

1 LEXINGTON LAW GROUP
Eric S. Somers, State Bar No. 139050
2 Howard Hirsch, State Bar No. 213209
503 Divisadero Street
3 San Francisco, CA 94117
Telephone: (415) 913-7800
4 Facsimile: (415) 759-4112
esomers@lexlawgroup.com
5 hhirsch@lexlawgroup.com

FILED

NOV 09 2011

KIM TURNER, Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: D. Taylor, Deputy

6 Attorneys for Plaintiff
7 CENTER FOR ENVIRONMENTAL HEALTH

8
9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF MARIN

12 CENTER FOR ENVIRONMENTAL HEALTH,) Case No. CIV-1103790
13 a non-profit corporation,)
14 Plaintiff,) **C.C.P. §474 AMENDMENT TO**
15 v.) **COMPLAINT**
16)
17 BARNES & NOBLE, INC.; BARNES &)
18 NOBLE BOOKSELLERS, INC.; BLUE SKY)
19 DISTRIBUTION; BLUE SKY THE COLOR OF)
20 IMAGINATION, LLC; MIQUEL-RIUS, USA)
21 LTD.; OFFICE DEPOT, INC.; STAPLES, INC.;)
22 STAPLES THE OFFICE SUPERSTORE, LLC;)
23 SWINTON AVENUE TRADING LTD., INC.;)
24 TARGET CORPORATION; and DOES 1)
25 through 200, inclusive,)
26 Defendants.)
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

On July 29, 2011, Plaintiff Center for Environmental Health ("CEH") filed its original Complaint in *CEH v. Barnes & Noble, Inc., et al.*, Marin County Superior Court Case No. CIV-1103790.

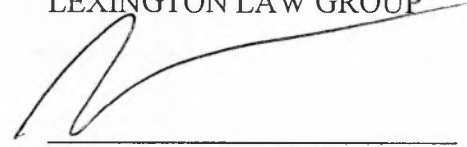
Pursuant to California Code of Civil Procedure §474, CEH hereby amends the Complaint as follows:

1. By inserting the name C.R. GIBSON, LLC in place of the reference to DOE 5 in each place that it appears in the Complaint;
2. By inserting the name OFFICEMAX INCORPORATED in place of the reference to DOE 6 in each place that it appears in the Complaint;
3. By inserting the name OFFICEMAX NORTH AMERICA, INC. in place of the reference to DOE 7 in each place that it appears in the Complaint; and
4. By inserting the name OMX, INC. in place of the reference to DOE 8 in each place that it appears in the Complaint.

Date: November 9, 2011

Respectfully submitted,

LEXINGTON LAW GROUP



Howard Hirsch
Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

1 **PROOF OF SERVICE**

2 I declare that:

3 I am employed in San Francisco County, California; my business address is 503
4 Divisadero Street, San Francisco, California 94117. I am over the age of 18 years and not a party
to the within cause.

5 On November 9, 2011, I served true copies of the following document:

6 **C.C.P. §474 AMENDMENT TO COMPLAINT**

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

9 Jeffrey B. Margulies
10 Fulbright & Jaworski L.L.P.
11 555 South Flower Street, 41st Floor
12 Los Angeles, CA 90071
[Counsel for Office Depot, Inc.;
13 Swinton Avenue Trading Ltd., Inc.;
14 Target Corporation]

Martin J. McTigue
Dawn Sestito
Margaret A. Moeser
O'Melveny & Myers LLP
400 South Hope Street
Los Angeles, CA 90071-2899
[Counsel for Staples, Inc.; Staples
the Office Superstore, LLC]

15 I declare under penalty of perjury that the foregoing is true and correct, and that this
16 declaration was executed on November 9, 2011, at San Francisco, California.

17 Signed: _____

18 
19 John Banister
20
21
22
23
24
25
26
27
28