

Electronically Filed  
by Superior Court of CA,  
County of Santa Clara,  
on 5/17/2019 2:32 PM  
Reviewed By: Yuet Lai  
Case #19CV347712  
Envelope: 2898381

1 MATTHEW C. MACLEAR (SBN 209228)  
2 ANTHONY M. BARNES (SBN 199048)  
3 AQUA TERRA AERIS LAW GROUP  
4 490 43<sup>rd</sup> Street, Suite 108  
5 Oakland, CA 94609  
6 Telephone: (415) 568-5200  
7 Email: mcm@atalawgroup.com

8 Attorneys for Plaintiff  
9 ENVIRONMENTAL RESEARCH CENTER, INC.

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SANTA CLARA

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

14 Plaintiff,

15 v.

16 ANCIENT BRANDS, LLC, formerly known as  
17 GET REAL NUTRITION, LLC and formerly  
18 known as ANCIENT NUTRITION, LLC,  
19 individually and dba ANCIENT NUTRITION, a  
20 Florida limited liability company; ANCIENT  
21 NUTRITION HOLDINGS, LLC, formerly  
22 known as GET REAL HOLDINGS, LLC,  
23 individually and dba ANCIENT NUTRITION, a  
24 Florida limited liability company; ANCIENT  
25 NUTRITION, LLC, individually and dba  
26 ANCIENT NUTRITION, a Florida limited  
27 liability company; GET REAL NUTRITION,  
28 LLC, individually and dba ANCIENT  
NUTRITION, a Delaware limited liability  
company; GET REAL HOLDINGS, LLC,  
individually and dba ANCIENT NUTRITION, a  
Florida limited liability company; BEYOND  
ORGANIC, LLC, a Florida limited liability  
company; and DOES 1 – 25,

Defendants.

) Case No. 19CV347712

)  
) **AMENDED COMPLAINT FOR**  
) **PERMANENT INJUNCTION, CIVIL**  
) **PENALTIES AND OTHER RELIEF**

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

1 Plaintiff Environmental Research Center, Inc. (“PLAINTIFF” or “ERC”) brings this  
2 action in the interests of the general public and, on information and belief, hereby alleges:

3 **INTRODUCTION**

4 1. This action seeks to remedy the continuing failure of Defendants ANCIENT  
5 BRANDS, LLC, formerly known as GET REAL NUTRITION, LLC and formerly known as  
6 ANCIENT NUTRITION, LLC, individually and dba ANCIENT NUTRITION; ANCIENT  
7 NUTRITION HOLDINGS, LLC, formerly known as GET REAL HOLDINGS, LLC,  
8 individually and dba ANCIENT NUTRITION; ANCIENT NUTRITION, LLC, individually and  
9 dba ANCIENT NUTRITION; GET REAL NUTRITION, LLC, individually and dba ANCIENT  
10 NUTRITION; GET REAL HOLDINGS, LLC, individually and dba ANCIENT NUTRITION;  
11 BEYOND ORGANIC, LLC (collectively “ANCIENT NUTRITION”) and DOES 1-25  
12 (hereinafter individually referred to as “DEFENDANT” or collectively as “DEFENDANTS”) to  
13 warn consumers in California that they are being exposed to lead and/or cadmium, chemicals  
14 known to the State of California to cause cancer, birth defects, and other reproductive harm.  
15 According to the Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety  
16 Code (“H&S Code”) section 25249.5 (also known as and referred to hereinafter as “Proposition  
17 65”), businesses must provide persons with a “clear and reasonable warning” before exposing  
18 individuals to a chemical known to the state to cause cancer or reproductive harm.

19 2. DEFENDANTS manufacture, package, distribute, market, and/or sell in California  
20 certain consumer products, as defined in Cal. Code Regs., tit. 27, § 25600.1, subd. (d) and (e),  
21 containing lead and/or cadmium (the “SUBJECT PRODUCTS”):

- 22 • **Ancient Nutrition Organic Bone Broth Protein Meal Savory Herbs Whole**
- 23 **Food Shake & Meal Replacement – Lead, Cadmium**
- 24 • **Ancient Nutrition Bone Broth Protein Turmeric Mobilizing - Lead**
- 25 • **Ancient Nutrition Keto Feast Vanilla - Lead**
- 26 • **Ancient Nutrition Organic Bone Broth Protein Nitro Beet – Lead**
- 27 • **Ancient Nutrition Organic Bone Broth Protein Cafe Mocha – Lead,**
- 28 **Cadmium**

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

- **Ancient Nutrition Organic Bone Broth Protein Peanut Butter – Lead, Cadmium**
- **Ancient Nutrition Organic Bone Broth Protein Dark Chocolate – Lead, Cadmium**
- **Ancient Nutrition Organic Bone Broth Protein French Vanilla - Lead**
- **Ancient Nutrition Organic Bone Broth Protein Sweet Greens - Lead**
- **Ancient Nutrition Organic Bone Broth Protein Turmeric Spice - Lead**
- **Ancient Nutrition Organic Bone Broth Protein Savory Herbs - Lead**
- **Ancient Nutrition Keto Protein Turmeric - Lead**
- **Ancient Nutrition Keto Protein Chocolate - Lead**
- **Ancient Nutrition Keto Feast Caffeine Free Maple - Lead**
- **Ancient Nutrition Keto Broth Vanilla - Lead**
- **Ancient Nutrition Keto Digest Digestive Enzyme Formula - Lead**
- **Ancient Nutrition Keto Biome Probiotic - Lead**
- **Ancient Nutrition Multi Collagen Protein Chocolate – Lead, Cadmium**
- **Ancient Nutrition Bone Broth Protein Burst Pre-Workout Apple Greens - Lead**
- **Ancient Nutrition Keto Fire Ketone Activator - Lead**
- **Ancient Nutrition Keto Multi Fermented Vitamin & Mineral Formula - Lead**
- **Ancient Nutrition Bone Broth Protein Peanut Butter Chocolate Chip – Cadmium**
- **Ancient Nutrition Organic Bone Broth Protein Meal Dark Chocolate – Lead, Cadmium**
- **Ancient Nutrition Bone Broth Protein Meal Vanilla Crème – Lead, Cadmium**
- **Ancient Nutrition Organic Bone Broth Protein Meal Peanut Butter – Lead, Cadmium**

- 1 • **Ancient Nutrition Organic Bone Broth Protein Meal French Vanilla –**
- 2 **Lead, Cadmium**
- 3 • **Ancient Nutrition Keto Feast Chocolate - Lead**
- 4 • **Ancient Nutrition Keto Protein Vanilla - Lead**
- 5 • **Ancient Nutrition Keto Broth Chocolate - Lead**
- 6 • **Ancient Nutrition Keto Protein Coffee - Lead**
- 7 • **Ancient Nutrition Multi Collagen Protein Cold Brew Collagen – Lead**
- 8 • **Probiome RX Gut Formula – Lead**
- 9 • **Probiome RX Thyroid Support System – Lead**
- 10 • **Probiome RX Liver Cleanse Synergistic Milk Thistle – Lead**
- 11 • **Ancient Apothecary Fermented Oregano – Lead**
- 12 • **Ancient Apothecary Fermented Holy Basil - Lead**

13 3. Lead and cadmium (hereinafter, the “LISTED CHEMICALS”) are chemicals known  
 14 to the State of California to cause cancer, birth defects, and other reproductive harm.

15 4. Consumption of the SUBJECT PRODUCTS causes exposures to the LISTED  
 16 CHEMICALS at levels requiring a “clear and reasonable warning” under Proposition 65.  
 17 DEFENDANTS exposed consumers to the LISTED CHEMICALS and have failed to provide  
 18 the health hazard warnings required by Proposition 65.

19 5. DEFENDANTS’ continued manufacturing, packaging, distributing, marketing  
 20 and/or sales of the SUBJECT PRODUCTS without the required health hazard warnings, causes,  
 21 or threatens to cause, individuals to be involuntarily, unknowingly and unwittingly exposed to  
 22 levels of the LISTED CHEMICALS that violate Proposition 65.

23 **PARTIES**

24 6. PLAINTIFF is a non-profit corporation organized under California law. ERC is  
 25 dedicated to, among other causes, reducing the use and misuse of hazardous and toxic substances,  
 26 consumer protection, worker safety, and corporate responsibility.

27 7. ERC is a person within the meaning of H&S Code §25249.11 and brings this  
 28 enforcement action in the public interest pursuant to H&S Code §25249.7(d). H&S Code §

1 25249.7(d) specifies that actions to enforce Proposition 65 may be brought by a person in the  
2 public interest, provided certain notice requirements are met and no other public prosecutor is  
3 diligently prosecuting an action for the same violation(s).

4 8. ANCIENT BRANDS, LLC, formerly known as GET REAL NUTRITION, LLC and  
5 formerly known as ANCIENT NUTRITION, LLC, individually and dba ANCIENT  
6 NUTRITION, is now, and was at all times relevant herein, a limited liability company organized  
7 under the laws of Florida and is a person in the course of doing business within the meaning of  
8 H&S Code §25249.11.

9 9. ANCIENT NUTRITION HOLDINGS, LLC, formerly known as GET REAL  
10 HOLDINGS, LLC, individually and dba ANCIENT NUTRITION, is now, and was at all times  
11 relevant herein, a limited liability company organized under the laws of Florida and is a person  
12 in the course of doing business within the meaning of H&S Code §25249.11.

13 10. ANCIENT BRANDS, LLC, individually and dba ANCIENT NUTRITION, is now,  
14 and was at all times relevant herein, a limited liability company organized under the laws of  
15 Florida and is a person in the course of doing business within the meaning of H&S Code  
16 §25249.11.

17 11. GET REAL NUTRITION, LLC, individually and dba ANCIENT NUTRITION, is  
18 now, and was at all times relevant herein, a limited liability company organized under the laws  
19 of Delaware and is a person in the course of doing business within the meaning of H&S Code  
20 §25249.11.

21 12. GET REAL HOLDINGS, LLC, individually and dba ANCIENT NUTRITION, is  
22 now, and was at all times relevant herein, a limited liability company organized under the laws  
23 of Florida and is a person in the course of doing business within the meaning of H&S Code  
24 §25249.11.

25 13. BEYOND ORGANIC, LLC, is now, and was at all times relevant herein, a limited  
26 liability company organized under the laws of Florida and is a person in the course of doing  
27 business within the meaning of H&S Code §25249.11.

28 ///

1           14. DEFENDANTS own, administer, direct, control and/or operate facilities and/or  
2 agents, distributors, sellers, marketers or other retail operations who place their SUBJECT  
3 PRODUCTS into the stream of commerce in California (including but not limited to Santa Clara  
4 County) under the brand name Ancient Nutrition and other brand names, which contain the  
5 LISTED CHEMICALS without first giving clear and reasonable warnings.

6           15. DEFENDANTS, separately and each of them, are or were, at all times relevant to the  
7 claims in this Amended Complaint and continuing through the present, legally responsible for  
8 compliance with the provisions of Proposition 65. Whenever an allegation regarding any act or  
9 omission of a DEFENDANT is made herein, such allegation shall be deemed to mean that  
10 DEFENDANT, or its agent, officer, director, manager, supervisor, or employee did, or so  
11 authorized, or failed to do, such acts while engaged in the affairs of DEFENDANT's business  
12 operations and/or while acting within the course and scope of their employment or while  
13 conducting business for DEFENDANT(S) for a commercial purpose.

14           16. In this Amended Complaint, when reference is made to any act or omission of a  
15 DEFENDANT, such allegation shall mean that the owners, officers, directors, agents,  
16 employees, contractors, or representatives of DEFENDANT acted or authorized such actions,  
17 and/or negligently failed and omitted to act or adequately and properly supervise, control or  
18 direct its employees and agents while engaged in the management, direction, operation or control  
19 of the affairs of the business organization. Whenever reference is made to any act or omission  
20 of any DEFENDANT, such allegation shall be deemed to mean the act or omission of each  
21 DEFENDANT acting individually, jointly, and severally as defined by Civil Code Section 1430  
22 *et seq.*

23           17. PLAINTIFF does not know the true names, capacities and liabilities of  
24 DEFENDANTS DOES Nos. 1-25, inclusive, and therefore sues them under fictitious names.  
25 PLAINTIFF will amend this Amended Complaint to allege the true name and capacities of the  
26 DOE Defendants upon being ascertained. Each of these Defendants was in some way legally  
27 responsible for the acts, omissions, and/or violations alleged herein.

28 ///

1 **JURISDICTION AND VENUE**

2 18. This Court has jurisdiction over this action pursuant to California Constitution Article  
3 VI, Section 10, which grants the Superior Court “original jurisdiction in all causes except those  
4 given by statute to other trial courts.” The statute under which this action is brought does not  
5 specify any other court with jurisdiction.

6 19. This Court has jurisdiction over DEFENDANTS because they are business entities  
7 that do sufficient business in California, have sufficient minimum contacts in California or  
8 otherwise intentionally avail themselves of the California market, through the sale, marketing  
9 and use of their SUBJECT PRODUCTS in California, to render the exercise of jurisdiction over  
10 them by the California courts consistent with traditional notions of fair play and substantial  
11 justice.

12 20. Venue in this action is proper in the Santa Clara County Superior Court because the  
13 cause, or part thereof, arises in the County of Santa Clara since DEFENDANTS’ products are  
14 marketed, offered for sale, sold, used, and/or consumed in this county.

15 **STATUTORY BACKGROUND**

16 21. The People of the State of California declared in Proposition 65 their right “[t]o be  
17 informed about exposures to chemicals that cause cancer, birth defects, or other reproductive  
18 harm.” (Section 1(b) of Initiative Measure, Proposition 65).

19 22. To effectuate this goal, Proposition 65 requires that individuals be provided with a  
20 “clear and reasonable warning” before being exposed to chemicals listed by the State of  
21 California as causing cancer or reproductive toxicity. H&S Code §25249.6 states, in pertinent  
22 part:

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

26 23. An exposure to a chemical in a consumer product is one “that results from a person’s  
27 acquisition, purchase, storage, consumption, or any reasonably foreseeable use of a consumer  
28 product, including consumption of food.” (Cal. Code Regs., tit. 27, § 25600.1, subd. (e).) A

1 “consumer product” includes “any article, or component part thereof, including food, that is  
2 produced, distributed, or sold for the personal use, consumption or enjoyment of a consumer,”  
3 and the term “food” is further defined to include dietary supplements. (Cal. Code Regs., tit. 27, §  
4 25600.1, subd. (d) and (g).)

5 24. Proposition 65 provides that any “person who violates or threatens to violate” the  
6 statute may be enjoined in a court of competent jurisdiction. (H&S Code §25249.7). The phrase  
7 “threaten to violate” is defined to mean creating “a condition in which there is a substantial  
8 probability that a violation will occur” (H&S Code §25249.11(e)). Violators are liable for civil  
9 penalties of up to \$2,500 per day for each violation of the Act. (H&S Code §25249.7.)

### 10 **FACTUAL BACKGROUND**

11 25. On February 27, 1987, the State of California officially listed lead as a chemical  
12 known to cause reproductive toxicity. Lead became subject to the warning requirement one year  
13 later and was therefore subject to the “clear and reasonable” warning requirements of Proposition  
14 65 beginning on February 27, 1988. (27 California Code of Regulations (“CCR”) §25600, *et*  
15 *seq.*; H&S Code §25249.5, *et seq.*).

16 26. On October 1, 1992, the State of California officially listed lead and lead compounds  
17 as chemicals known to cause cancer. Lead and lead compounds became subject to the warning  
18 requirement one year later and were therefore subject to the “clear and reasonable” warning  
19 requirements of Proposition 65 beginning on October 1, 1993. (27 CCR § 25600, *et seq.*; H&S  
20 Code §25249.6, *et seq.*). Due to the high toxicity of lead, the maximum allowable dose level for  
21 lead is 0.5 µg/day (micrograms a day) for reproductive toxicity and the no significant risk level  
22 for carcinogens is 15µg/day (oral).

23 27. Cadmium was officially listed as a chemical known to cause developmental toxicity  
24 and male reproductive toxicity on May 1, 1997, while cadmium and cadmium compounds were  
25 listed as chemicals known to the State of California to cause cancer on October 1, 1987. (State  
26 of California EPA OEHHA Safe Drinking Water and Toxic Enforcement Act of 1986 Chemicals  
27 Known to the State to Cause Cancer and Reproductive Toxicity.) The MADL for cadmium as a  
28 chemical known to cause reproductive toxicity is 4.1 micrograms per day. (Cal. Code Regs., tit.



1 27, §25805, subd. (b).)

2 28. To test DEFENDANTS' SUBJECT PRODUCTS for lead and cadmium, PLAINTIFF  
3 hired a well-respected and accredited testing laboratory. The results of testing undertaken by  
4 PLAINTIFF of DEFENDANTS' SUBJECT PRODUCTS show that the SUBJECT PRODUCTS  
5 tested were in violation of the 0.5 µg/day "safe harbor" daily dose limits set forth for lead and/or  
6 the 4.1 µg/day "safe harbor" daily dose limits set forth for cadmium in Proposition 65's  
7 regulations. Very significant is the fact that people are being exposed to lead and/or cadmium  
8 through ingestion as opposed to other not as harmful methods of exposure.

9 29. At all times relevant to this action, DEFENDANTS, therefore, have knowingly and  
10 intentionally exposed the consumers of the SUBJECT PRODUCTS to the LISTED  
11 CHEMICALS without first giving a clear and reasonable warning to such individuals.

12 30. The SUBJECT PRODUCTS have allegedly been sold by DEFENDANTS for use  
13 in California since at least January 10, 2016. The SUBJECT PRODUCTS continue to be  
14 distributed and sold in California without the requisite warning information.

15 31. As a proximate result of acts by DEFENDANTS, as persons in the course of doing  
16 business within the meaning of Health & Safety Code §25249.11, individuals throughout the  
17 State of California, including in the County of Santa Clara, have been exposed to the LISTED  
18 CHEMICALS without a clear and reasonable warning on the SUBJECT PRODUCTS. The  
19 individuals subject to the violative exposures include normal and foreseeable users of the  
20 SUBJECT PRODUCTS, as well as all other persons exposed to the SUBJECT PRODUCTS.

21 32. On January 10, 2019, February 22, 2019, and March 6, 2019, ERC served ANCIENT  
22 NUTRITION and each of the appropriate public enforcement agencies with a document entitled  
23 "Notice of Violations of California Health & Safety Code Section 25249.5" that provided  
24 ANCIENT NUTRITION and the public enforcement agencies with notice that ANCIENT  
25 NUTRITION was in violation of Proposition 65 for failing to warn purchasers and individuals  
26 using the SUBJECT PRODUCTS that the consumption of the SUBJECT PRODUCTS exposes  
27 them to lead and/or cadmium, chemicals known to the State of California to cause cancer and/or  
28 reproductive toxicity ("NOTICES"). True and correct copies of the 60-Day NOTICES are

1 attached hereto as **Exhibits A, B, and C** and each is hereby incorporated by reference and  
2 available on the Attorney General’s website located at <http://oag.ca.gov/prop65>.

3 33. The NOTICES were issued pursuant to, and in compliance with, the requirements of  
4 H&S Code §25249.7(d) and the statute’s implementing regulations regarding the notice of the  
5 violations to be given to certain public enforcement agencies and to the violators. The NOTICES  
6 included, *inter alia*, the following information: the name, address, and telephone number of the  
7 noticing individual; the name of the alleged violators; the statute violated; the approximate time  
8 period during which violations occurred; and descriptions of the violations including the  
9 chemicals involved, the route of toxic exposure, and the specific products or type of products  
10 causing the violations.

11 34. ANCIENT NUTRITION was also provided copies with the NOTICES of the  
12 document entitled “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition  
13 65): A Summary,” which is also known as Appendix A to Title 27 of CCR §25903, via Certified  
14 Mail.

15 35. The California Attorney General was provided copies of the NOTICES and a  
16 Certificate of Merit for each Notice by the attorney for the noticing party, stating that there is a  
17 reasonable and meritorious case for this action, and attaching factual information sufficient to  
18 establish a basis for the certificate, including the identity of the persons consulted with and relied  
19 on by the certifier, and the facts, studies, or other data reviewed by those persons, pursuant to  
20 H&S Code §25249.7(h) (2) via online submission.

21 36. After expiration of the sixty (60) day notice period, the appropriate public enforcement  
22 agencies failed to commence and diligently prosecute a cause of action under H&S Code  
23 §25249.5, *et seq.* against DEFENDANTS based on the allegations herein.

24 **FIRST CAUSE OF ACTION**

25 **(Civil Penalties for Violations of Health and Safety Code § 25249.5, *et seq.* concerning the**  
26 **SUBJECT PRODUCTS described in the January 10, 2019, February 22, 2019, and**  
27 **March 6, 2019 Proposition 65 Notices of Violation) Against DEFENDANTS**

28 37. PLAINTIFF re-alleges and incorporates by reference Paragraphs 1 through 36,  
inclusive, as if specifically set forth herein.

1 38. By committing the acts alleged in this Amended Complaint, DEFENDANTS at all  
2 times relevant to this action, and continuing through the present, have violated H&S Code  
3 §25249.6 by, in the course of doing business, knowingly and intentionally exposing individuals  
4 in California to chemicals known to the State of California to cause cancer or reproductive toxicity  
5 without first giving clear and reasonable warnings to such persons who consume the SUBJECT  
6 PRODUCTS containing the LISTED CHEMICALS, pursuant to H&S Code §§ 25249.6 and  
7 25249.11(f).

8 39. By the above-described acts, DEFENDANTS are liable, pursuant to H&S Code  
9 §25249.7(b), for a civil penalty of up to \$2,500 per day per violation for each unlawful exposure  
10 to the LISTED CHEMICALS from the SUBJECT PRODUCTS, in an amount in excess of \$1  
11 million.

12 **THE NEED FOR INJUNCTIVE RELIEF**

13 **(Injunctive Relief for Violations of Health and Safety Code § 25249.5, *et seq.* concerning**  
14 **the SUBJECT PRODUCTS described in the January 10, 2019, February 22, 2019, and**  
15 **March 6, 2019 Proposition 65 Notices of Violation) Against DEFENDANTS**

16 40. PLAINTIFF re-alleges and incorporates by this reference Paragraphs 1 through 39,  
17 as if set forth below.

18 41. By committing the acts alleged in this Amended Complaint, DEFENDANTS at all  
19 times relevant to this action, and continuing through the present, have violated, or threaten to  
20 violate, H&S Code §25249.6 by, in the course of doing business, knowingly and intentionally  
21 exposing individuals in California to chemicals known to the State of California to cause cancer  
22 or reproductive toxicity without first giving clear and reasonable warnings to such persons who  
23 consume the SUBJECT PRODUCTS containing the LISTED CHEMICALS, pursuant to H&S  
24 Code §§ 25249.6 and 25249.11(f).

25 42. By the above-described acts, DEFENDANTS have violated, or threaten to violate,  
26 H&S Code § 25249.6 and are therefore subject to preliminary and permanent injunctions ordering  
27 DEFENDANTS to stop violating Proposition 65, to provide warnings to all present and future  
28 customers, and to provide warnings to DEFENDANTS' past customers who purchased or used  
the SUBJECT PRODUCTS without receiving a clear and reasonable warning.

1 43. A remedy of injunctive relief under Proposition 65 is specifically authorized by H&S  
2 Code §25249.7(a).

3 44. Continuing commission by DEFENDANTS of the acts alleged above will irreparably  
4 harm the citizens of the State of California, for which harm they have no plain, speedy, or  
5 adequate remedy at law.

6 45. In the absence of preliminary and then permanent injunctive relief, DEFENDANTS  
7 will continue to create a substantial risk of irreparable injury by continuing to cause consumers  
8 to be involuntarily, unknowingly and unwittingly exposed to the LISTED CHEMICALS through  
9 the consumption of the SUBJECT PRODUCTS.

10 **PRAYER FOR RELIEF**

11 Wherefore, PLAINTIFF prays for the following relief:

12 A. A preliminary and permanent injunction, pursuant to H&S Code §25249.7(b),  
13 enjoining DEFENDANTS, their agents, employees, assigns and all persons acting in concert or  
14 participating with DEFENDANTS, from manufacturing, distributing, marketing or selling the  
15 SUBJECT PRODUCTS in California without first providing a clear and reasonable warning,  
16 within the meaning of Proposition 65, that the consumers of the SUBJECT PRODUCTS are  
17 exposed to the LISTED CHEMICALS;

18 B. An injunctive order, pursuant to H&S Code §25249.7(b), compelling  
19 DEFENDANTS to identify and locate each individual who has purchased the SUBJECT  
20 PRODUCTS since January 10, 2016, and to provide a warning to such person that the  
21 consumption of the SUBJECT PRODUCTS will expose the consumer to chemicals known to  
22 cause cancer, birth defects, and other reproductive harm;

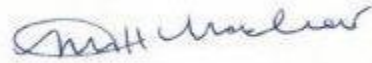
23 C. An assessment of civil penalties pursuant to H&S Code §25249.7(b), against  
24 DEFENDANTS in the amount of \$2,500 per day for each violation of Proposition 65, in an  
25 amount in excess of \$1 million, according to proof;

26 D. An award to PLAINTIFF of its reasonable attorney's fees and costs of suit  
27 pursuant to California Code of Civil Procedure §§ 1032 *et. seq* and 1021.5, as PLAINTIFF shall  
28 specify in further applications to the Court; and,

1 E. Such other and further relief as may be just and proper.  
2  
3

4 DATED: May 17, 2019

AQUA TERRA AERIS LAW GROUP

5  
6   
7

8 \_\_\_\_\_  
9 Matthew C. Maclear  
10 Anthony M. Barnes  
11 Attorney for Plaintiff  
12 Environmental Research Center, Inc.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

# **EXHIBIT A**



Matthew Maclear  
[mcm@atalawgroup.com](mailto:mcm@atalawgroup.com)  
415-568-5200

Anthony Barnes  
[amb@atalawgroup.com](mailto:amb@atalawgroup.com)  
415-326-3173

January 10, 2019

**NOTICE OF VIOLATION OF  
CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 ET SEQ.  
(PROPOSITION 65)**

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

I represent Environmental Research Center, Inc. ("ERC"), 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. (619) 500-3090. ERC's Executive Director is Chris Heptinstall. 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.

ERC has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), which is codified at California Health & Safety Code §25249.5 *et seq.*, with respect to the products identified below. These violations have occurred and continue to occur because the alleged Violators identified below failed to provide required clear and reasonable warnings with these products. This letter serves as a notice of these violations to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Health and Safety Code Section 25249.7(d), ERC intends to file a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

**General Information about Proposition 65.** A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with this letter served to the alleged Violators identified below.

**Alleged Violators.** The names of the companies covered by this notice that violated Proposition 65 (hereinafter the "Violators") are:

**Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Brands, LLC, individually and dba Ancient Nutrition**  
**Get Real Nutrition, LLC, individually and dba Ancient Nutrition**



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 2

**Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition  
Get Real Holdings, LLC, individually and dba Ancient Nutrition  
Beyond Organic, LLC**

**Consumer Products and Listed Chemicals.** The products that are the subject of this notice and the chemicals in those products identified as exceeding allowable levels are:

1. **Ancient Nutrition Organic Bone Broth Protein Meal Savory Herbs Whole Food Shake & Meal Replacement – Lead, Cadmium**
2. **Ancient Nutrition Bone Broth Protein Turmeric Mobilizing - Lead**
3. **Ancient Nutrition Keto Feast Vanilla - Lead**
4. **Ancient Nutrition Organic Bone Broth Protein Nitro Beet - Lead**
5. **Ancient Nutrition Organic Bone Broth Protein Cafe Mocha – Lead, Cadmium**
6. **Ancient Nutrition Organic Bone Broth Protein Peanut Butter – Lead, Cadmium**
7. **Ancient Nutrition Organic Bone Broth Protein Dark Chocolate – Lead, Cadmium**
8. **Ancient Nutrition Organic Bone Broth Protein French Vanilla - Lead**
9. **Ancient Nutrition Organic Bone Broth Protein Sweet Greens - Lead**
10. **Ancient Nutrition Organic Bone Broth Protein Turmeric Spice - Lead**
11. **Ancient Nutrition Organic Bone Broth Protein Savory Herbs - Lead**
12. **Ancient Nutrition Keto Protein Turmeric - Lead**
13. **Ancient Nutrition Keto Protein Chocolate - Lead**
14. **Ancient Nutrition Keto Feast Caffeine Free Maple - Lead**
15. **Ancient Nutrition Keto Broth Vanilla - Lead**
16. **Ancient Nutrition Keto Digest Digestive Enzyme Formula - Lead**
17. **Ancient Nutrition Keto Biome Probiotic - Lead**
18. **Ancient Nutrition Multi Collagen Protein Chocolate – Lead, Cadmium**
19. **Ancient Nutrition Bone Broth Protein Burst Pre-Workout Apple Greens - Lead**
20. **Ancient Nutrition Keto Fire Ketone Activator - Lead**
21. **Ancient Nutrition Keto Multi Fermented Vitamin & Mineral Formula - Lead**
22. **Ancient Nutrition Bone Broth Protein Peanut Butter Chocolate Chip - Cadmium**

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.

Cadmium was officially listed as a chemical known to cause developmental toxicity and male reproductive toxicity on May 1, 1997, while cadmium and cadmium compounds were listed as chemicals known to the State of California to cause cancer on October 1, 1987.





Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 3

It should be noted that ERC may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

**Route of Exposure.** The consumer exposures that are the subject of this notice result from the recommended use of these products. Consequently, the route of exposure to these chemicals has been and continues to be through ingestion.

**Approximate Time Period of Violations.** Ongoing violations have occurred every day since at least January 10, 2016, as well as every day since the products were introduced into the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until these known toxic chemicals are either removed from or reduced to allowable levels in the products. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemicals. The method of warning should be a warning that appears on the product label. The Violators violated Proposition 65 because they failed to provide persons ingesting these products with appropriate warnings that they are being exposed to these chemicals.

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, ERC is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violators to: (1) reformulate the identified products so as to eliminate further exposures to the identified chemicals, or provide appropriate warnings on the labels of these products; (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. Such a resolution will prevent further unwarned consumer exposures to the identified chemicals, as well as an expensive and time-consuming litigation.

ERC has retained ATA Law Group as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention, or the attention of ATA partner Anthony Barnes, using the address or contact information indicated on the letterhead.**

Sincerely,

---

Matthew Maclear  
**AQUA TERRA AERIS LAW GROUP**

Attachments

- Certificate of Merit
- Certificate of Service
- OEHHA Summary (to Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 4

Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition; Beyond Organic, LLC and their Registered Agents for Service of Process only)  
Additional Supporting Information for Certificate of Merit (to AG only)



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 5

**CERTIFICATE OF MERIT**

**Re: Environmental Research Center, Inc.’s Notice of Proposition 65 Violations by Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition and Beyond Organic, LLC**

I, Matthew Maclear, declare:

1. This Certificate of Merit accompanies the attached 60-day notice in which it is alleged that the parties 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 chemicals that are 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 Violators 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: January 10, 2019

Matthew Maclear



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 6

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

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 and over the age of 18 years of age. 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 January 10, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION 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 each of the parties listed below and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current President or CEO  
Ancient Brands, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Beyond Organic, LLC  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408

Current President or CEO  
Beyond Organic, LLC  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408



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

January 10, 2019

Page 7

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
1201 US Hwy 1, Ste 350  
North Palm Beach, FL 33408

Current President or CEO  
Beyond Organic, LLC  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Beyond Organic, LLC  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Beyond Organic, LLC  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067



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

January 10, 2019

Page 8

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Kenneth A. Duke, Jr.  
(Registered Agent for Beyond Organic, LLC)  
924 Pompano Dr  
Jupiter, FL 33458

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
818 W 7<sup>th</sup> St, Ste 930  
Los Angeles, CA 90017

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and  
dba Ancient Nutrition)  
300 Montvue Road  
Knoxville, TN 37919

Current President or CEO  
Beyond Organic, LLC  
5490 County Road 333  
Koshkonong, MO 65692

Corporate Creations Network  
(Registered Agent for Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition)  
12747 Olive Blvd, Ste 300  
St. Louis, MO 63141

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
6011 Welch Street  
Arvada, CO 80004

CT Corporation System  
(Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
1200 S Pine Island Rd  
Plantation, FL 33324

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
5490 County Road 333  
Koshkonong, MO 65692

Kenneth A. Duke, Jr.  
(Registered Agent for Ancient Nutrition Holdings, LLC, individually  
and dba Ancient Nutrition)  
924 Pompano Dr  
Jupiter, FL 33458

Lori Hofer  
(Registered Agent for Get Real Nutrition, LLC, individually  
and dba Ancient Nutrition)  
6011 Welch Street  
Arvada, CO 80004



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 9

On January 10, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, 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 January 10, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Nancy O’Malley, District Attorney  
Alameda County  
7677 Oakport Street, Suite 650  
Oakland, CA 94621  
CEPDProp65@acgov.org

Dije Ndreu, Deputy District Attorney  
Monterey County  
1200 Aguajito Road  
Monterey, CA 93940  
Prop65DA@co.monterey.ca.us

Barbara Yook, District Attorney  
Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249  
Prop65Env@co.calaveras.ca.us

Allison Haley, District Attorney  
Napa County  
1127 First Street, Suite C  
Napa, CA 94559  
CEPD@countyofnapa.org

Stacey Grassini, Deputy District Attorney  
Contra Costa County  
900 Ward Street  
Martinez, CA 94553  
sgrassini@contracostada.org

Paul E. Zellerbach, District Attorney  
Riverside County  
3072 Orange Street  
Riverside, CA 92501  
Prop65@rivcoda.org

Thomas L. Hardy, District Attorney  
Inyo County  
168 North Edwards Street  
Independence, CA 93526  
inyoda@inyocounty.us

Anne Marie Schubert, District Attorney  
Sacramento County  
901 G Street  
Sacramento, CA 95814  
Prop65@sacda.org

Michelle Latimer, Program Coordinator  
Lassen County  
220 S. Lassen Street  
Susanville, CA 96130  
mlatimer@co.lassen.ca.us

Mark Ankcorn, Deputy City Attorney  
San Diego City Attorney  
1200 Third Avenue  
San Diego, CA 92101  
CityAttyProp65@sandiego.gov



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
January 10, 2019  
Page 10

Gregory Alker, Assistant District Attorney  
San Francisco County  
732 Brannan Street  
San Francisco, CA 94103  
gregory.alker@sfgov.org

Jeffrey S. Rosell, District Attorney  
Santa Cruz County  
701 Ocean Street  
Santa Cruz, CA 95060  
Prop65DA@santacruzcounty.us

Valerie Lopez, Deputy City Attorney  
San Francisco City Attorney  
1390 Market Street, 7<sup>th</sup> Floor  
San Francisco, CA 94102  
Valerie.Lopez@sfcityatt.org

Stephan R. Passalacqua, District Attorney  
Sonoma County  
600 Administration Dr  
Sonoma, CA 95403  
jbarnes@sonoma-county.org

Tori Verber Salazar, District Attorney  
San Joaquin County  
222 E. Weber Avenue, Room 202  
Stockton, CA 95202  
DAConsumer.Environmental@sjcda.org

Phillip J. Cline, District Attorney  
Tulare County  
221 S Mooney Blvd  
Visalia, CA 95370  
Prop65@co.tulare.ca.us

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Government Center Annex, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408  
edobroth@co.slo.ca.us

Gregory D. Totten, District Attorney  
Ventura County  
800 S Victoria Ave  
Ventura, CA 93009  
daspecialops@ventura.org

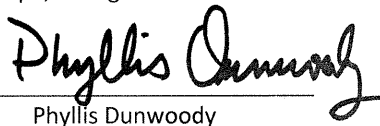
Christopher Dalbey, Deputy District Attorney  
Santa Barbara County  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
DAProp65@co.santa-barbara.ca.us

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

Yen Dang, Supervising Deputy District Attorney  
Santa Clara County  
70 W Hedding St  
San Jose, CA 95110  
EPU@da.sccgov.org

On January 10, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION, 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 at a U.S. Postal Service Office with the postage fully prepaid for delivery by First Class Mail.

Executed on January 10, 2019, in Fort Oglethorpe, Georgia.

  
Phyllis Dunwoody





**Service List**

District Attorney, Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney, Los Angeles County Hall of Justice 211 West Temple St., Ste 1200 Los Angeles, CA 90012	District Attorney, San Bernardino County 303 West Third Street San Bernardino, CA 92415	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite 800 Los Angeles, CA 90012
District Attorney, Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney, Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney, San Diego County 330 West Broadway, Suite 1300 San Diego, CA 92101	San Jose City Attorney's Office 200 East Santa Clara Street, 16th Floor San Jose, CA 95113
District Attorney, Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965	District Attorney, Marin County 3501 Civic Center Drive, Room 130 San Rafael, CA 94903	District Attorney, San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063	
District Attorney, Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932	District Attorney, Mariposa County Post Office Box 730 Mariposa, CA 95338	District Attorney, Shasta County 1355 West Street Redding, CA 96001	
District Attorney, Del Norte County 450 H Street, Room 171 Crescent City, CA 95531	District Attorney, Mendocino County Post Office Box 1000 Ukiah, CA 95482	District Attorney, Sierra County 100 Courthouse Square, 2 <sup>nd</sup> Floor Downieville, CA 95936	
District Attorney, El Dorado County 515 Main Street Placerville, CA 95667	District Attorney, Merced County 550 W. Main Street Merced, CA 95340	District Attorney, Siskiyou County Post Office Box 986 Yreka, CA 96097	
District Attorney, Fresno County 2220 Tulare Street, Suite 1000 Fresno, CA 93721	District Attorney, Modoc County 204 S Court Street, Room 202 Alturas, CA 96101-4020	District Attorney, Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533	
District Attorney, Glenn County Post Office Box 430 Willows, CA 95988	District Attorney, Mono County Post Office Box 617 Bridgeport, CA 93517	District Attorney, Stanislaus County 832 12th Street, Ste 300 Modesto, CA 95354	
District Attorney, Humboldt County 825 5th Street 4 <sup>th</sup> Floor Eureka, CA 95501	District Attorney, Nevada County 201 Commercial Street Nevada City, CA 95959	District Attorney, Sutter County 463 2 <sup>nd</sup> Street Yuba City, CA 95991	
District Attorney, Imperial County 940 West Main Street, Ste 102 El Centro, CA 92243	District Attorney, Orange County 401 West Civic Center Drive Santa Ana, CA 92701	District Attorney, Tehama County Post Office Box 519 Red Bluff, CA 96080	
District Attorney, Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney, Placer County 10810 Justice Center Drive, Ste 240 Roseville, CA 95678	District Attorney, Trinity County Post Office Box 310 Weaverville, CA 96093	
District Attorney, Kings County 1400 West Lacey Boulevard Hanford, CA 93230	District Attorney, Plumas County 520 Main Street, Room 404 Quincy, CA 95971	District Attorney, Tuolumne County 423 N. Washington Street Sonora, CA 95370	
District Attorney, Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney, San Benito County 419 Fourth Street, 2nd Floor Hollister, CA 95023	District Attorney, Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901	

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

# **EXHIBIT B**



Matthew Maclear  
[mcm@atalawgroup.com](mailto:mcm@atalawgroup.com)  
415-568-5200

Anthony Barnes  
[amb@atalawgroup.com](mailto:amb@atalawgroup.com)  
415-326-3173

February 22, 2019

**NOTICE OF VIOLATION OF  
CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 ET SEQ.  
(PROPOSITION 65)**

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

I represent Environmental Research Center, Inc. ("ERC"), 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. (619) 500-3090. ERC's Executive Director is Chris Heptinstall. 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.

ERC has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), which is codified at California Health & Safety Code §25249.5 *et seq.*, with respect to the products identified below. These violations have occurred and continue to occur because the alleged Violators identified below failed to provide required clear and reasonable warnings with these products. This letter serves as a notice of these violations to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Health and Safety Code Section 25249.7(d), ERC intends to file a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

**General Information about Proposition 65.** A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with this letter served to the alleged Violators identified below.

**Alleged Violators.** The names of the companies covered by this notice that violated Proposition 65 (hereinafter the "Violators") are:

**Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Brands, LLC, individually and dba Ancient Nutrition**  
**Get Real Nutrition, LLC, individually and dba Ancient Nutrition**



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 2

**Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition  
Get Real Holdings, LLC, individually and dba Ancient Nutrition  
Beyond Organic, LLC**

**Consumer Products and Listed Chemicals.** The products that are the subject of this notice and the chemicals in those products identified as exceeding allowable levels are:

1. **Ancient Nutrition Organic Bone Broth Protein Meal Dark Chocolate – Lead, Cadmium**
2. **Ancient Nutrition Bone Broth Protein Meal Vanilla Crème – Lead, Cadmium**
3. **Ancient Nutrition Organic Bone Broth Protein Meal Peanut Butter – Lead, Cadmium**
4. **Ancient Nutrition Organic Bone Broth Protein Meal French Vanilla – Lead, Cadmium**
5. **Ancient Nutrition Keto Feast Chocolate - Lead**
6. **Ancient Nutrition Keto Protein Vanilla - Lead**
7. **Ancient Nutrition Keto Broth Chocolate - Lead**
8. **Ancient Nutrition Keto Protein Coffee - Lead**
9. **Ancient Nutrition Multi Collagen Protein Cold Brew Collagen - 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.

Cadmium was officially listed as a chemical known to cause developmental toxicity and male reproductive toxicity on May 1, 1997, while cadmium and cadmium compounds were listed as chemicals known to the State of California to cause cancer on October 1, 1987.

It should be noted that ERC may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

**Route of Exposure.** The consumer exposures that are the subject of this notice result from the recommended use of these products. Consequently, the route of exposure to these chemicals has been and continues to be through ingestion.

**Approximate Time Period of Violations.** Ongoing violations have occurred every day since at least February 22, 2016, as well as every day since the products were introduced into the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until these known toxic chemicals are either removed from or reduced to allowable levels in the products. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemicals. The method of warning should be a warning that appears on the product label. The Violators violated Proposition 65 because they failed to provide persons ingesting these products with appropriate warnings that they are being exposed to these chemicals.



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 3

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, ERC is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violators to: (1) reformulate the identified products so as to eliminate further exposures to the identified chemicals, or provide appropriate warnings on the labels of these products; (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. Such a resolution will prevent further unwarned consumer exposures to the identified chemicals, as well as an expensive and time-consuming litigation.

ERC has retained ATA Law Group as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention, or the attention of ATA partner Anthony Barnes, using the address or contact information indicated on the letterhead.**

Sincerely,

A handwritten signature in dark ink, appearing to read "Matthew Maclear", is written over a horizontal line.

Matthew Maclear  
AQUA TERRA AERIS LAW GROUP

Attachments

Certificate of Merit

Certificate of Service

OEHHA Summary (to Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition; Beyond Organic, LLC and their Registered Agents for Service of Process only)

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



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 4

**CERTIFICATE OF MERIT**

**Re: Environmental Research Center, Inc.’s Notice of Proposition 65 Violations by Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition and Beyond Organic, LLC**

I, Matthew Maclear, declare:

1. This Certificate of Merit accompanies the attached 60-day notice in which it is alleged that the parties 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 chemicals that are 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 Violators 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: February 22, 2019

Matthew Maclear



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 5

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

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 and over the age of 18 years of age. 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 February 22, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION 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 each of the parties listed below and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current President or CEO  
Ancient Brands, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Beyond Organic, LLC  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Beyond Organic, LLC  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 6

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Beyond Organic, LLC  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Beyond Organic, LLC  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Beyond Organic, LLC  
5490 County Road 333  
Koshkonong, MO 65692

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
5490 County Road 333  
Koshkonong, MO 65692





Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 7

Kenneth A. Duke, Jr.  
(Registered Agent for Beyond Organic, LLC)  
924 Pompano Dr  
Jupiter, FL 33458

Corporate Creations Network  
(Registered Agent for Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition)  
12747 Olive Blvd, Ste 300  
St. Louis, MO 63141

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
818 W 7<sup>th</sup> St, Ste 930  
Los Angeles, CA 90017

CT Corporation System  
(Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
1200 S Pine Island Rd  
Plantation, FL 33324

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and  
dba Ancient Nutrition)  
300 Montvue Road  
Knoxville, TN 37919

Kenneth A. Duke, Jr.  
(Registered Agent for Ancient Nutrition Holdings, LLC, individually  
and dba Ancient Nutrition)  
924 Pompano Dr  
Jupiter, FL 33458

On February 22, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, 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 February 22, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Nancy O’Malley, District Attorney  
Alameda County  
7677 Oakport Street, Suite 650  
Oakland, CA 94621  
CEPDProp65@acgov.org

Stacey Grassini, Deputy District Attorney  
Contra Costa County  
900 Ward Street  
Martinez, CA 94553  
sgrassini@contracostada.org

Barbara Yook, District Attorney  
Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249  
Prop65Env@co.calaveras.ca.us

Thomas L. Hardy, District Attorney  
Inyo County  
168 North Edwards Street  
Independence, CA 93526  
inyoda@inyocounty.us



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 8

Michelle Latimer, Program Coordinator  
Lassen County  
220 S. Lassen Street  
Susanville, CA 96130  
mlatimer@co.lassen.ca.us

Dije Ndreu, Deputy District Attorney  
Monterey County  
1200 Aguajito Road  
Monterey, CA 93940  
Prop65DA@co.monterey.ca.us

Allison Haley, District Attorney  
Napa County  
1127 First Street, Suite C  
Napa, CA 94559  
CEPD@countyofnapa.org

Paul E. Zellerbach, District Attorney  
Riverside County  
3072 Orange Street  
Riverside, CA 92501  
Prop65@rivcoda.org

Anne Marie Schubert, District Attorney  
Sacramento County  
901 G Street  
Sacramento, CA 95814  
Prop65@sacda.org

Mark Ankcorn, Deputy City Attorney  
San Diego City Attorney  
1200 Third Avenue  
San Diego, CA 92101  
CityAttyProp65@sandiego.gov

Gregory Alker, Assistant District Attorney  
San Francisco County  
732 Brannan Street  
San Francisco, CA 94103  
gregory.alker@sfgov.org

Valerie Lopez, Deputy City Attorney  
San Francisco City Attorney  
1390 Market Street, 7<sup>th</sup> Floor  
San Francisco, CA 94102  
Valerie.Lopez@sfcityatty.org

Tori Verber Salazar, District Attorney  
San Joaquin County  
222 E. Weber Avenue, Room 202  
Stockton, CA 95202  
DAConsumer.Environmental@sjcda.org

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Government Center Annex, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408  
edobroth@co.slo.ca.us

Christopher Dalbey, Deputy District Attorney  
Santa Barbara County  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
DAProp65@co.santa-barbara.ca.us

Yen Dang, Supervising Deputy District Attorney  
Santa Clara County  
70 W Hedding St  
San Jose, CA 95110  
EPU@da.sccgov.org

Jeffrey S. Rosell, District Attorney  
Santa Cruz County  
701 Ocean Street  
Santa Cruz, CA 95060  
Prop65DA@santacruzcounty.us

Stephan R. Passalacqua, District Attorney  
Sonoma County  
600 Administration Dr  
Sonoma, CA 95403  
jbarnes@sonoma-county.org

Phillip J. Cline, District Attorney  
Tulare County  
221 S Mooney Blvd  
Visalia, CA 95370  
Prop65@co.tulare.ca.us

Gregory D. Totten, District Attorney  
Ventura County  
800 S Victoria Ave  
Ventura, CA 93009  
daspecialops@ventura.org



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
February 22, 2019  
Page 9

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

On February 22, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION, 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 at a U.S. Postal Service Office with the postage fully prepaid for delivery by First Class Mail.

Executed on February 22, 2019, in Fort Oglethorpe, Georgia.

A handwritten signature in black ink that reads "Phyllis Dunwoody". The signature is written in a cursive, flowing style.

---

Phyllis Dunwoody



**Service List**

District Attorney, Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney, Los Angeles County Hall of Justice 211 West Temple St., Ste 1200 Los Angeles, CA 90012	District Attorney, San Bernardino County 303 West Third Street San Bernardino, CA 92415	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite 800 Los Angeles, CA 90012
District Attorney, Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney, Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney, San Diego County 330 West Broadway, Suite 1300 San Diego, CA 92101	San Jose City Attorney's Office 200 East Santa Clara Street, 16th Floor San Jose, CA 95113
District Attorney, Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965	District Attorney, Marin County 3501 Civic Center Drive, Room 130 San Rafael, CA 94903	District Attorney, San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063	
District Attorney, Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932	District Attorney, Mariposa County Post Office Box 730 Mariposa, CA 95338	District Attorney, Shasta County 1355 West Street Redding, CA 96001	
District Attorney, Del Norte County 450 H Street, Room 171 Crescent City, CA 95531	District Attorney, Mendocino County Post Office Box 1000 Ukiah, CA 95482	District Attorney, Sierra County 100 Courthouse Square, 2 <sup>nd</sup> Floor Downieville, CA 95936	
District Attorney, El Dorado County 778 Pacific St Placerville, CA 95667	District Attorney, Merced County 550 W. Main Street Merced, CA 95340	District Attorney, Siskiyou County Post Office Box 986 Yreka, CA 96097	
District Attorney, Fresno County 2220 Tulare Street, Suite 1000 Fresno, CA 93721	District Attorney, Modoc County 204 S Court Street, Room 202 Alturas, CA 96101-4020	District Attorney, Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533	
District Attorney, Glenn County Post Office Box 430 Willows, CA 95988	District Attorney, Mono County Post Office Box 617 Bridgeport, CA 93517	District Attorney, Stanislaus County 832 12th Street, Ste 300 Modesto, CA 95354	
District Attorney, Humboldt County 825 5th Street 4 <sup>th</sup> Floor Eureka, CA 95501	District Attorney, Nevada County 201 Commercial Street Nevada City, CA 95959	District Attorney, Sutter County 463 2 <sup>nd</sup> Street Yuba City, CA 95991	
District Attorney, Imperial County 940 West Main Street, Ste 102 El Centro, CA 92243	District Attorney, Orange County 401 West Civic Center Drive Santa Ana, CA 92701	District Attorney, Tehama County Post Office Box 519 Red Bluff, CA 96080	
District Attorney, Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney, Placer County 10810 Justice Center Drive, Ste 240 Roseville, CA 95678	District Attorney, Trinity County Post Office Box 310 Weaverville, CA 96093	
District Attorney, Kings County 1400 West Lacey Boulevard Hanford, CA 93230	District Attorney, Plumas County 520 Main Street, Room 404 Quincy, CA 95971	District Attorney, Tuolumne County 423 N. Washington Street Sonora, CA 95370	
District Attorney, Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney, San Benito County 419 Fourth Street, 2nd Floor Hollister, CA 95023	District Attorney, Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901	

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

# EXHIBIT C



Matthew Maclear  
[mcm@atalawgroup.com](mailto:mcm@atalawgroup.com)  
415-568-5200

Anthony Barnes  
[amb@atalawgroup.com](mailto:amb@atalawgroup.com)  
415-326-3173

March 6, 2019

**NOTICE OF VIOLATION OF  
CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 ET SEQ.  
(PROPOSITION 65)**

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

I represent Environmental Research Center, Inc. ("ERC"), 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. (619) 500-3090. ERC's Executive Director is Chris Heptinstall. 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.

ERC has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), which is codified at California Health & Safety Code §25249.5 *et seq.*, with respect to the products identified below. These violations have occurred and continue to occur because the alleged Violators identified below failed to provide required clear and reasonable warnings with these products. This letter serves as a notice of these violations to the alleged Violators and the appropriate public enforcement agencies. Pursuant to Health and Safety Code Section 25249.7(d), ERC intends to file a private enforcement action in the public interest 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

**General Information about Proposition 65.** A copy of a summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with this letter served to the alleged Violators identified below.

**Alleged Violators.** The names of the companies covered by this notice that violated Proposition 65 (hereinafter the "Violators") are:

**Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition**  
**Ancient Nutrition, LLC, individually and dba Ancient Nutrition**  
**Ancient Brands, LLC, individually and dba Ancient Nutrition**  
**Get Real Nutrition, LLC, individually and dba Ancient Nutrition**



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 2

**Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition  
Get Real Holdings, LLC, individually and dba Ancient Nutrition  
Beyond Organic, LLC**

**Consumer Products and Listed Chemical.** The products that are the subject of this notice and the chemical in those products identified as exceeding allowable levels are:

1. **Probiome RX Gut Formula - Lead**
2. **Probiome RX Thyroid Support System - Lead**
3. **Probiome RX Liver Cleanse Synergistic Milk Thistle - Lead**
4. **Ancient Apothecary Fermented Oregano - Lead**
5. **Ancient Apothecary Fermented Holy Basil - 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.

It should be noted that ERC may continue to investigate other products that may reveal further violations and result in subsequent notices of violations.

**Route of Exposure.** The consumer exposures that are the subject of this notice result from the recommended use of these products. Consequently, the route of exposure to this chemical has been and continues to be through ingestion.

**Approximate Time Period of Violations.** Ongoing violations have occurred every day since at least March 6, 2016, as well as every day since the products were introduced into the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is either removed from or reduced to allowable levels in the products. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to the identified chemical. The method of warning should be a warning that appears on the product label. The Violators violated Proposition 65 because they failed to provide persons ingesting these products with appropriate warnings that they are being exposed to this chemical.

Consistent with the public interest goals of Proposition 65 and a desire to have these ongoing violations of California law quickly rectified, ERC is interested in seeking a constructive resolution of this matter that includes an enforceable written agreement by the Violators to: (1) reformulate the identified products so as to eliminate further exposures to the identified chemical, or provide appropriate warnings on the labels of these products; (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. Such a resolution will prevent further unwarned consumer exposures to the identified chemical, as well as an expensive and time-consuming litigation.



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 3

ERC has retained ATA Law Group as legal counsel in connection with this matter. **Please direct all communications regarding this Notice of Violation to my attention, or the attention of ATA partner Anthony Barnes, using the address or contact information indicated on the letterhead.**

Sincerely,

A handwritten signature in black ink that reads "Matthew Maclear". The signature is written in a cursive style with a large, looped initial "M".

---

Matthew Maclear  
**AQUA TERRA AERIS LAW GROUP**

Attachments

Certificate of Merit

Certificate of Service

OEHHA Summary (to Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition; Beyond Organic, LLC and their Registered Agents for Service of Process only)

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





Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 4

**CERTIFICATE OF MERIT**

**Re: Environmental Research Center, Inc.’s Notice of Proposition 65 Violations by Ancient Brands, LLC, formerly known as Get Real Nutrition, LLC and formerly known as Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, formerly known as Get Real Holdings, LLC, individually and dba Ancient Nutrition; Ancient Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Brands, LLC, individually and dba Ancient Nutrition; Get Real Nutrition, LLC, individually and dba Ancient Nutrition; Ancient Nutrition Holdings, LLC, individually and dba Ancient Nutrition; Get Real Holdings, LLC, individually and dba Ancient Nutrition and Beyond Organic, LLC**

I, Matthew Maclear, declare:

1. This Certificate of Merit accompanies the attached 60-day notice in which it is alleged that the parties 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 Violators 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: March 6, 2019

Matthew Maclear



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 5

**CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903**

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 and over the age of 18 years of age. 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 March 6, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION 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 each of the parties listed below and depositing it at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current President or CEO  
Ancient Brands, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Beyond Organic, LLC  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Beyond Organic, LLC  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
2000 Mallory Lane, Ste 130-307  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374



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

March 6, 2019

Page 6

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
1651 California St, Suite A  
Redlands, CA 92374

Current President or CEO  
Beyond Organic, LLC  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
700 Indian Springs Drive  
Lancaster, PA 17601

Current President or CEO  
Beyond Organic, LLC  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Brands, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition, LLC, individually and dba Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Get Real Holdings, LLC, individually and dba  
Ancient Nutrition  
415 Duke Dr, Ste 380  
Franklin, TN 37067

Current President or CEO  
Beyond Organic, LLC  
5490 County Road 333  
Koshkonong, MO 65692

Current President or CEO  
Ancient Nutrition Holdings, LLC, individually and dba  
Ancient Nutrition  
5490 County Road 333  
Koshkonong, MO 65692



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 7

Kenneth A. Duke, Jr.  
(Registered Agent for Beyond Organic, LLC)  
924 Pompano Dr  
Jupiter, FL 33458

Corporate Creations Network  
(Registered Agent for Get Real Nutrition, LLC, individually and dba  
Ancient Nutrition)  
12747 Olive Blvd, Ste 300  
St. Louis, MO 63141

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
818 W 7<sup>th</sup> St, Ste 930  
Los Angeles, CA 90017

CT Corporation System  
(Registered Agent for Ancient Brands, LLC, individually and dba  
Ancient Nutrition)  
1200 S Pine Island Rd  
Plantation, FL 33324

CT Corporation System  
Registered Agent for Ancient Brands, LLC, individually and  
dba Ancient Nutrition)  
300 Montvue Road  
Knoxville, TN 37919

Kenneth A. Duke, Jr.  
(Registered Agent for Ancient Nutrition Holdings, LLC, individually  
and dba Ancient Nutrition)  
924 Pompano Dr  
Jupiter, FL 33458

On March 6, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, 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 March 6, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to each of the parties listed below:

Nancy O’Malley, District Attorney  
Alameda County  
7677 Oakport Street, Suite 650  
Oakland, CA 94621  
CEPDProp65@acgov.org

Stacey Grassini, Deputy District Attorney  
Contra Costa County  
900 Ward Street  
Martinez, CA 94553  
sgrassini@contracostada.org

Barbara Yook, District Attorney  
Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249  
Prop65Env@co.calaveras.ca.us

Thomas L. Hardy, District Attorney  
Inyo County  
168 North Edwards Street  
Independence, CA 93526  
inyoda@inyocounty.us



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 8

Michelle Latimer, Program Coordinator  
Lassen County  
220 S. Lassen Street  
Susanville, CA 96130  
mlatimer@co.lassen.ca.us

Dije Ndreu, Deputy District Attorney  
Monterey County  
1200 Aguajito Road  
Monterey, CA 93940  
Prop65DA@co.monterey.ca.us

Allison Haley, District Attorney  
Napa County  
1127 First Street, Suite C  
Napa, CA 94559  
CEPD@countyofnapa.org

Paul E. Zellerbach, District Attorney  
Riverside County  
3072 Orange Street  
Riverside, CA 92501  
Prop65@rivcoda.org

Anne Marie Schubert, District Attorney  
Sacramento County  
901 G Street  
Sacramento, CA 95814  
Prop65@sacda.org

Mark Ankcorn, Deputy City Attorney  
San Diego City Attorney  
1200 Third Avenue  
San Diego, CA 92101  
CityAttyProp65@sandiego.gov

Gregory Alker, Assistant District Attorney  
San Francisco County  
732 Brannan Street  
San Francisco, CA 94103  
gregory.alker@sfgov.org

Valerie Lopez, Deputy City Attorney  
San Francisco City Attorney  
1390 Market Street, 7<sup>th</sup> Floor  
San Francisco, CA 94102  
Valerie.Lopez@sfcityatty.org

Tori Verber Salazar, District Attorney  
San Joaquin County  
222 E. Weber Avenue, Room 202  
Stockton, CA 95202  
DAConsumer.Environmental@sjcda.org

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Government Center Annex, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408  
edobroth@co.slo.ca.us

Christopher Dalbey, Deputy District Attorney  
Santa Barbara County  
1112 Santa Barbara Street  
Santa Barbara, CA 93101  
DAProp65@co.santa-barbara.ca.us

Yen Dang, Supervising Deputy District Attorney  
Santa Clara County  
70 W Hedding St  
San Jose, CA 95110  
EPU@da.sccgov.org

Jeffrey S. Rosell, District Attorney  
Santa Cruz County  
701 Ocean Street  
Santa Cruz, CA 95060  
Prop65DA@santacruzcounty.us

Stephan R. Passalacqua, District Attorney  
Sonoma County  
600 Administration Dr  
Sonoma, CA 95403  
jbarnes@sonoma-county.org

Phillip J. Cline, District Attorney  
Tulare County  
221 S Mooney Blvd  
Visalia, CA 95370  
Prop65@co.tulare.ca.us

Gregory D. Totten, District Attorney  
Ventura County  
800 S Victoria Ave  
Ventura, CA 93009  
daspecialops@ventura.org



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 9

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

On March 6, 2019, between 8:00 a.m. and 5:00 p.m. Eastern Time, I served the following documents: **NOTICE OF VIOLATION, 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 at a U.S. Postal Service Office with the postage fully prepaid for delivery by First Class Mail.

Executed on March 6, 2019, in Fort Oglethorpe, Georgia.

A handwritten signature in black ink that reads "Phyllis Dunwoody". The signature is written in a cursive, flowing style.

Phyllis Dunwoody



Notice of Violation of California Health & Safety Code §25249.5 *et seq.*  
March 6, 2019  
Page 10

### Service List

District Attorney, Alpine County P.O. Box 248 Markleeville, CA 96120	District Attorney, Los Angeles County Hall of Justice 211 West Temple St., Ste 1200 Los Angeles, CA 90012	District Attorney, San Bernardino County 303 West Third Street San Bernardino, CA 92415	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Suite 800 Los Angeles, CA 90012
District Attorney, Amador County 708 Court Street, Suite 202 Jackson, CA 95642	District Attorney, Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney, San Diego County 330 West Broadway, Suite 1300 San Diego, CA 92101	San Jose City Attorney's Office 200 East Santa Clara Street, 16th Floor San Jose, CA 95113
District Attorney, Butte County 25 County Center Drive, Suite 245 Oroville, CA 95965	District Attorney, Marin County 3501 Civic Center Drive, Room 130 San Rafael, CA 94903	District Attorney, San Mateo County 400 County Ctr., 3rd Floor Redwood City, CA 94063	
District Attorney, Colusa County 346 Fifth Street Suite 101 Colusa, CA 95932	District Attorney, Mariposa County Post Office Box 730 Mariposa, CA 95338	District Attorney, Shasta County 1355 West Street Redding, CA 96001	
District Attorney, Del Norte County 450 H Street, Room 171 Crescent City, CA 95531	District Attorney, Mendocino County Post Office Box 1000 Ukiah, CA 95482	District Attorney, Sierra County 100 Courthouse Square, 2 <sup>nd</sup> Floor Downieville, CA 95936	
District Attorney, El Dorado County 778 Pacific St Placerville, CA 95667	District Attorney, Merced County 550 W. Main Street Merced, CA 95340	District Attorney, Siskiyou County Post Office Box 986 Yreka, CA 96097	
District Attorney, Fresno County 2220 Tulare Street, Suite 1000 Fresno, CA 93721	District Attorney, Modoc County 204 S Court Street, Room 202 Alturas, CA 96101-4020	District Attorney, Solano County 675 Texas Street, Ste 4500 Fairfield, CA 94533	
District Attorney, Glenn County Post Office Box 430 Willows, CA 95988	District Attorney, Mono County Post Office Box 617 Bridgeport, CA 93517	District Attorney, Stanislaus County 832 12th Street, Ste 300 Modesto, CA 95354	
District Attorney, Humboldt County 825 5th Street 4 <sup>th</sup> Floor Eureka, CA 95501	District Attorney, Nevada County 201 Commercial Street Nevada City, CA 95959	District Attorney, Sutter County 463 2 <sup>nd</sup> Street Yuba City, CA 95991	
District Attorney, Imperial County 940 West Main Street, Ste 102 El Centro, CA 92243	District Attorney, Orange County 401 West Civic Center Drive Santa Ana, CA 92701	District Attorney, Tehama County Post Office Box 519 Red Bluff, CA 96080	
District Attorney, Kern County 1215 Truxtun Avenue Bakersfield, CA 93301	District Attorney, Placer County 10810 Justice Center Drive, Ste 240 Roseville, CA 95678	District Attorney, Trinity County Post Office Box 310 Weaverville, CA 96093	
District Attorney, Kings County 1400 West Lacey Boulevard Hanford, CA 93230	District Attorney, Plumas County 520 Main Street, Room 404 Quincy, CA 95971	District Attorney, Tuolumne County 423 N. Washington Street Sonora, CA 95370	
District Attorney, Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney, San Benito County 419 Fourth Street, 2nd Floor Hollister, CA 95023	District Attorney, Yuba County 215 Fifth Street, Suite 152 Marysville, CA 95901	