROSS MECHANICAL LABORATORIES,
INC.; AMASH IMPORTS, INC.; K R TOOLS,
21 INC.; MILTON INDUSTRIES, INC.; PRO-
MARK, INC.; and TEKNI-PLEX, INC.
22

23 Defendants.
24

CASE NO. CGC-12-517923

FIRST AMENDED
COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

BUSINESS TORT

25 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

26 INTRODUCTION

27 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
28 failure of defendants GROSS MECHANICAL LABORATORIES, INC.; AMASH IMPORTS,

ENDORSED
FILED
Superior Court of California
County of San Francisco

FEB 27 2012

CLERK OF THE COURT
BY: WESLEY RAMIREZ
Deputy Clerk

1 INC.; K R TOOLS, INC.; MILTON INDUSTRIES, INC.; PRO-MARK, INC.; and
2 TEKNI-PLEX, INC., (hereinafter "Defendants"), to warn those residents of California, who
3 handle, use and/or maintain brass padlocks, brass tools, brass hoses connectors, brass fittings,
4 couplings, and quick connects (collectively hereinafter referred to as "leaded-brass products")
5 that are made from leaded-brass, that handling and use of these products causes those residents to
6 be exposed to to lead and lead compounds, lead acetate, lead phosphate, and lead subacetate
7 (hereinafter, collectively, "lead"). Lead is known to the State of California to cause cancer, birth
8 defects and male and female reproductive toxicity. These products cause exposures to lead and
9 lead compounds, which are chemicals known to the State of California to cause cancer, birth
10 defects and other reproductive harm.

11 2. Defendants are businesses that manufacture, market, and/or distribute leaded-
12 brass products. Defendants intend that residents of California handle, use and/or maintain leaded-
13 brass products that Defendants manufacture, market, and/or distribute. When these products are
14 handled, used and/or maintained in their normally intended manner, they expose people to lead.
15 In spite of knowing that residents of California were and are being exposed to these chemicals
16 when they handle, use, and/or maintain leaded-brass products, Defendants did not and do not
17 provide clear and reasonable warnings that these products cause exposure to chemicals known to
18 cause cancer, birth defects and other reproductive harm. The leaded-brass products to which this
19 Complaint pertains are those referenced in the Products Lists that accompanied the Proposition
20 65 Notice of Violation Letters which are appended to and incorporated by reference into this
21 Complaint.

22 3. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7
23 to compel Defendants to bring their business practices into compliance with section 25249.5 et
24 seq. by providing a clear and reasonable warning to each individual who has been and who in the
25 future may be exposed to the above mentioned toxic chemicals from the use of Defendants'
26 products.

27 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
28 of Defendants to provide clear and reasonable warnings regarding exposure to chemicals known

1 to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order that
2 defendants identify and locate each individual person who in the past has purchased leaded-brass
3 products and to provide to each such purchaser a clear and reasonable warning that the leaded-
4 brass products will cause exposures to chemicals known to cause birth defects.

5
6 PARTIES

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

16 6. Defendants are each persons doing business within the meaning of Health &
17 Safety Code Section 25249.11. Defendants are businesses that manufacture, distribute, and/or
18 market leaded-brass products in California, including the City and County of San Francisco.
19 Manufacture, distribution and/or marketing of these products in the City and County of San
20 Francisco and/or to people who live in San Francisco, causes people to be exposed to lead and
21 lead compounds while they are physically present in the City and County of San Francisco.

22 7. Plaintiff brings this enforcement action against Defendants pursuant to Health &
23 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of the
24 Notice of Violation letters dated October 27, 2010, March 9, 2011, June 21, 2011, July 21, 2011
25 and November 2, 2011, which Mateel sent to California's Attorney General. Letters identical in
26 substance were sent to every District Attorney in the state, and to the City Attorneys of every
27 California city with a population greater than 750,000. On those same days, Mateel sent
28 identical Notices of Violation to each defendant. Attached to the Notices of Violation sent to

1 each defendant was a summary of Proposition 65 that was prepared by California's Office of
2 Environmental Health Hazard Assessment. In addition, each Notice of Violation plaintiff sent
3 was accompanied by a Certificate of Service attesting to the service of the Notice of Violation on
4 each entity which received it. Pursuant to California Health & Safety Code Section 25249.7(d), a
5 Certificate of Merit attesting to the reasonable and meritorious basis for the action was also sent
6 with each Notice of Violation. Factual information sufficient to establish the basis of the
7 Certificate of Merit was enclosed with the Notice of Violation letters Mateel sent to the Attorney
8 General.

9 8. Defendants are all businesses that employ more than ten people.

10 JURISDICTION

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

16 10. This Court also has jurisdiction over Defendants because they are businesses that
17 have sufficient minimum contacts in California and within the City and County of San Francisco.
18 Defendants intentionally availed themselves of the California and San Francisco County markets
19 for leaded-brass products. It is thus consistent with traditional notions of fair play and substantial
20 justice for the San Francisco Superior Court to exercise jurisdiction over them.

21 11. Venue is proper in this Court because Defendants market their leaded-brass
22 products in and around San Francisco and thus cause people to be exposed to lead and lead
23 compounds while those people are physically present in San Francisco. Liability for Plaintiff's
24 causes of action, or some parts thereof, has accordingly arisen in San Francisco during the times
25 relevant to this Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

26 FIRST CAUSE OF ACTION 27 (Claim for Injunctive Relief)

28 12. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as

1 if specifically set forth herein, paragraphs 1 through 11, inclusive.

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

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

9 15. Since at least three years prior to the Notices of Violation, Defendants have
10 engaged in conduct that violates Health and Safety Code Section 25249.6 et seq. This conduct
11 includes knowingly and intentionally exposing to the above mentioned toxic chemicals, those
12 California residents who handle, use, and/or maintain leaded-brass products. The normally
13 intended use of leaded-brass products causes exposure to lead and lead compounds, which are
14 chemicals known to the State of California to cause cancer, birth defects and other reproductive
15 harm. Defendants have not provided clear and reasonable warnings, within the meaning of
16 Health & Safety Code Sections 25249.6 and 25249.11.

17 16. At all times relevant to this action, Defendants knew that the leaded-brass
18 products they manufactured, distributed or marketed were causing exposures to lead and lead
19 compounds. Defendants intended that residents of California handle, use and/or maintain Leaded
20 brass products in such ways as would lead to significant exposures to these chemicals.

21 17. By the above described acts, Defendants have violated Cal. Health & Safety Code
22 § 25249.6 and are therefore subject to an injunction ordering them to stop violating Proposition
23 65, requiring them to provide warnings to their past customers who purchased Defendants'
24 products without receiving a clear and reasonable warning, and to provide warnings to future
25 customers.

26 SECOND CAUSE OF ACTION
27 (Claim for Civil Penalties)

28 18. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as

1 if specifically set forth herein, paragraphs 1 through 17, inclusive.

2 19. By the above described acts, Defendants are liable and should be liable pursuant
3 to Health & Safety Code § 25249.7(b), for a civil penalty of \$2,500.00 per day for each
4 individual exposed to lead and lead compounds from the handling or use of Defendants' leaded-
5 brass products.

6 PRAYER FOR RELIEF

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

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

11 2. Pursuant to the Second Cause of Action, that each Defendants be assessed a civil
12 penalty in an amount equal to \$2,500.00 per day per individual exposed, in violation of Section
13 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
14 Defendants' manufacturing, distributing or marketing of leaded-brass products;

15 3. That Defendants be ordered to identify and locate each individual who purchased
16 leaded-brass products and provide a warning to each such person that the leaded-brass products
17 the person purchased will expose that person to chemicals known to cause birth defects.

18 4. That Defendants be ordered, pursuant to CCP Section 1021.5, to pay Mateel's
19 attorney's fees and costs incurred in prosecuting this action.

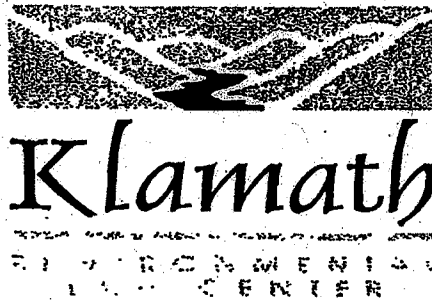
20 5. For such other relief as this court deems just and proper.

21 Dated: February 24, 2012

22 KLAMATH ENVIRONMENTAL LAW CENTER

23
24 By 

25 David Williams
26 Attorney for Plaintiff
27 Mateel Environmental Justice Foundation
28



October 27, 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 hose connectors, brass hose couplings, brass couplings and/or brass quick connects (collectively "brass fittings and accessories") that 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 fittings and accessories. The brass fittings and accessories 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 fittings and accessories. Lead is transferred from the brass fittings and accessories 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 October 27, 2007, and will continue every day until the lead is removed from the brass fittings and accessories, 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 air hose couplers and/or brass couplings made outside of California, except as to workplaces these companies themselves maintain in California. This notice does not allege any environmental exposure violations.

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 TRUKTUN 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 8
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
DOWNIEVILLE, 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
REDBUFF, 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 93271

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

RONALD MERRITT, CEO
BOND MANUFACTURING CO.
1666 WILLOW PASS RD
BAY POINT, CA 94565

RON BEAL, CEO
ORGILL, INC.
3742 TYNDALE DR
MEMPHIS, TN 38125

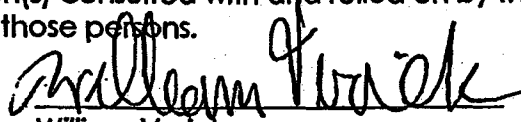
DANIEL L. WRIGHT, CEO
RICHMOND ENGINEERING COMPANY, INC.
15472 MARKAR RD
POWAY, CA 92064

PAUL J. YOUNG, CEO
TEKNI-FLEX, INC.
1150 1ST AVE STE 500
KING OF PRUSSIA, PA 19406

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: October 27, 2010

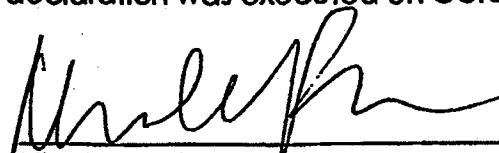

William Verick

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 October 27, 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 October 27, 2010, at Eureka, California.


Nicole Frank

PRODUCT LIST

BOND MANUFACTURING CO.

BOND GARDEN FOR THE CAUSE PINK 50' COIL GARDEN HOSE WITH FREE 8 PATTERN NOZZLE #6929 UPC CODE: 035355 069297 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.

ORGILL, INC.

MINTCRAFT 5" HEAVY DUTY ADJUSTABLE BRASS NOZZLE SKU# 600-6019 UPC CODE: 045734 900943; MINTCRAFT 6" HEAVY DUTY SWEEPER NOZZLE SKU # 680-7119 UPC CODE: 045734 912595; MINTCRAFT SWEEPER NOZZLE/ADJUSTABLE BRASS NOZZLE SKU#600-6084 UPC CODE: 045734 901018 MINTCRAFT GARDEN 3" BRASS TWIST NOZZLE SKU#600-5995 UPC CODE: 045734 900929; MINTCRAFT GARDEN CYCLONE SQUARE PATTERN 2-WAY SPINKLER SKU# 625-7224 UPC CODE: 045734 91790; MINTCRAFT SOLID BRASS GOOSENECK CONNECTOR WITH SWIVEL COUPLING SKU# 394-3719 UPC CODE: 045734 917897; MINT CRAFT GARDEN BRASS SWEEPER NOZZLE SKU# 600-5987 UPC CODE: 045734 900912 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.

RICHMOND ENGINEERING COMPANY, INC.

YARD BUTLER FREE STANDING HOSE HANGER WITH FAUCET HCF3-1.25 UPC CODE: 033607 220106; YARD BUTLER DEEP ROOT IRRIGATOR UPC CODE: 033607 001040; LEWIS STANDARD TOOLS SOLID STEEL/HEAVY/PORTABLE IMPULE SPRINKLER BASE #RB-13 UPC CODE: 033607 009756 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.

TEKNI-PLEX, INC.

COLORITE WATERWORKS 50' X 3/4" INDUSTRIAL HOSE WATER HOSE UPC CODE: 078627 753425 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.



Klamath

ENVIRONMENTAL
LAW CENTER

March 9, 2011

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 companies listed 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 for both Mateel and this office. The above referenced violations occur when California residents come into contact with brass locks these companies market or manufacture. Specific examples of these types of products are listed in the enclosed Product List. Though a specific model or SKU or product number is given as an example, this notice pertains to all models, and all variations, of the specific type of product of which the named model is an example. The bodies of these brass locks 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 locks while using them to secure their property, or when they are unlocking them to gain access to their property or plumbing. Lead is transferred from the brass locks to their 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 brass, from oral contact 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 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 March 9, 2008, and will continue every day until the lead is removed from the brass locks, or until clear and reasonable warnings are given. These violations are alleged for occupational and consumer product exposures. We do not allege occupational exposure violations as to any leaded brass locks made outside of California, except as to workplaces these companies themselves maintain in California. This notice does not allege any environmental exposure violations.

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
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547 MARKET STREET
COLUSA, CA 95932
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COUNTY OF CONTRA COSTA
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- OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF DEL NORTE
450 H ST #171
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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 8
SUSANVILLE, CA 96130
- OFFICE OF THE DISTRICT ATTORNEY
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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
#490
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
DOWNIEVILLE, 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 1ST. #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
25. 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
- PRESIDENT OR CEO
E & B GIFTWARE, INC.
E & B GIFTWARE, LLC
4 EXECUTIVE PLAZA
YONKERS, NY 10701
- PRESIDENT OR CEO
EB BRANDS
4 EXECUTIVE PLAZA
YONKERS, NY 10701
- RANDY NULMAN, CEO
K R TOOLS, INC.
2301 LATIGO AVE
OXNARD, CA 93030
- REX MARTIN, PRESIDENT
NISCO, INC
1516 MIDDLEBURY ST
ELKHART, IN 46516
- KENT C ERICKSEN, CEO
PRO-MARK, INC.
845 N OVERLAND RD
NORTH SALT LAKE, UT 84054

PRODUCT LIST

E&B GIFTWARE, INC.

E&B GIFTWARE, LLC

EB BRANDS

SAMSONITE TRAVEL SENTRY KEY LOCK SET OF 2 SM3066LT UPC CODE: 021276

130666 ROYAL TRAVELLER BY SAMSONITE BRASS LUGGAGE LOCKS RT0002BS UPC CODE: 021276 980025 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass locks.

KR TOOLS, INC.

PRO SERIES 2 PC PADLOCKS SOLID BRASS CONSTRUCTION KEYED ALIKE

#70118 UPC CODE: 051779 701186 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass locks.

PRO-MARK, INC.

ORBIT HOSE BIB LOCK MODEL # 37439 PN37439-03 REV D UPC CODE: 046878

374393 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass locks.

NIBCO, INC.

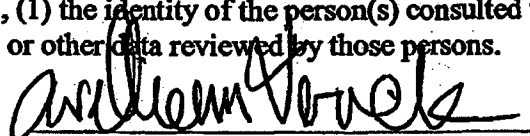
SPINSECURE FAUCETLOCK PREVENTS WATER THEFT FSS50CS UPC CODE: 039923

236210 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass locks.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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: March 9, 2011



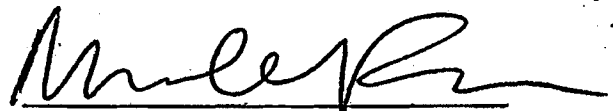
William Verick

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 March 9, 2011, I caused the attached NOTICE OF VIOLATION 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 NOTICE OF VIOLATION 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 March 9, 2011, at Eureka, California.



Nicole Frank



July 21, 2011

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 plumbing accessories, fittings, valves, hoses, connectors, and tubes (collectively "brass plumbing fittings and accessories") that 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 fittings and accessories. The brass fittings and accessories 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 fittings and accessories. Lead is transferred from the brass fittings and accessories 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 21, 2008, and will continue every day until the lead is removed from the brass fittings and accessories, 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 plumbing fittings and accessories made outside of California, except as to workplaces these companies themselves maintain in California. This notice does not allege any environmental exposure violations.

Cordially,

William Verick

SERVICE LIST

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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
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COUNTY GOVERNMENT CENTER
#450
SAN LUIS OBISPO, CA 93408
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COUNTY OF SAN MATEO
HALL OF JUSTICE AND RECORDS
REDWOOD CITY, CA 94063
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1112 SANTA BARBARA ST.
SANTA BARBARA, CA 93101
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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
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- OFFICE OF THE DISTRICT ATTORNEY
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- 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
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- 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
- FREDERICK L GUTERMAN, CEO
SETH GUTERMAN, PRESIDENT
AMERICAN VALVE, INC.
4321 PIEDMONT PKWY
GREENSBORO, NC 27410
- FREDERICK L GUTERMAN, CEO
SETH GUTERMAN, PRESIDENT
AMERICAN VALVE, INC.
P.O. BOX 35229
GREENSBORO, NC 27425
- ROBERT ANDERSON SCHOEPF, PRESIDENT
FLUIDMASTER, INC.
30800 RANCHO VIEJO RD
SAN JUAN CAPISTRANO, CA 92675
- DONALD GROSS, PRESIDENT
GROSS MECHANICAL LABORATORIES, INC.
7240 STANDARD DRIVE
HANOVER, MD 21076
- BILLY HODES, PRESIDENT
MIDLAND METAL
P.O. BOX 414410
KANSAS CITY, MO 64141
- BILLY HODES, PRESIDENT
MIDLAND METAL
2016 E. 19TH STREET
KANSAS CITY, MO 64127
- ROBERT M LYNCH, CEO
ORCHARD SUPPLY HARDWARE STORES CORPORATION
3333 BEVERLY ROAD
HOFFMAN ESTATES, IL 60179
- ALLEN RAVAS, DIRECTOR
ROBERT LYNCH, CEO
ORCHARD SUPPLY HARDWARE LLC
6450 VIA DEL ORO
SAN JOSE, CA 95119
- GEOFF EISENBERG, PRESIDENT
WEST MARINE, INC.
500 WESTRIDGE DRIVE
WATSONVILLE, CA 95076

PRODUCT LIST

AMERICAN VALVE, INC.

1/2" BALL VALVE THREADED ENDS G100 UPC CODE: 611918 068725; 3/4" BALL VALVE SOLDER ENDS G100S UPC CODE: 611918 068794; 1/2" FULL PORT GATE VALVE CXC G300S 1/2" NO LEAD UPC CODE: 611918 069111 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

FLUIDMASTER, INC.

12" S/S WATER HEATER CONNECTOR 3/4" FIP X 3/4" FIP B1H12 PART#1-120 UPC CODE: 039961 003133; 3/8" COMPRESSION THD 1/2" I.P. PIPE THREAD WATER SUPPLY CONNECTOR B1F12 LEAD FREE 12" LENGTH PART #1-106 UPC CODE: 039961 001412; FAUCET CONNECTOR LEAD FREE 3/8" COMPRESSION THD MALE 3/8" COMPRESSION FEMALE B8F20 20" LENGTH UPC CODE: 039961 002075 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

GROSS MECHANICAL LABORATORIES, INC

GROCO FF-500 TAILPIPE BRONZE 1/2" X 3/4" 112864 UPC CODE: 742985 003613; GROCO TAILPIPE BRONZE 90 DEGREE 3/4" 113193 FFC-750; GROCO ELBOW BRONZE NPT 1-1/4" UPC CODE: 742985 004870; GROCO VALVE-BALL FULL FLO IBV-760 400 WO6 UPC CODE: 742985 141841 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

MIDLAND METAL

SEA FIT 90 DEGREE ELBOW 1/2" PIPE THREAD BRONZE 1857267 B0061 UPC CODE: 642688 441036; SEA-FIT ADAPTER 3/4" X 3/4" MALE HOSE THREAD X BRASS BARB #1916899 A0055 UPC CODE: 642688 300425; SEA FIT TEE 1/2" PIPE THREAD BRONZE 1858844 B0061 UPC CODE: 642688 442538; ELBOW BRONZE 1 1/4" UPC CODE: 642688 441067; SEAFIT 3/4" BRONZE TEE 3/4" PIPE THREAD #185885 UPC CODE: 642688 442545 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

ORCHARD SUPPLY HARDWARE STORES

ORCHARD SUPPLY HARDWARE LLC

THRIFCO ICEMAKER SUPPLY KIT 15' COPPER TUBING SELF TAPING VALVE 714-T UPC CODE: 048314 007148; THRIFCO SADDLE CLAMP W/VALVE 1/4" OD TUBE X 1/8" MIP VALVE FITS 1/2" OF 3/4" WATER PIPE 702-T UPC CODE: 048314 007025; THRIFCO ICE MAKER ADAPTER WITH 1/4" X 1/8" ANGLE NEEDLE VALVE 878-T UPC CODE: 048314 008787; THRIFCO #70 COMPRESSION 90 DEGREE ELBOW 3/8" COMP X 3/8" FIP 1392-T UPC CODE: 048314 013927; THRIFTY FLEX CONNECTOR ADAPTER 15/16 X 3/4 MIP 1373-T UPC CODE: 048314 013736; THRIFCO #70 COMPRESSION 902 DEGREE ELBOW 3/8 COMP X 3/8 FIP 1392-T UPC CODE: 048314 013927; THRIFCO #66 FEMALE ADAPTER 5/16" COMP X 1/8" FIP 1354-T UPC CODE: 048314 013545 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

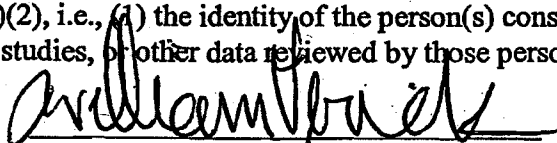
WEST MARINE, INC.

GROCO FF-500 TAILPIPE BRONZE 1/2" X 3/4" 112864 UPC CODE: 742985 003613; GROCO TAILPIPE BRONZE 90 DEGREE 3/4" 113193 FFC-750; GROCO ELBOW BRONZE NPT 1-1/4" UPC CODE: 742985 004870; GROCO VALVE-BALL FULL FLO IBV-760 400 WO6 UPC CODE: 742985 141841; SEA FIT 90 DEGREE ELBOW 1/2" PIPE THREAD BRONZE 1857267 B0061 UPC CODE: 642688 441036; SEA FIT ADAPTER 3/4" X 3/4" MALE HOSE THREAD X BRASS BARB #1916899 A0055 UPC CODE: 642688 300425; SEA FIT TEE 1/2" PIPE THREAD BRONZE 1858844 B0061 UPC CODE: 642688 442538; ELBOW BRONZE 1 1/4" UPC CODE: 642688 441067; SEAFIT 3/4" BRONZE TEE 3/4" PIPE THREAD #185885 UPC CODE: 642688 442545 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of similar types of brass hose plumbing fittings and accessories.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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 21, 2011


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 21, 2011, I caused the attached NOTICE OF VIOLATION 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 NOTICE OF VIOLATION 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 21, 2011, at Eureka, California.


Nicole Frank



Klamath

ENVIRONMENTAL
LAW CENTER

July 21, 2011

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 Amash Imports, Inc. (hereinafter "Amash") has been, is, will be and threatens 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 for both Mateel and this office. The above referenced violations occur when California residents come into contact with the brass hose connectors, brass hose couplings, brass couplings, brass hose nozzles and/or brass quick connects, and brass hose accessories, such as valves and gauges (collectively "brass fittings and accessories") that Amash markets. A list of specific examples of the specific types of products at issue is: MIT TEKTON 5 PIECE QUICK COUPLER SET 1/4" NPT #4720 UPC CODE: 020209 047200; MIT TEKTON TIRE CHUCK 1/4" NPT #5950 UPC CODE: 020209 059500; AUTOMATIC CENTER PUNCH #6580 UPC CODE: 020209 065808; MIT AIR ADJUSTING VALVE WITH GAUGE REGULATES AIR FLOW TO TOOLS AND SPRAY GUNS #4575 1/4" NPT CONNECTORS UPC CODE: 020209 045756. Though a specific model or UPC number may be given as an example, this notice pertains to all similar types of brass fittings and accessories. The brass fittings and accessories that people handle are made from leaded brass, which contain 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 fittings and accessories. Lead is transferred from the brass fittings and accessories 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. Amash did not and does not provide people with clear and reasonable warnings before it exposes them to lead. These violations have occurred every day since at least July 21, 2008, and will continue every day until the lead is removed from the brass fittings and accessories, or until clear and reasonable warnings are given. These violations are alleged for occupational and consumer product exposures. We do not, however, allege occupational exposure violations as to any brass fittings and accessories made outside of California, except as to workplaces Amash itself maintains in California. This notice does not allege any environmental exposure violations.

Cordially,

William Verick

424 First Street, Eureka, CA 95501 • (707) 268-8900 (phone) (707) 268-8901 (fax)

SERVICE LIST

PROP 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 8
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
DOWNIEVILLE, 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

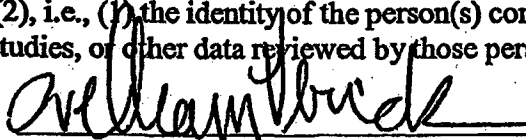
OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

ATTALLAH AMASH, PRESIDENT
AMASH IMPORTS, INC.
3707 R B CHAFFEE MEMORIAL DR
GRAND RAPIDS, MI 49548

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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 21, 2011

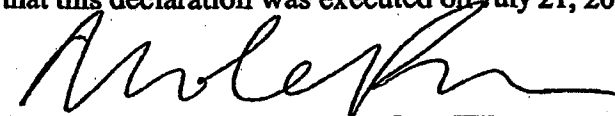

William Verick

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.

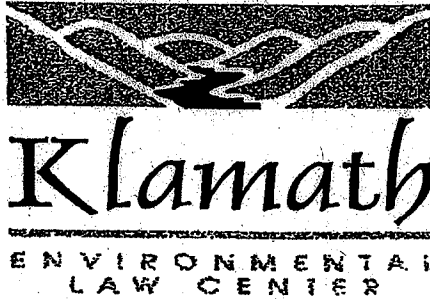
CERTIFICATE OF SERVICE

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 21, 2011, I caused the attached NOTICE OF VIOLATION 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 NOTICE OF VIOLATION 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 21, 2011, at Eureka, California.



Nicole Frank



November 2, 2011

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 companies listed 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 for both Mateel and this office. The above referenced violations occur when California residents come into contact with tools that are made from, or that incorporate as components, leaded-brass or bronze. The brass or bronze parts on these tools contain lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. The listed companies market these leaded-brass or leaded bronze-containing tools. Some specific examples of the products to which this notice pertains are attached on the Product List. Though a specific model or SKU or product number is given as an example, this notice pertains to all models, and all variations, of the specific type of product of which the named model is an example. People are exposed to lead at work or elsewhere when they use these tools and their skin comes into contact with the brass. Lead is transferred from the tools to the hands of the people using these products. The lead then enters their bodies when it is absorbed directly through the skin, through mucous membranes, or through cuts and/or abrasions, when they touch their hands to their mouths and other mucous membranes, or when they touch cigarettes or food and then smoke the cigarettes or ingest the food. These exposures occur via the dermal absorption, mucous membrane, subcutaneous, inhalation and ingestion routes. The listed companies did not and do not provide people with clear and reasonable warnings before they expose them to lead. The above referenced violations have occurred every day since at least November 2, 2008, and will continue every day until the lead is taken out of these products or until warnings are given. These violations are alleged for occupational and consumer product exposures. We do not, however, allege occupational exposure violations as to any leaded-brass or bronze tools made outside of California, except as to workplaces listed businesses themselves maintain in California. This notice does not allege any environmental exposure violations.

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
- OAKLAND CITY ATTORNEY**
CITY HALL 6TH FLOOR
1 FRANK OGAWA PLAZA
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
MARKLEVILLE, 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 HST #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 TRUKTUN 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 8
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 93406
- 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
1355 WEST STREET
REDDING, CA 96001
- OFFICE OF THE DISTRICT ATTORNEY**
COUNTY OF SIERRA
P.O. BOX 457
DOWNIEVILLE, 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 92105
- OFFICE OF THE DISTRICT ATTORNEY**
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901
- FRANK TIEGS, PRESIDENT**
JORE CORPORATION
34837 INNOVATION DRIVE
RONAN, MT 59864
- HIROSHI OKAMOTO, PRESIDENT**
MAKITA U.S.A., INC.
14930 NORTHAM ST
LA MIRADA, CA 90638
- PRESIDENT OR CEO**
MILTON INDUSTRIES, INC.
4500 W CORTLAND ST
CHICAGO, IL 60639
- TERRY HORAN, PRESIDENT**
ROBERT BOSCH TOOL CORPORATION
1800 W. CENTRAL RD.
MT. PROSPECT, IL 60056
- JOHN F LUNDGREN, CEO**
STANLEY BLACK & DECKER, INC.
1000 STANLEY DR
NEW BRITAIN, CT 06053

PRODUCT LIST

JORE CORPORATION

CRAFTSMAN SPEED-LOK 17 PC COMPACT DRILL AND DRIVER SET

964311 UPC CODE: 051667 643116 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar drill and driver sets made out of leaded brass.

MAKITA U.S.A., INC.

MAKITA 4 PIECE QUAD-DRIVER REVERSIBLE SELF CENTERING DRILL AND DRIVER SET

PART# 784827-A UPC CODE: 088381 925525; MAKITA QUAD DRIVER REVERSIBLE DRILL AND DRIVER PART # 784830-A UPC CODE: 088381 925419 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass tool accessories or other tools of the same type that are made in whole or in part of brass.

MILTON INDUSTRIES, INC.

MILTON 5 PIECE 1/4" COUPLER KIT S211 UPC CODE: 030937 002112; MILTON FEMALE COUPLER BODY 1/4" NPT S785 STYLE T UPC CODE: 030937 007858; MILTON SAFETY LEVER BLOW GUN W/ HOOK; MILTON AIR CHUCK S690 UPC CODE: 030937 006905; MILTON BLO-GUN FEMALE 1/4" NPT RUBBER TIP S513 UPC CODE: 030937 001535; MILTON FEMALE COUPLER BODY M STYLE 1/4" NPT S715 UPC CODE: 030937 007155; CARQUEST 5 PIECE 1/4" COUPLER KIT M STYLE S211 UPC CODE: 030937 500236; MILTON MALE COUPLER BODY NPT 1/4" S716 M STYLE UPC CODE: 030937 007162; These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass tool accessories or other tools of the same type that are made in whole or in part of brass.

ROBERT BOSCH TOOL CORPORATION

VERMONT AMERICAN SELF-CENTERING DRILL AND DRIVER HINGE BIT

#16652 UPC CODE: 045325 166529 This product description pertains not only to the specific model of the product listed, but also for all units of all models of similar drill and driver sets made out of leaded brass.

STANLEY BLACK AND DECKER, INC.

STANLEY BLOCK PLANE 7" 180MM 12-220 UPC CODE: 076174 122206; DEWALT

ADJUSTABLE DEPTH SCREW SETTER MODEL #DW2043 UPC CODE: 028874 020436;

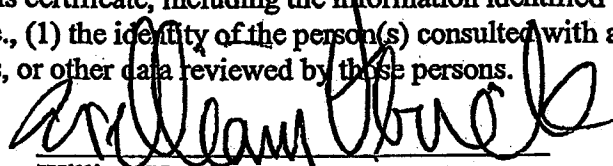
STANLEY BAILEY 6-1/4" 160MM BLOCK PLANE MODEL #12-920 UPC CODE: 076174

129205 These product descriptions pertain not only to the specific models of the products listed, but also for all units of all models of brass tool accessories or other tools of the same type that are made in whole or in part of brass.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached notice(s) of violation 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: November 2, 2011

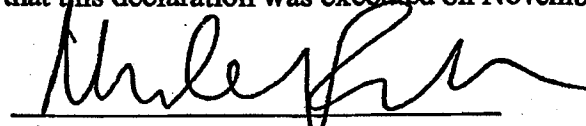

William Verick

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 November 2, 2011, I caused the attached NOTICE OF VIOLATION 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 NOTICE OF VIOLATION 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 November 2, 2011, at Eureka, California.


Nicole Frank