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6

7 Attorneys for Plaintiff  
ENVIRONMENTAL RESEARCH CENTER, INC.

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF ALAMEDA

11 ENVIRONMENTAL RESEARCH CENTER,  
INC., a non-profit California corporation,

12 Plaintiff,

13 v.

14 BORESHA INTERNATIONAL, INC., a  
15 California Corporation,

16 Defendant.  
17  
18

Case No. RE15791987

**COMPLAINT FOR INJUNCTIVE  
RELIEF AND CIVIL PENALTIES**

Health & Safety Code §25249.5, *et seq.*

19 Plaintiff ENVIRONMENTAL RESEARCH CENTER, INC. ("Plaintiff" or "ERC")

20 brings this action in the interests of the general public and hereby alleges:

21 **INTRODUCTION**

22 1. This action seeks to remedy the continuing failure of Defendant BORESHA  
23 INTERNATIONAL, INC., a California Corporation ("Borsha" or "Defendant") to warn  
24 consumers in California that they are being exposed to lead, a substance known to the State of  
25 California to cause cancer, birth defects, and other reproductive harm.  
26

ENDORSED  
FILED  
ALAMEDA COUNTY

NOV - 8 2015

CLERK OF THE SUPERIOR COURT  
By MARGARET J. DAVEN  
Deputy

1           2.       Defendant manufactures, packages, distributes, markets, and/or sells in  
2 California certain products containing lead, including each of the following products  
3 (collectively identified in the following paragraphs as “PRODUCTS”:

- 4           a.       Boresha International Boresha Slim Mango-Peach Tea Mix; and
- 5           b.       Boresha International Boresha Fit Lemonade Flavor.

6           3.       Lead and lead compounds (hereinafter, the “LISTED CHEMICALS”) are  
7 substances known to the State<sup>1</sup> of California to cause cancer, birth defects, and other  
8 reproductive harm. Proposition 65 requires that consumers must be warned before they are  
9 exposed to LISTED CHEMICALS.

10          4.       The use and/or handling of the PRODUCTS causes exposures to the LISTED  
11 CHEMICALS at levels requiring a “clear and reasonable warning” under California's Safe  
12 Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code (“H&S Code”)  
13 §25249.5, *et seq.* (also known and referred to herein as “Proposition 65”).

14          5.       Defendant has failed to provide a clear and reasonable Proposition 65 warning  
15 on its PRODUCTS.

16          6.       Defendant’s past and continuing manufacturing, packaging, distributing,  
17 marketing and/or sales of the PRODUCTS without the required health hazard warnings, causes  
18 individuals to be involuntarily and unwittingly exposed to levels of the LISTED CHEMICALS  
19 that violate Proposition 65. As a proximate result of these actions, Defendants have violated  
20 and will continue to violate Proposition 65.

21          7.       Plaintiff seeks injunctive relief enjoining Defendant from the continued  
22 manufacturing, packaging, distributing, marketing and/or sales of the PRODUCTS in  
23 California without provision of clear and reasonable warnings regarding the risks of cancer,  
24 birth defects, and other reproductive harm posed by exposure to the LISTED CHEMICALS

25 \_\_\_\_\_  
26 <sup>1</sup> All statutory and regulatory references herein are to California law, unless otherwise specified.

1 through the use and/or handling of the PRODUCTS. Plaintiff seeks an injunctive order  
2 compelling Defendant to bring its business practices into compliance with Proposition 65 by  
3 providing a clear and reasonable warning to each individual who has been and who in the  
4 future may be exposed to the LISTED CHEMICALS from the use of the PRODUCTS.  
5 Plaintiff also seeks an order compelling Defendant to identify and locate each individual  
6 person who in the past has purchased the PRODUCTS, and to provide to each such purchaser a  
7 clear and reasonable warning that the use of the PRODUCTS will cause exposures to the  
8 LISTED CHEMICALS.

9 8. In addition to injunctive relief, Plaintiff seeks an assessment of civil penalties in  
10 the amount of \$2,500 per day, per violation to remedy Defendant's failure to provide clear and  
11 reasonable warnings regarding exposure to the LISTED CHEMICALS. Therefore, Plaintiff  
12 seeks an assessment of civil penalties in excess of \$27 million.

### 13 JURISDICTION AND VENUE

14 9. This Court has jurisdiction over this action pursuant to California Constitution  
15 Article VI, Section 10, which grants the Superior Court "original jurisdiction in all causes  
16 except those given by statute to other trial courts." The statute under which this action is  
17 brought does not specify any other basis for jurisdiction.

18 10. This Court has jurisdiction over Defendant because, based on information and  
19 belief, Defendant is a business having sufficient minimum contacts with California, or  
20 otherwise intentionally availing itself of the California market through the distribution and sale  
21 of the PRODUCTS in the State of California, to render the exercise of jurisdiction over  
22 Defendant by the California courts permissible under traditional notions of fair play and  
23 substantial justice.

24 11. Venue in this action is proper in this Court because the Defendant has violated  
25 California law in the County of Alameda.

26

1 **PARTIES**

2 12. Plaintiff ERC is a non-profit corporation organized under California's  
3 Corporation Law. ERC is dedicated to, among other causes, reducing the use and misuse of  
4 hazardous and toxic substances, consumer protection, worker safety, and corporate  
5 responsibility.

6 13. ERC is a person within the meaning of H&S Code section 25118 and brings this  
7 enforcement action in the public interest pursuant to H&S Code section 25249.7(d).

8 14. Defendant Boresha is a corporation organized under the laws of the State of  
9 California and is a person doing business within the meaning of H&S Code section 25249.11.  
10 Defendant manufactures, packages, distributes, markets and/or sells the PRODUCTS for sale  
11 or use in California and in Alameda County.

12 **STATUTORY BACKGROUND**

13 15. The Safe Drinking Water and Toxic Enforcement Act of 1986 is an initiative  
14 statute passed as "Proposition 65" by a vote of the People of the State of California in 1986. In  
15 passing Proposition 65, the People declared in their right "[t]o be informed about exposures to  
16 chemicals that cause cancer, birth defects, or other reproductive harm." Section 1(b) of  
17 Initiative Measure, Proposition 65.

18 16. To effect this goal, Proposition 65 requires that individuals be provided with a  
19 "clear and reasonable warning" before being exposed to substances listed by the State of  
20 California as causing cancer or reproductive toxicity. H&S Code section 25249.6 states, in  
21 pertinent part:

22 No person in the course of doing business shall knowingly and  
23 intentionally expose any individual to a chemical known to the  
24 state to cause cancer or reproductive toxicity without first giving  
clear and reasonable warning to such individual....

25 17. "'Knowingly' refers only to knowledge of the fact that a discharge of, release  
26 of, or exposure to a chemical listed pursuant to Section 25249.8(a) of the Act is occurring. No

1 knowledge that the discharge, release or exposure is unlawful is required.” 27 California Code  
2 of Regulations (“CCR”) § 25102(n).

3 18. Proposition 65 establishes a procedure by which the Governor lists chemicals  
4 known to the state to cause cancer or reproductive toxicity. H&S Code § 25249.8. The  
5 warning requirements under Proposition 65 for a given chemical go into effect one year after  
6 the Governor places that chemical on the list. H&S Code § 25249.10(b).

7 19. Proposition 65 provides that any person “violating or threatening to violate” the  
8 warning requirements of the statute may be enjoined in a court of competent jurisdiction. H&S  
9 Code § 25249.7. The phrase “threatening to violate” is defined to mean creating “a condition  
10 in which there is a substantial likelihood that a violation will occur.” H&S Code §  
11 25249.11(e).

12 20. Violators are liable for civil penalties of up to \$2,500 per day for each violation  
13 of the Act. H&S Code § 25249.7.

#### 14 **FACTUAL BACKGROUND**

15 21. On February 27, 1987, the State of California officially listed the chemical lead  
16 as a chemical known to cause reproductive toxicity. Lead became subject to the “clear and  
17 reasonable” warning requirements of Proposition 65 for reproductive toxicity one year later,  
18 beginning on February 27, 1988. H&S Code § 25249.5, *et seq.*; 27 CCR § 25000, *et seq.* Due  
19 to the high toxicity of lead, the maximum allowable dose level for lead is 0.5 ug/day  
20 (micrograms a day) for reproductive toxicity. 27 CCR § 25805(b).

21 22. On October 1, 1992, the State of California officially listed the chemicals lead  
22 and lead compounds as chemicals known to cause cancer. Lead and lead compounds became  
23 subject to the “clear and reasonable” warning requirements of Proposition 65 for cancer risk  
24 beginning on October 1, 1993. 27 CCR § 25102, *et seq.*; H&S Code § 25249.6, *et seq.* Due to  
25 the carcinogenicity of lead, the no significant risk level for lead is 15 ug/day (micrograms a  
26 day). 27 CCR § 25705(b)(1).

1           23.     To test Defendant's PRODUCTS for lead, Plaintiff hired a well-respected and  
2 accredited testing laboratory that designed the testing protocol used and approved by the  
3 California Attorney General years ago for testing heavy metals. The results of testing  
4 undertaken by Plaintiff of Defendant's PRODUCTS show that the PRODUCTS tested were in  
5 violation of the 0.5 ug/day "safe harbor" daily dose limits set forth in Proposition 65's  
6 regulations. Very significant is the fact that people are being exposed to lead through ingestion  
7 as opposed to other, less harmful, methods of exposure such as dermal exposure. Ingestion of  
8 lead produces much higher exposure levels and health risks than does dermal exposure to this  
9 chemical.

10           24.     At all times relevant to this action, Defendant, therefore, has knowingly and  
11 intentionally exposed the users and/or handlers of the PRODUCTS to the LISTED  
12 CHEMICALS without first giving a clear and reasonable warning to such individuals.

13           25.     The PRODUCTS have been sold by Defendant for use in California since at  
14 least June 5, 2012.

15           26.     Defendant has sold at least one unit (one package) of the PRODUCT Boresha  
16 International Boresha Slim Mango-Peach Tea Mix to a person in the State of California each  
17 day since at least June 5, 2012. Each unit contains 15 servings of the PRODUCT. Therefore,  
18 Defendant's sales have resulted in at least 16,425 individual exposures from Defendant's sales  
19 of Boresha International Boresha Slim Mango-Peach Tea Mix since at least June 5, 2012.

20           27.     Defendant has sold at least one unit (one package) of the PRODUCT Boresha  
21 International Boresha Fit Lemonade Flavor to a person in the State of California each day since  
22 at least June 5, 2012. Each unit contains 15 servings of the PRODUCT. Therefore,  
23 Defendant's sales have resulted in at least 16,425 individual exposures from Defendant's sales  
24 of Boresha International Boresha Fit Lemonade Flavor since at least June 5, 2012.

25           28.     Defendant's sales of the PRODUCTS have resulted in at least 32,850 individual  
26 exposures without the warnings required by Proposition 65 since at least June 5, 2012.

1           29.     These exposures entitle the Court to award civil penalties in excess of \$27  
2 million for the applicable statutory period.

3           30.     The imposition of a civil penalty award in excess of \$27 million will have a  
4 deterrent economic effect in that it is likely to deter future conduct in violation of Proposition  
5 65 by both Defendant and the regulated community as a whole.

6           31.     The PRODUCTS continue to be distributed and sold in California without the  
7 requisite warning information.

8           32.     On June 5, 2015, Plaintiff served Defendant and each of the appropriate public  
9 enforcement agencies with a 60-Day Notice of Proposition 65 notice document entitled "Notice  
10 of Violations of California Health & Safety Code Section 25249.5 ("Notice"). A true and  
11 correct copy of the Notice is attached hereto as Exhibit A and incorporated by reference. The  
12 Notice was issued pursuant to, and in compliance with, the requirements of H&S Code section  
13 25249.7(d) and the statute's implementing regulations regarding the notice of the violations to  
14 be given to certain public enforcement agencies and to the violator. The Notice included, *inter*  
15 *alia*, the following information: the name, address, and telephone number of the noticing  
16 individual; the name of the alleged violator; the statute violated; the approximate time period  
17 during which violations occurred; and descriptions of the violations, including the chemicals  
18 involved, the routes of toxic exposure, and the specific product or type of product causing the  
19 violations, and was issued as follows:

- 20           a.     Defendant was provided a copy of the Notice by Certified Mail;
- 21           b.     Defendant was provided a copy of a document entitled "The Safe  
22                 Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A  
23                 Summary," which is also known as Appendix A to Title 27 of CCR  
24                 §25903;
- 25           c.     the California Attorney General was provided a copy of the Notice via  
26                 online submission; and

1 d. the California Attorney General was provided with a Certificate of Merit  
2 by the attorney for the noticing party, stating that there is a reasonable  
3 and meritorious case for this action, and attaching factual information  
4 sufficient to establish a basis for the certificate, including the identity of  
5 the persons consulted with and relied on by the certifier, and the facts,  
6 studies, or other data reviewed by those persons, pursuant to H&S Code  
7 §25249.7(h) (2).

8 33. At least 60 days have elapsed since Plaintiff sent the Notice to the Defendant.  
9 The appropriate public enforcement agencies have failed to commence and diligently prosecute  
10 a cause of action under Proposition 65 against Defendant based on the allegations herein.

11 34. As a proximate result of acts by Defendant, as persons in the course of doing  
12 business within the meaning of H&S Code section 25249.11, individuals throughout the State  
13 of California, including in the County of Alameda, have been exposed to the LISTED  
14 CHEMICALS without a clear and reasonable warning. The individuals subject to the illegal  
15 exposures include normal and foreseeable users of the PRODUCTS, as well as all other  
16 persons exposed to the PRODUCTS.

17 **FIRST CAUSE OF ACTION**  
18 **(Injunctive Relief for Violations of Health and Safety Code § 25249.5, *et seq.* concerning**  
19 **the PRODUCTS described in the June 5, 2015 Proposition 65 Notice.**  
**By Plaintiff Against Defendant)**

20 35. Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if  
21 fully set forth herein.

22 36. By committing the acts alleged in this Complaint, Defendant at all times  
23 relevant to this action, and continuing through the present, has violated H&S Code section  
24 25249.6 by, in the course of doing business, knowingly and intentionally exposing individuals  
25 who use or handle the PRODUCTS set forth in the Notice to the LISTED CHEMICALS,  
26

1 without first providing a clear and reasonable warning to such individuals pursuant to H&S  
2 Code sections 25249.6 and 25249.11(f).

3 37. By the above-described acts, Defendant has violated H&S Code section 25249.6  
4 and is therefore subject to an injunction ordering Defendant to stop violating Proposition 65, to  
5 provide warnings to all present and future customers, and to provide warnings to Defendant's  
6 past customers who purchased or used the PRODUCTS without receiving a clear and  
7 reasonable warning.

8 38. An action for injunctive relief under Proposition 65 is specifically authorized by  
9 H&S Code section 25249.7(a).

10 39. Continuing commission by Defendant of the acts alleged above will irreparably  
11 harm the citizens of the State of California, for which harm they have no plain, speedy, or  
12 adequate remedy at law.

13 Wherefore, Plaintiff prays judgment against Defendant, as set forth hereafter.

14 **SECOND CAUSE OF ACTION**  
15 **(Civil Penalties for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**  
16 **PRODUCTS described in the June 5, 2015 Proposition 65 Notice.**  
17 **By Plaintiff Against Defendant)**

18 40. Plaintiff realleges and incorporates by reference all preceding paragraphs as if  
19 fully set forth herein.

20 41. By committing the acts alleged in this Complaint, Defendant at all times  
21 relevant to this action, and continuing through the present, has violated H&S Code section  
22 25249.6 by, in the course of doing business, knowingly and intentionally exposing individuals  
23 who use or handle the PRODUCTS set forth in the Notice to the LISTED CHEMICALS,  
24 without first providing a clear and reasonable warning to such individuals pursuant to H&S  
25 Code sections 25249.6 and 25249.11(f).  
26



1 B. an injunctive order, pursuant to H&S Code section 25249.7(a), compelling  
2 Defendant to identify and locate each individual who has purchased the PRODUCTS since  
3 June 5, 2012, and to provide a warning to such person that the use of the PRODUCTS will  
4 expose the user to chemicals known to cause cancer, birth defects, and other reproductive  
5 harm;

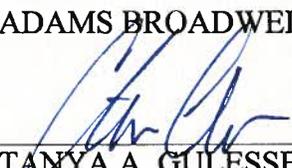
6 C. an assessment of civil penalties pursuant to H&S Code section 25249.7(b),  
7 against Defendant in the amount of \$2,500 per day for each violation of Proposition 65, in an  
8 amount in excess of \$27 million;

9 D. an award to Plaintiff of its reasonable attorneys' fees and costs of suit pursuant  
10 to California Code of Civil Procedure section 1021.5, as Plaintiff shall specify in further  
11 application to the Court; and

12 E. such other and further relief as may be just and proper.

13 Dated: October 30, 2015

ADAMS BROADWELL JOSEPH & CARDOZO

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15   
16 TANYA A. GULESSERIAN  
CHRISTINA M. CARO

17 Attorneys for Plaintiff  
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**Exhibit A**

# ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

## ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000  
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660  
FAX: (650) 589-5062  
ccaro@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350  
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201  
FAX: (916) 444-6209

DANIEL L. CARDOZO  
CHRISTINA M. CARO  
THOMAS A. ENSLOW  
TANYA A. GULESSERIAN  
LAURA E. HORTON  
MARC D. JOSEPH  
RACHAEL E. KOSS  
JAMIE L. MAULDIN  
ADAM J. REGELE  
ELLEN L. WEHR

### VIA CERTIFIED MAIL

George Najjar or Current CEO  
Boresha International, Inc.  
7041 Koll Center Parkway, Suite 100  
Pleasanton, CA 94566

George Najjar or Current CEO  
Boresha International, Inc.  
101 Ygnacio Valley Road, Suite 450  
Walnut Creek, CA 94596

Leonard Digiovanni  
(Boresha International, Inc.'s Registered  
Agent for Service of Process)  
101 Ygnacio Valley Road, Suite 450  
Walnut Creek, CA 94596

### VIA ONLINE SUBMISSION

Office of the California Attorney General

**Re: Notice of Violations of California Health & Safety Code Section 25249.5 *et seq.***

Dear Addressees:

I represent the Environmental Research Center, Inc. ("ERC") in connection with this Notice of Violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986, which is codified at California Health & Safety Code Section 25249.5 *et seq.* and also referred to as Proposition 65.

ERC is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

### VIA PRIORITY MAIL

District Attorneys of All California Counties  
and Select City Attorneys  
(See Attached Certificate of Service)

The name of the Company covered by this notice that violated Proposition 65 (hereinafter the "Violator") is:

**Boresha International, Inc.**

The products that are the subject of this notice and the chemical in those products identified as exceeding allowable levels are:

**Boresha International Boresha Slim Mango-Peach Tea Mix - Lead**  
**Boresha International Boresha Fit Lemonade Flavor - Lead**

On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause cancer.

This letter is a notice to the Violator and the appropriate governmental authorities of the Proposition 65 violations concerning the listed products. This notice covers all violations of Proposition 65 involving the Violator currently known to ERC from the information now available. ERC may continue to investigate other products that may reveal further violations. A summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter to the Violator.

The Violator has manufactured, marketed, distributed, and/or sold the listed products, which have exposed and continue to expose numerous individuals within California to the identified chemical, lead. The consumer exposures that are the subject of this notice result from the purchase, acquisition, handling and/or recommended use of these products by consumers. The primary route of exposure to lead has been through ingestion, but may have also occurred through inhalation and/or dermal contact. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead. The method of warning should be a warning that appears on the product's label. The Violator violated Proposition 65 because it failed to provide an appropriate warning to persons using and/or handling these products that they are being exposed to lead. Each of these ongoing violations has occurred on every day since June 5, 2012, as well as every day since the products were introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to Section 25249.7(d) of the statute, ERC intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violator agrees in an enforceable written instrument to: (1) reformulate the listed products so as to eliminate further exposures to the identified chemical; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above products in the last three years. Consistent with the public interest goals of Proposition 65 and my client's objectives in pursuing this notice, ERC is interested in seeking a constructive

Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

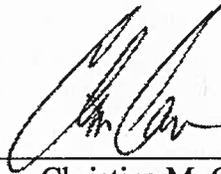
June 5, 2015

Page 3

resolution to this matter. Such resolution will avoid both further unwarned consumer exposures to the identified chemical and expensive and time consuming litigation.

ERC's Executive Director is Chris Heptinstall, and is located at 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. 619-500-3090. ERC has retained me in connection with this matter. We suggest that communications regarding this Notice of Violations should be directed to my attention at the above listed law office address and telephone number.

Sincerely,



---

Christina M. Caro

**Attachments**

Certificate of Merit

Certificate of Service

OEHHA Summary (to Boresha International, Inc. and its Registered Agent for Service of Process only)

Additional Supporting Information for Certificate of Merit (to AG only)

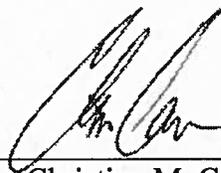
**CERTIFICATE OF MERIT**

**Re: Environmental Research Center, Inc.'s Notice of Proposition 65 Violations  
by Boresha International, Inc.**

I, Christina Caro, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the notice.
4. Based on the information obtained through those consultants, and on 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 plaintiff's case can be established and that the information did not prove that the alleged Violator will be able to establish any of the affirmative defenses set forth in the statute.
5. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California Health & Safety Code §25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: June 5, 2015



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Christina M. Caro

Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

June 5, 2015

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**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States, over the age of 18 years of age, and am not a party to the within entitled action. My business address is 306 Joy Street, Fort Oglethorpe, Georgia 30742. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Fort Oglethorpe, Georgia.

On June 5, 2015, I served the following documents: **NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; "THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY"** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it in a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

George Najjar or Current CEO  
Boresha International, Inc.  
7041 Koll Center Parkway, Suite 100  
Pleasanton, CA 94566

Leonard Digiovanni  
(Boresha International, Inc.'s Registered  
Agent for Service of Process)  
101 Ygnacio Valley Road, Suite 450  
Walnut Creek, CA 94596

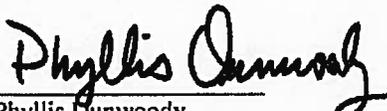
George Najjar or Current CEO  
Boresha International, Inc.  
101 Ygnacio Valley Road, Suite 450  
Walnut Creek, CA 94596

On June 5, 2015, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice> :

Office of the California Attorney General  
Prop 65 Enforcement Reporting  
1515 Clay Street, Suite 2000  
Oakland, CA 94612-0550

On June 5, 2015, I served the following documents: **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties on the Service List attached hereto, and depositing it with the U.S. Postal Service with the postage fully prepaid for delivery by Priority Mail.

Executed on June 5, 2015, in Fort Oglethorpe, Georgia.

  
\_\_\_\_\_  
Phyllis Dunwoody

# Notice of Violations of California Health & Safety Code §25249.5 *et seq.*

June 5, 2015

Page 6

## Service List

District Attorney, Alameda County  
1225 Fallon Street, Suite 900  
Oakland, CA 94612

District Attorney, Alpine County  
P.O. Box 248  
Markleeville, CA 96120

District Attorney, Amador County  
708 Court Street  
Jackson, CA 95642

District Attorney, Butte County  
25 County Center Drive, Suite 245  
Oroville, CA 95965

District Attorney, Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249

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