

1 LEXINGTON LAW GROUP  
Mark N. Todzo, State Bar No. 168389  
2 Joseph Mann, State Bar No. 207968  
503 Divisadero Street  
3 San Francisco, CA 94117  
Telephone: (415) 913-7800  
4 Facsimile: (415) 759-4112  
mtodzo@lexlawgroup.com  
5 jmann@lexlawgroup.com

6 Rick Franco, State Bar No. 170970  
Center for Environmental Health  
7 2201 Broadway, Suite 302  
Oakland, California 94612  
8 rick@ceh.org

9 Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH

10  
11  
12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF ALAMEDA

14  
15 CENTER FOR ENVIRONMENTAL HEALTH, )  
16 a non-profit corporation, )  
17 Plaintiff, )  
18 v. )  
19 A BABY INC., *et al.* )  
20 Defendants. )

Case No. RG 13-667688

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

Dept.: Dept. 17  
Judge: Hon. Steven A. Brick

Complaint Filed: February 15, 2013  
Trial Date: None set

**ENDORSED  
FILED  
ALAMEDA COUNTY  
APR - 2 2013  
CLERK OF THE SUPERIOR COURT  
By ~~Frances W. [Signature]~~**

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 February 15, 2013, Plaintiff Center for Environmental Health (“CEH”) filed its original Complaint in *CEH v. A Baby Inc., et al.*, Alameda County Superior Court Case No. RG 13-667688.

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

1. By inserting the name KMART CORPORATION in place of the reference to DOE 401 in each place that it appears in the Complaint.

Dated: April 2, 2013

Respectfully submitted,  
LEXINGTON LAW GROUP

  
\_\_\_\_\_  
Joseph Mann  
Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH