

APR 04 2013

CLERK OF THE COURT

BY: MICHAEL RAYRAY
Deputy Clerk

1 LEXINGTON LAW GROUP
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7 Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO

13 CENTER FOR ENVIRONMENTAL HEALTH,)
14 a non-profit corporation,)

15 Plaintiff,)

16 v.)

17 FAYEON DISTRIBUTORS, INC.; AMERICAN)
18 IMPORTING COMPANY, INC.; DRAEGER'S)
SUPER MARKETS; FOODNET)
19 SUPERMARKET, INC.; FORTUNE)
COMMERCIAL CORPORATION; H MART,)
20 INC.; HAR GRAND CORP.; HAR GRAND)
CORP.; HAN AH REUM CORP.; ISLAND)
21 PACIFIC SUPERMARKETS, INC.; JADE)
FOOD PRODUCTS, INC.; MARUHANA)
22 U.S.A. CORPORATION; MARUKAI)
CORPORATION U.S.A.; MITSUWA)
23 CORPORATION; REED'S, INC.; SUN HOP)
FAT CORPORATION; TRADER JOE'S)
24 COMPANY; T-WEST, INC.; WHOLESALE)
UNLIMITED, INC.; NEW ALBERTSON'S,)
25 INC.; ALBERTSON'S LLC; SUPERVALU)
INC., and DOES 1 through 200, inclusive,)

26)
27 Defendants.)
28

Case No. CGC-12-526396

**DOE AMENDMENT TO FIRST
AMENDED COMPLAINT**

Action Filed: November 27, 2012

1 Pursuant to the Court's Order granting Plaintiff Center for Environmental
2 Health's Ex Parte Application For Order Allowing Doe Amendment To The First Amended
3 Complaint dated April 3, 2013 (attached hereto as Exhibit 1), the First Amended Complaint in
4 the action entitled *Center For Environmental Health v. Fayeon Distributors, Inc., et al.*, Case
5 No. CGC-12-526396, is amended as follows:

6 1. By inserting the name B & V ENTERPRISES, INC. in place of the
7 reference to DOE 18 in each place that it appears in the First Amended Complaint;

8 2. By inserting the name C D FOOD CO., INC. in place of the reference
9 to DOE 19 in each place that it appears in the First Amended Complaint;

10 3. By inserting the name GOLDSTAR SUPERMARKET in place of the
11 reference to DOE 20 in each place that it appears in the First Amended Complaint;

12 4. By inserting the name GRAND BK CORP. in place of the reference to
13 DOE 21 in each place that it appears in the First Amended Complaint;

14 5. By inserting the name HOSODA BROS. INC. in place of the reference to
15 DOE 22 in each place that it appears in the First Amended Complaint;

16 6. By inserting the name KOREAN FARM, INC. in place of the reference to
17 DOE 23 in each place that it appears in the First Amended Complaint;

18 7. By inserting the name KOREANA PLAZA MARKET OAKLAND,
19 INC. in place of the reference to DOE 24 in each place that it appears in the First Amended
20 Complaint;

21 8. By inserting the name NATURE'S WORLD LLC in place of the reference
22 to DOE 25 in each place that it appears in the First Amended Complaint;

23 9. By inserting the name RHEE BROS., INC. in place of the reference to
24 DOE 26 in each place that it appears in the First Amended Complaint;

25 10. By inserting the name SAFEWAY INC. in place of the reference to DOE
26 27 in each place that it appears in the First Amended Complaint;

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11. By inserting the name WHOLE FOODS MARKET CALIFORNIA, INC.
in place of the reference to DOE 28 in each place that it appears in the First Amended Complaint.

Dated: April 3, 2013

Respectfully submitted,
LEXINGTON LAW GROUP


Eric S. Somers
Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

Exhibit 1

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO
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13 CENTER FOR ENVIRONMENTAL HEALTH,)
14 a non-profit corporation,)

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16 v.)

17 FAYEON DISTRIBUTORS, INC.;)
18 AMERICAN IMPORTING COMPANY, INC.;)
DRAEGER'S SUPER MARKETS; FOODNET)
19 SUPERMARKET, INC.; FORTUNE)
COMMERCIAL CORPORATION; H MART,)
20 INC.; HAR GRAND CORP.; HAR GRAND)
CORP.; HAN AH REUM CORP.; ISLAND)
21 PACIFIC SUPERMARKETS, INC.; JADE)
FOOD PRODUCTS, INC.; MARUHANA)
22 U.S.A. CORPORATION; MARUKAI)
CORPORATION U.S.A.; MITSUWA)
23 CORPORATION; REED'S, INC.; SUN HOP)
FAT CORPORATION; TRADER JOE'S)
24 COMPANY; T-WEST, INC.; WHOLESALE)
UNLIMITED, INC.; NEW ALBERTSON'S,)
25 INC.; ALBERTSON'S LLC; SUPERVALU)
INC., and DOES 1 through 200, inclusive,)

26
27 Defendants.
28

Case No. CGC-12-526396

**[PROPOSED] ORDER GRANTING
PLAINTIFF CENTER FOR
ENVIRONMENTAL HEALTH'S EX
PARTE APPLICATION FOR ORDER
ALLOWING DOE AMENDMENT TO
FIRST AMENDED COMPLAINT**

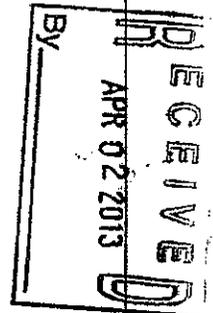
[CRC. 3.1200, *et seq.*; CCP §474]

Date: April 3, 2013
Time: 11:00 a.m.
Dept.: Dept. 302

ENDORSED
FILED
San Francisco County Superior Court

APR 03 2013

CLERK OF THE COURT
BY: GINA GONZALES
Deputy Clerk



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Having reviewed and considered Plaintiff Center for Environmental Health's Ex Parte Application for Order Allowing Doe Amendment to First Amended Complaint, the accompanying Memorandum of Points and Authorities and Declaration of Eric S. Somers, having heard argument of counsel, and good cause appearing, this Application is granted.

Pursuant to C.C.P. §474, Plaintiff is authorized to file the attached Doe Amendment to the First Amended Complaint substituting the true names of the following defendants for Does 18 through 28:

- B & V Enterprises, Inc. for Doe 18
- C D Food Co., Inc. for Doe 19
- Goldstar Supermarket for Doe 20
- Grand Bk Corp. for Doe 21
- Hosoda Bros. Inc. for Doe 22
- Korean Farm, Inc. for Doe 23
- Koreana Plaza Market Oakland, Inc. for Doe 24
- Nature's World LLC for Doe 25
- Rhee Bros., Inc. for Doe 26
- Safeway Inc. for Doe 27
- Whole Foods Market California, Inc. for Doe 28

IT IS SO ORDERED.

Dated: APR 03 2013, ~~2013~~

MARLA J. MILLER
Judge of the Superior Court

Exhibit 1

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1. By inserting the name B & V ENTERPRISES, INC. in place of the reference to DOE 18 in each place that it appears in the First Amended Complaint;
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Dated: April 3, 2013

Respectfully submitted,
LEXINGTON LAW GROUP

Eric S. Somers
Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH