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CENTER FOR ENVIRONMENTAL HEALTH  
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF ALAMEDA  
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13 CENTER FOR ENVIRONMENTAL HEALTH, )  
14 a non-profit corporation, )  
15 Plaintiff, )  
16 v. )  
17 AEROPOSTALE, INC., et al., )  
18 Defendants. )

19 This Document Relates to:  
20 *Center for Environmental Health v.*  
21 *Aeropostale, Inc., et al.*, Case No. RG  
22 10-514803  
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ENDORSED  
FILED  
ALAMEDA COUNTY

JAN 17 2013

CLERK OF THE SUPERIOR COURT  
By MARGARET J. DOWNIE  
Deputy

Lead Case No. RG 10-514803

[Consolidated with Case Nos.  
RG 10-545680 and RG 10-545687]

ASSIGNED FOR ALL PURPOSES TO:  
Judge Steven Brick, Dept. 17

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

Action Filed: May 12, 2010

1 On May 12, 2010, Plaintiff Center for Environmental Health ("CEH") filed its  
2 original Complaint in *CEH v. Aeropostale, Inc., et al.*, Alameda County Superior Court Case No.  
3 RG 10-514803 ("*Aeropostale* Case"). On July 30, 2010, CEH filed its First Amended  
4 Complaint. On April 8, 2011, CEH filed its Second Amended Complaint.

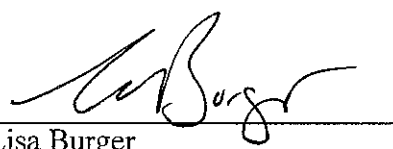
5 Pursuant to California Code of Civil Procedure §474, CEH hereby amends the  
6 Second Amended Complaint as follows:

- 7 1. By inserting the name BROADVIEW DISTRIBUTING, LLC in place of  
8 the reference to DOE 34 in each place that it appears in the Second Amended Complaint;
- 9 2. By inserting the name FOR PLAY CATALOG, INC. in place of the  
10 reference to DOE 35 in each place that it appears in the Second Amended Complaint;
- 11 3. By inserting the name MACY'S, INC. in place of the reference to DOE 36  
12 in each place that it appears in the Second Amended Complaint;
- 13 4. By inserting the name MACY'S WEST STORES, INC. in place of the  
14 reference to DOE 37 in each place that it appears in the Second Amended Complaint.

15  
16 Date: January 17, 2013

Respectfully submitted,

17 LEXINGTON LAW GROUP

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20 Lisa Burger  
21 Attorneys for Plaintiff  
22 CENTER FOR ENVIRONMENTAL HEALTH  
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1 **PROOF OF SERVICE**

2 I declare that:

3 I am employed in San Francisco County, California. I am over the age of 18 years and  
4 not a party to the within cause. My business address is 503 Divisadero Street, San Francisco, CA  
94117, and my electronic notification address is jbanister@lexlawgroup.com.

5 On January 17, 2013, I served true copies of the following document:

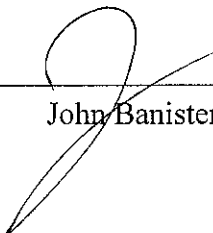
6 **C.C.P. §474 AMENDMENT TO COMPLAINT – CENTER FOR**  
7 **ENVIRONMENTAL HEALTH V. AEROPOSTALE, CASE NO. RG**  
8 **10-514803**

9 I transmitted via electronic mail the document listed above to the electronic mail  
10 addresses set forth below at 9:47 a.m. on January 17, 2013:

11 *See attached service list.*

12 The transmission was reported as complete and without error.

13 I declare under penalty of perjury that the foregoing is true and correct, and that this  
14 declaration was executed on January 17, 2013, at San Francisco, California.

15 Signed: \_\_\_\_\_  
16   
17 John Banister

*CEH v. Aeropostale, Inc., et al.*  
 Lead Case No. RG 10-514803

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