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11 Attorneys for Plaintiff,
MATEEL ENVIRONMENTAL JUSTICE FOUNDATION

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF SAN FRANCISCO
(Unlimited Jurisdiction)

CGC-13-531776

16 MATEEL ENVIRONMENTAL
JUSTICE FOUNDATION,

17 Plaintiff,

18 v.

20 MUELLER INDUSTRIES, INC.,

21 Defendant.

CASE NO.

COMPLAINT FOR INJUNCTIVE RELIEF
AND CIVIL PENALTIES

BUSINESS TORT

23 MATEEL ENVIRONMENTAL JUSTICE FOUNDATION alleges as follows:

24 INTRODUCTION

25 1. This Complaint seeks civil penalties and an injunction to remedy the continuing
26 failure of defendant MUELLER INDUSTRIES, INC., (hereinafter "Defendant"), to warn those
27 residents of California, who handle, use and/or maintain plumbing products that are made from
28 brass or that have components made of brass – including fittings, valves, nipples, vacuum

1 breakers, hose bibs and sprinkler heads (hereinafter collectively “brass plumbing products”) that
2 normal use of these brass plumbing products exposes people to lead and lead compounds, lead
3 acetate, lead phosphate, and lead subacetate (hereinafter, collectively, “lead”). These brass
4 plumbing products utilize components that are made from leaded brass. The specific products at
5 issue in the complaint are those listed in the Products List of the Proposition 65 Notice of
6 Violation Letter that is attached to this complaint and which is hereby incorporated into it. Lead
7 is known to the State of California to cause cancer, birth defects and male and female
8 reproductive toxicity. Defendant markets brass plumbing products. These products cause
9 exposures to lead and lead compounds, which are chemicals known to the State of California to
10 cause cancer, birth defects and other reproductive harm.

11 2. Defendant is a business that markets, brass plumbing products. Defendant intends
12 that residents of California handle, use and/or maintain brass plumbing products that Defendant
13 manufactures, markets, and/or distributes. When these products are handled, used and/or
14 maintained in their normally intended manner, they expose people to lead. In spite of knowing
15 that residents of California were and are being exposed to these chemicals when they handle,
16 use, and/or maintain brass plumbing products, Defendant did not and does not provide clear and
17 reasonable warnings that these products cause exposure to chemicals known to cause cancer,
18 birth defects and other reproductive harm.

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

24 4. In addition to injunctive relief, plaintiff seeks civil penalties to remedy the failure
25 of Defendant to provide clear and reasonable warnings regarding exposure to chemicals known
26 to cause cancer, birth defects and other reproductive harm. Plaintiff also seeks an order that
27 defendant identify and locate each individual person who in the past has purchased brass
28 plumbing products and to provide to each such purchaser a clear and reasonable warning that the

1 brass plumbing products will cause exposures to chemicals known to cause birth defects.

2
3 PARTIES

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

13 6. Defendant is a person doing business within the meaning of Health & Safety Code
14 Section 25249.11. Defendant is a business that markets brass plumbing products in California,
15 including the City and County of San Francisco. Marketing of these products in the City and
16 County of San Francisco and/or to people who live in San Francisco, causes people to be exposed
17 to lead and lead compounds while they are physically present in the City and County of San
18 Francisco.

19 7. Plaintiff brings this enforcement action against Defendant pursuant to Health &
20 Safety Code Section 25249.7(d). Attached hereto and incorporated by reference is a copy of a
21 Notice of Violation letter dated January 10, 2013 which Mateel sent to California's Attorney
22 General. Letters identical in substance were sent to every District Attorney in the state, and to the
23 City Attorneys of every California city with a population greater than 750,000. On those same
24 days, Mateel sent an identical Notice of Violation to defendant. Attached to the Notice of
25 Violation sent to defendant was a summary of Proposition 65 that was prepared by California's
26 Office of Environmental Health Hazard Assessment. In addition, each Notice of Violation
27 plaintiff sent was accompanied by a Certificate of Service attesting to the service of the Notice of
28 Violation on each entity which received it. Pursuant to California Health & Safety Code Section

1 25249.7(d), a Certificate of Merit attesting to the reasonable and meritorious basis for the action
2 was also sent with each Notice of Violation. Factual information sufficient to establish the basis
3 of the Certificate of Merit was enclosed with the Notice of Violation letter Mateel sent to the
4 Attorney General.

5 8. Defendant is a businesses that employs more than ten people.

6 JURISDICTION

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

12 10. This Court also has jurisdiction over Defendants because it is a business that has
13 sufficient minimum contacts in California and within the City and County of San Francisco.
14 Defendant intentionally availed itself of the California and San Francisco County markets for
15 brass plumbing products. It is thus consistent with traditional notions of fair play and substantial
16 justice for the San Francisco Superior Court to exercise jurisdiction over it.

17 11. Venue is proper in this Court because Defendant markets its brass plumbing
18 products in and around San Francisco and thus causes people to be exposed to lead and lead
19 compounds while those people are physically present in San Francisco. Liability for Plaintiff's
20 causes of action, or some parts thereof, has accordingly arisen in San Francisco during the times
21 relevant to this Complaint and Plaintiff seeks civil penalties and forfeitures imposed by statutes.

22 FIRST CAUSE OF ACTION
23 (Claim for Injunctive Relief)

24 12. Plaintiff realleges and incorporates by reference into this First Claim for Relief, as
25 if specifically set forth herein, paragraphs 1 through 11, inclusive.

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

1 PRAYER FOR RELIEF

2 Wherefore, plaintiff prays for judgment against DEFENDANT, as follows:

3 1. Pursuant to the First Cause of Action, that Defendant be enjoined, restrained, and
4 ordered to comply with the provisions of Section 25249.6 of the California Health & Safety
5 Code;

6 2. Pursuant to the Second Cause of Action, that Defendant be assessed a civil
7 penalty in an amount equal to \$2,500 per day per individual exposed, in violation of Section
8 25249.6 of the California Health & Safety Code, to lead and lead compounds as the result of
9 Defendant's manufacturing, distributing or marketing of brass plumbing products;

10 3. That Defendant be ordered to identify and locate each individual who purchased
11 brass plumbing products and provide a warning to each such person that the brass plumbing
12 products the person purchased will expose that person to chemicals known to cause birth defects.

13 4. That Defendant be ordered to pay Mateel's attorney's fees and costs incurred in
14 prosecuting this action.

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

16 Dated: May 29, 2013

17
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19 By 
20 David Williams
21 Attorney for Plaintiff
22 Mateel Environmental Justice Foundation
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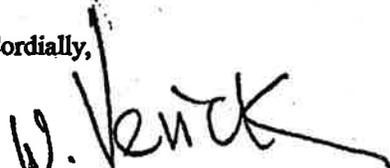
January 10, 2013

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 are caused by brass plumbing products, such as fittings, valves, nipples, vacuum breakers, hose bibs and sprinkler heads — all made from brass or which incorporate a component made from brass (hereinafter collectively "brass products") — these businesses market. A list of specific examples of the specific types of products at issue is attached. Though a specific model may be given as an example, this notice pertains to all similar types of brass products. The brass products 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 drink water that has flowed through these brass products, or when they handle the brass products. Water that flows through these brass products leaches lead from the brass. People then ingest the lead when they drink the water. Lead is also transferred from the brass products 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 January 10, 2010, and will continue every day until the lead is removed from the brass products, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer exposures. We do not, however, allege occupational exposure violations as to any brass products made outside of California, except as to workplaces these businesses themselves maintain in California. This notice does not allege environmental exposure violations of Proposition 65.

Cordially,


William Verick

424 First Street, Eureka, CA 95501 • 707.268.8900 (phone) 707.268.8901 (fax)

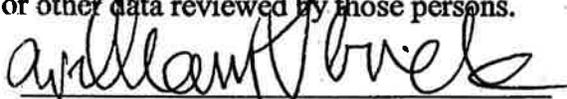
SERVICE LIST

- 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
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, CA95249
- 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
- OFFICE OF THE DISTRICT ATTORNEY**
COUNTY OF IMPERIAL
940 W. MAIN STREET, SUITE 102
EL CENTRO, CA 92243-2880
- 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
1355 WEST STREET
REDDING, CA 96001
- OFFICE OF THE DISTRICT ATTORNEY**
COUNTY OF SIERRA
P.O. BOX 457
DOWNEVILLE, 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 YUBA
215 5TH ST.
MARYSVILLE, CA 95901
- RAY A GRIFFITH, CEO**
ACE HARDWARE CORPORATION
2200 KENSINGTON COURT
OAK BROOK, IL 60523
- 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
- KEVIN ANDERSON, PRESIDENT**
ANDERSON METALS CORPORATION
1701 SOUTHERN ROAD
P.O. BOX 34200
KANSAS CITY, MO 64120
- FRANK ENTERANTE, PRESIDENT**
ARROWHEAD BRASS PRODUCTS, INC.
5147 ALHAMBRA AVE
LOS ANGELES, CA 90032
- PETER D BERKMAN, PRESIDENT**
B & K INDUSTRIES, INC
2600 ELMHURST ROAD
ELK GROVE VILLAGE, IL 60007
- GLENN MOSACK, PRESIDENT**
CONBRACO INDUSTRIES INC
701 MATTHEWS MINT HILL RD
MATTHEWS, NC 28105
- KUM YANG, PRESIDENT**
CROWN INDUSTRIES, LLC.
9905 PAINTER AVE., SUITE J
WHITTIER, CA 90605
- FRANK W. ROACH, PRESIDENT & CEO**
FERGUSON ENTERPRISES, INC
PO BOX 2778
12500 JEFFERSON AVENUE
NEWPORT NEWS, VA 23602
- TODD TALBOT, PRESIDENT**
FLUIDMASTER, INC.
30800 RANCHO VIEJO RD
SAN JUAN CAPISTRANO, CA 92675
- PETER D. BERKMAN, CEO**
HOMERWERKS WORLDWIDE, LLC
500 BOND STREET,
LINCOLNSHIRE, IL 60069
- LARRY GREENSPON, PRESIDENT**
LDR INDUSTRIES, INC
600 N KILBOURN AVE
CHICAGO, IL 60624
- LHEANN MEYERS, PRESIDENT**
LEE MEYERS COMPANY
999 MABURY RD
SAN JOSE, CA 95133
- PRESIDENT OR CEO**
LINCOLN PRODUCTS
18825 E SAN JOSE AVE
CITY OF INDUSTRY, CA 91748
- 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
- GREGORY L CHRISTOPHER, C**
MUELLER INDUSTRIES, INC.
8285 TOURNAMENT DR., STE
MEMPHIS, TN 38125
- REX MARTIN, PRESIDENT**
NIBCO, INC.
1516 MIDDLEBURY ST
ELKHART, IN 46516

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: January 10, 2013



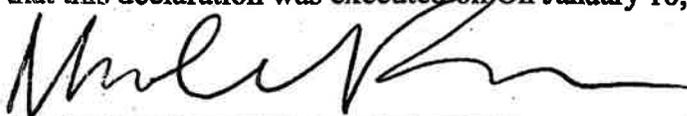
William Verick

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 January 10, 2013, 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 January 10, 2013, at Eureka, California.



Nicole Frank

PRODUCT LIST

1/2" X 1/2" HOSE BARB 42800; 1/2" BALL VALVE G200BXB; 1/2" HOSE BIBB M76NK; 3/4" BALL VALVE SOLDER ENDS G1005; 1/2" GATE VALVE SOLDER ENDS G300S #369232; 1/4" BRASS TEE AMC FREE; 1/4" ID X 1/2" MPT HOSE BARB; 1/2" BRASS TEE 38701-08; 1/2" BRASS TEE; 1/2" FIP X 3/4" HOSE KINK BIBB 253BCLD; 3/4" MIP X 3/4" HOSE HOSE BIBB WITH VACUUM BREAKER 361BLCD; 3/4" FIP X 3/4" HOSE NO KINK HOSE BIBB LESS KEY 353LSBCLD; 1/2" FIP X 3/4" HOSE BIBB LOOSE KEY 253LKBCLD; 1/2" GATE VALVE THREADED 100-403NL; 3/4" BALL VALVE THREADED 107-824NL; PACK GLAND VALVE BALL VALVE BRASS 3/4" 107-844NL; 3/4" STOP VALVE 105-504NL; 3/4" THREADED HOSE BIBB 103-004HC; 3/4" RED BRASS 90 DEGREE ELBOW 452-004; 3/4" RED BRASS TEE 453-004; 3/4" STOP VALVE THREADED; 3/4" 90 DEGREE DROP EAR ELBOW; BRASS GATE VALVE 1/2" LWS70LF103; 12" SS BRAIDED WATER CONNECTOR 3/8" X 1/2" FIP; PROFLO BENT NOSE GARDEN VALVE 3/4" FIP PF113FC; 45 DEGREE ELBOW 3/4" BRONZE NO LEAD 451125; 3/4" FIP X 3/4" FIP 12" LENGTH WATER HEATER CONNECTOR B1H12; 3/4" FIP X 3/4" FIP 12" LENGTH WATER HEATER CONNECTOR B1H12; FITS-ALL FAUCET 12" CONNECTOR B4F12U; 3/4" BRASS/BALL VALVE FEMALE X FEMALE 116-2-34-34 LOW LEAD COMPLIANT; 1/2" BRASS BALL VALVE FEMALE THREAD X FEMALE THREAD CONNECTION 116-2-12-12 LOW LEAD COMPLIANT; 3/4" BRASS/BALL VALVE FEMALE X FEMALE 116-2-34-34 LOW LEAD COMPLIANT; 3/4" BALL VALVE W/PEX ENDS 0137848; 1/2" BALL VALVE W/PEX ENDS 0146134; 3/4" GATE VALVE HEAVY DUTY SWEAT BRASS 022 1214; 1/2" 90 DEGREE ELBOW 323 E90-12; 1/2" BRASS TEE 323 T-12; 3/8" BRASS TEE 322 T-38; 1/2" HOSE BIBB 020 7523; 1/2" DROP EAR ELBOW; 3/4" BRASS STREET ELBOW; RB SSS HOSE BIBB 1/2" 290414; 3/4" RB SSS HOSE BIBB - IMPORT 290415; 1/2" FIP NO KINK ROUGH BRASS HOSE BIBB 290434; SEA FIT 3/8" PIPE THREAD TEE BRONZE; SEAFIT 3/8" PIPE THREAD BRONZE TEE 1858802; 1/2" PIPE THREAD BRONZE TEE 1858844; SEAFIT 90 DEGREE ELBOW 1/2" PIPE THREAD BRONZE 1857267; SEAFIT 45 DEGREE ELBOW 1/2" PIPE THREAD BRONZE 18589398; SEAFIT 90 DEGREE ST ELBOW 3/4" PIPE THREAD 1857747; 3/4" TEE C X C X F; 1" MALE FEMALE HOSE END SETS 3363-T; 3/4" MALE FEMALE END SETS 3362-T; 1/2" MALE-FEMALE HOSE END SETS 3360-T; 5/8" MALE-FEMALE HOSE END SETS 3361-T; PLUMBING 3/8" BRASS TEE 9317064; PLUMBING COPPER REPAIR COUPLING COMPRESSION TYPE 1/2 NOM, 5/8 O.D. COPPER PIPE 5436085-T; DISHWASHER ADAPTER ELBOW 3/4" FHT SWIVEL 1485-T; FLOAT VALVE 1/2" 6415136-T; 3/4" 90 DEGREE BRASS ELBOW