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13 Counsel for Plaintiff  
14 ECOLOGICAL RIGHTS FOUNDATION

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 COUNTY OF SAN FRANCISCO

17 ECOLOGICAL RIGHTS FOUNDATION,  
18 Plaintiff,  
19 v.  
20 MONOPRICE INC., AFINIA 3D, AMAZON.COM  
21 INC., FLASHFORGE USA, INC., KINPO  
22 GROUP, MICROBOARDS TECHNOLOGY LLC,  
23 ROBO 3D INC., TEVO 3D ELECTRONIC  
24 TECHNOLOGY CO. LTD., WALMART INC.,  
25 Defendants.

ENDORSED FILED  
SUPERIOR COURT  
COUNTY OF SAN FRANCISCO

OCT 15 2019

CLERK OF THE COURT  
By: ERNALYN BURA  
Deputy Clerk

Case No. **CGC - 19-579995**

COMPLAINT FOR INJUNCTIVE  
RELIEF AND CIVIL PENALTIES

Health & Safety Code, § 25249.5 et seq.  
(Other) **ONE LEGAL LLC**

26 Plaintiff, Ecological Rights Foundation, in the public interest, based on information  
27 and belief, and knowledge and investigation of counsel allege as follows:

INTRODUCTION

28 1. This Complaint seeks civil penalties and an injunction against MONOPRICE INC.,  
AFINIA 3D, AMAZON.COM INC., FLASHFORGE USA, INC., KINPO GROUP,  
MICROBOARDS TECHNOLOGY LLC, ROBO 3D INC., TEVO 3D ELECTRONIC  
TECHNOLOGY CO. LTD., and WALMART INC., (collectively "Defendants") to remedy  
continuing failure to warn individuals in California about exposures to styrene, a chemical known  
to the State of California to cause cancer. Such exposures have occurred and continue to occur.

1 through the use of 3D printers that Defendants manufacture, distribute, market and/or sell in the  
2 State (“Products”). These Products are intended to be used with filaments incorporating a styrene  
3 monomer.

4 2. When people use 3D printers with filaments incorporating a styrene monomer, the 3D  
5 printers heat these filaments and thus release styrene into the air. People using the 3D printers with  
6 filaments incorporating a styrene monomer, and others standing in the same room, inhale styrene in  
7 the normal course of use.

8 3. Under California’s Proposition 65, California Health & Safety Code § 25249.5, *et seq.*, it is  
9 unlawful for businesses to knowingly and intentionally expose individuals in California to  
10 chemicals known to the State to cause cancer, birth defects, or other reproductive harm without  
11 providing clear and reasonable warnings to individuals prior to their exposure. Defendants  
12 introduce filaments incorporating a styrene monomer into the California marketplace, exposing  
13 users of the Products to styrene. Despite the fact that Defendants expose consumers and individuals  
14 to styrene, Defendants provide no warnings about the carcinogenic risks associated with such  
15 exposures. Defendants’ conduct thus violates the warning provision of Proposition 65. Health &  
16 Safety Code § 25249.6.

17 4. Plaintiff seeks injunctive relief pursuant to Health & Safety Code Section 25249.7 to  
18 compel Defendants to bring their business practices into compliance with Proposition 65 by  
19 providing a clear and reasonable warning to each individual who has been and who in the future  
20 may be exposed to styrene in the ways set forth above. Plaintiff seeks an order that Defendants  
21 identify and locate each individual person to whom the Defendants conveyed Products during the  
22 past three years and to provide to each such individual, as well as new purchasers and Product  
23 users, a clear and reasonable warning that use of the Products causes exposures to a chemical  
24 known to cause cancer.

25 5. In addition to injunctive relief, Plaintiff seeks civil penalties to remedy Defendants’ failure  
26 to provide clear and reasonable warnings regarding exposure to a chemical known to cause cancer.

27 **PARTIES**

28 6. Plaintiff, Ecological Rights Foundation (“EcoRights”) is a non-profit public benefit

1 organization dedicated to, among other causes, protecting California residents from toxic  
2 exposures, environmental and human health education, and consumer rights. Ecological Rights  
3 Foundation is incorporated under the laws of the State of California and is a "person" pursuant to  
4 Health & Safety Code §25249.11(a). EcoRights brings this enforcement action in the public  
5 interest pursuant to Health & Safety Code §25249.7(d).

6 7. MONOPRICE INC. is a person in the course of doing business within the meaning of  
7 Health & Safety Code §25249.11(b). MONOPRICE INC. manufactures, markets, distributes,  
8 and/or sells the Products for sale and use in the State of California.

9 8. AFINIA 3D is a person in the course of doing business within the meaning of Health &  
10 Safety Code §25249.11(b). AFINIA 3D manufactures, markets, distributes, and/or sells the  
11 Products for sale and use in the State of California.

12 9. AMAZON.COM INC. is a person in the course of doing business within the meaning of  
13 Health & Safety Code §25249.11(b). AMAZON.COM INC. manufactures, markets, distributes,  
14 and/or sells the Products for sale and use in the State of California.

15 10. FLASHFORGE USA, INC. is a person in the course of doing business within the meaning  
16 of Health & Safety Code §25249.11(b). FLASHFORGE USA, INC. manufactures, markets,  
17 distributes, and/or sells the Products for sale and use in the State of California.

18 11. KINPO GROUP is a person in the course of doing business within the meaning of Health &  
19 Safety Code §25249.11(b). KINPO GROUP manufactures, markets, distributes, and/or sells the  
20 Products for sale and use in the State of California.

21 12. MICROBOARDS TECHNOLOGY LLC is a person in the course of doing business within  
22 the meaning of Health & Safety Code §25249.11(b). MICROBOARDS TECHNOLOGY LLC  
23 manufactures, markets, distributes, and/or sells the Products for sale and use in the State of  
24 California.

25 13. ROBO 3D INC. is a person in the course of doing business within the meaning of Health &  
26 Safety Code §25249.11(b). ROBO 3D INC. manufactures, markets, distributes, and/or sells the  
27 Products for sale and use in the State of California.

28 14. TEVO 3D ELECTRONIC TECHNOLOGY CO. LTD. is a person in the course of doing

1 business within the meaning of Health & Safety Code §25249.11(b). TEVO 3D ELECTRONIC  
2 TECHNOLOGY CO. LTD. manufactures, markets, distributes, and/or sells the Products for sale  
3 and use in the State of California.

4 15. WALMART INC. is a person in the course of doing business within the meaning of Health  
5 & Safety Code §25249.11(b). WALMART INC. manufactures, markets, distributes, and/or sells  
6 the Products for sale and use in the State of California.

### 7 **JURISDICTION**

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

13 17. This Court also has jurisdiction over Defendants because each Defendant business has  
14 sufficient minimum contacts in California and within the County of San Francisco. Defendants  
15 intentionally availed themselves of the California and San Francisco County markets. It is thus  
16 consistent with traditional notions of fair play and substantial justice for the San Francisco County  
17 Superior Court to exercise jurisdiction over Defendants.

18 18. Venue is proper in San Francisco County Superior Court because one or more of the  
19 violations arise in the County of San Francisco.

### 20 **BACKGROUND**

21 19. The People of the State of California have declared by initiative under Proposition 65 their  
22 right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or other  
23 reproductive harm.” Proposition 65, § 1(b). To effectuate this goal, Proposition 65 prohibits  
24 exposing people to chemicals listed by the State of California as known to cause cancer, birth  
25 defects, or other reproductive harm without a “clear and reasonable warning” unless the business  
26 responsible for the exposure can prove that it fits within a statutory exemption. Health & Safety  
27 Code Section 25249.6 states, in pertinent part:

28 No person in the course of doing business shall knowingly and intentionally

1 expose any individual to a chemical known to the state to cause cancer or  
2 reproductive toxicity without first giving clear and reasonable warning to such  
3 individual ... .

4 20. On April 22, 2016, the State of California officially listed styrene as a chemical known to  
5 cause cancer. On April 22, 2017, styrene exposures became subject to the clear and reasonable  
6 warning requirements under Proposition 65. 27 C.C.R. § 27001(b); Health & Safety Code Section  
7 25249.10(b).

8 21. Plaintiff brings this enforcement action against Defendants pursuant to Health & Safety  
9 Code Section 25249.7(d). Attached hereto and incorporated by reference are copies of the Notice  
10 of Violation dated April 24, 2019, the date on which EcoRights sent to California's Attorney  
11 General, every county District Attorney in California, and to the City Attorneys of every California  
12 City with a population greater than 750,000. On the same day, Plaintiff sent a substantively  
13 identical letter to Defendants. In compliance with Health & Safety Code § 25249.7(d) and 27  
14 C.C.R. § 25903(b), each of the Notices included the following information: (1) the name and  
15 address of each violator; (2) the statute violated; (3) the time period during which violations  
16 occurred; (4) specific descriptions of the violations, including (a) the routes of exposure to styrene  
17 from the Products, and (b) specific examples of Products sold and used in violation of Proposition  
18 65; and (5) the name of the specific Proposition 65-listed chemical that is the subject of the  
19 violations described in each Notice.

20 22. Accompanying each of the Notices of Violation sent to the Defendants was a summary of  
21 Proposition 65 that was prepared by California's Office of Environmental Health Hazard  
22 Assessment. In addition, the Notices of Violation were accompanied by a Certificate of Service  
23 attesting to the service of the Notice of Violation on each entity which received it. Pursuant to  
24 Health & Safety Code Section 25249.7(d) and 11 C.C.R. § 3101, Plaintiff also sent a Certificate of  
25 Merit with the Notices of Violation attesting to the reasonable and meritorious basis for the action.  
26 Plaintiff enclosed factual information sufficient to establish the basis of the Certificate of Merit  
27 with the Notice of Violation letters sent to the Attorney General.

28 23. None of the public prosecutors with the authority to prosecute violations of Proposition 65  
has commenced and/or is diligently prosecuting a cause of action against Defendants under Health

1 & Safety Code Section 25249.5 *et seq.*, based on the claims asserted in EcoRights' Notices.

2 24. Defendants know and intend that individuals will use the Products in the operation of 3D  
3 printers and 3D printers, thus exposing them to styrene. Under Proposition 65, an exposure is  
4 "knowing" where the party responsible for such exposure has "knowledge of the fact that a[n] . . .  
5 exposure to a chemical listed pursuant to [Health & Safety Code § 25249.8(a)] is occurring. No  
6 knowledge that . . . exposure is unlawful is required." 27 C.C.R. § 25102(n). This knowledge may  
7 be either actual or constructive. *See, e.g.*, Final Statement of Reasons Revised (November 4, 1988)  
8 (pursuant to former 22 C.C.R. Division 2, § 12201). Defendants have been informed of the styrene  
9 exposures caused by the use of Products by the 60-Day Notice of Violation, and the accompanying  
10 Certificate of Merit served on them by EcoRights. Defendants also have constructive knowledge of  
11 the styrene exposures caused by Products. As a company that manufactures, markets, distributes  
12 and/or sells the Products for use in the State of California, Defendants know or should know that  
13 styrene exposures to users of the Products are a natural and foreseeable consequence of  
14 Defendants' placing the Products into the stream of commerce.

15 25. Any person "violating or threatening to violate" Proposition 65 may be enjoined in any  
16 court of competent jurisdiction. Health & Safety Code § 25249.7. "Threaten to violate" is defined  
17 to mean "to create a condition in which there is a substantial probability that a violation will  
18 occur." Health & Safety Code § 25249.11(e). Proposition 65 provides for civil penalties not to  
19 exceed \$2,500 per day for each violation of the statute.

20 26. EcoRights has engaged in good faith efforts to resolve the claims alleged herein prior to  
21 filing this complaint.

## 22 **FIRST CAUSE OF ACTION**

### 23 **(Violations of Health & Safety Code §25249.6)**

24 27. EcoRights realleges and incorporates the facts and allegations contained in the above  
25 paragraphs as though specifically set forth herein.

26 28. That each Defendant is a person in the course of doing business within the meaning of  
27 Health & Safety Code § 25249.11(b) who, by manufacturing, marketing, distribution, sale or  
28 otherwise placing the Products into the stream of commerce, violated, violates or threatens to

1 violate Proposition 65.

2 29. Styrene is a chemical listed by the State of California as known to cause cancer.

3 30. Defendants know that the average use of the Products will expose users of the Products to  
4 styrene. Defendants intend that the Products be used in a manner that results in exposures to  
5 styrene.

6 31. Defendants have failed and continue to fail, to provide clear and reasonable warnings  
7 regarding the carcinogenicity of styrene to users of the Products.

8 32. Since at least three years prior to the Notice of Violation Letters, Defendants have violated  
9 Proposition 65 by knowingly and intentionally exposing individuals to styrene without first giving  
10 clear and reasonable warnings to such individuals regarding the carcinogenicity of styrene.

11 **PRAYER FOR RELIEF**

12 Wherefore, Plaintiff prays for judgment against Defendants as follows:

- 13 1. Pursuant to the First Cause of Action, that Defendants be enjoined, restrained, and  
14 ordered to comply with the provisions of Section 25249.6 of the California Health  
15 & Safety Code;
- 16 2. That Defendants be ordered to make best efforts to identify and locate each  
17 individual in California to whom it, or its customers or agents, distributed or sold  
18 Products during the past three years, and to provide a warning to each such person  
19 that use of the Product will expose that person to a chemical known to cause  
20 cancer;
- 21 3. That Defendants be assessed a civil penalty in an amount equal to \$2,500.00 per day  
22 per individual exposed to styrene in violation of Section 25249.6 of the California  
23 Health & Safety Code, as the result of Defendants' marketing, distributing, and/or  
24 selling the Products for use in California.
- 25 4. That, pursuant to Civil Procedure Code § 1021.5, Defendants be ordered to pay to  
26 Plaintiff the attorneys' fees and costs it incurred in bringing this enforcement action;  
27 and
- 28 5. For such other relief as this court deems just and proper.

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Dated: October 3, 2019

LAW OFFICES OF BRIAN GAFFNEY APC



Brian Gaffney  
Attorney for Plaintiff  
ECOLOGICAL RIGHTS FOUNDATION



**LAW OFFICES OF BRIAN GAFFNEY, A Professional Corporation**  
**446 Old County Road, Suite 100-310**  
**Pacifica, California 94044**  
**(650) 219 3187 Phone**  
**[brian@gaffneylegal.com](mailto:brian@gaffneylegal.com)**

April 24, 2019

Notice of Violations  
Safe Drinking Water and Toxic Enforcement Act

By Certified Mail, Return Receipt Requested to Violators in U.S.A.  
By Registered Mail to Violators Located Outside U.S.A.  
By First Class U.S. Mail to Public Enforcement Agencies

Dear Public Enforcement Agencies / Violators:

This office and Ecological Rights Foundation (“ERF”) gives you notice that, since at least April 24, 2016 the businesses listed on Attachment A have been, and continue to be, in violation of California Health & Safety Code §25249.6. ERF is a California non-profit corporation dedicated to protecting human and environmental health, including raising awareness of, and reducing exposures to, toxic chemicals.

ERF intends to bring an enforcement action 60 days after effective service of this notice unless the public enforcement agencies have commenced and are diligently prosecuting an action to rectify the violations discussed in this notice letter. The public enforcement agencies that have been served with copies of this notice of violations are identified on the attached Certificate of Service.

The above referenced violations occur when California residents use 3D printers utilizing filaments incorporating a styrene monomer, including acrylonitrile-butadiene-styrene (ABS) filaments, polycarbonate ABS (PC-ABS) filaments, and high impact polystyrene (HIPS) filaments. Use of 3D printers and the above identified filaments expose people to styrene, a chemical known to the State of California to cause cancer. 3D printers sold by the businesses listed on Attachment A expose consumers and workers to styrene via inhalation.

Examples of particular products manufactured, sold, distributed and/or marketed by the violators are attached as Attachment B. All of the 3D printers at issue in this notice can be used with filaments incorporating a styrene monomer, including acrylonitrile-butadiene-styrene (ABS) filaments, polycarbonate ABS (PC-ABS) filaments, and high impact polystyrene (HIPS)

and thus release styrene into the air. People using the 3D printers utilizing filaments incorporating a styrene monomer, and others in the same room where such 3D printers are being used, inhale styrene in the normal course of use.

In addition, exposures in the environmental context occur in the homes, businesses, schools and public locations where the people use 3D printers utilizing filaments incorporating a styrene monomer. Exposures to styrene occur within the consumer and environmental contexts.

The businesses listed on Attachment A did not and do not provide clear and reasonable warnings to people who use 3D printers utilizing filaments incorporating a styrene monomer, that use of these products will expose them to chemicals known to cause cancer. The above violations have occurred every day since at least April 24, 2016 and will continue every day until clear and reasonable warnings are given.

Attachment B is a non-exclusive list of examples of these types of products. Though specific models or product numbers are given as examples, this Notice also pertains to all models and all variations of 3D printers utilizing filaments incorporating a styrene monomer sold in California. Attachment B is for the recipient's benefit and is not meant to be an exhaustive or comprehensive identification of each specific offending product. It is ERF's position that the alleged Violators are obligated to conduct a good faith investigation into other specific products within the identified category or type that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the notice recipient's custody or control) during the past three years, to ensure that clear and reasonable warnings are provided to California citizens prior to purchase, or retroactively if necessary.

These violations and threatened violations will continue to occur everyday until these businesses either provide clear and reasonable warnings, reformulate their 3d printers so as not to use filaments incorporating a styrene monomer, or stop selling these 3d printers in California. These violations occur in all of California's 58 counties, both on and off of these businesses' properties.

In keeping with its public interest mission and to expeditiously rectify these ongoing violations of California law, ERF is interested in seeking a constructive resolution of this matter without engaging in costly and protracted litigation.

The following individual is the responsible individual within ERF for purposes of this Notice:

Fredric Evenson  
Ecological Rights Foundation  
P.O. Box 1000  
Santa Cruz, California 95061  
Telephone: (831) 454-8216  
Email: [evenson@ecologylaw.com](mailto:evenson@ecologylaw.com)

ERF has retained the following counsel to represent it in this matter. **Please direct communications to counsel.**

Brian Gaffney  
LAW OFFICES OF BRIAN GAFFNEY APC  
446 Old County Road, Suite 100-310  
Pacifica, California 94044  
(650) 219 3187  
[brian@gaffneylegal.com](mailto:brian@gaffneylegal.com)

Resolution of Noticed Claims:

ERF is interested in seeking a constructive resolution of this matter that advances the public interest without engaging in costly and protracted litigation. ERF is willing to settle this matter to the extent legally possible prior to the commencement of any enforcement action. Settlement terms would require that the unwarned exposures described in this Notice of Violation be stopped. That would require at least the following: 1) a potential recall of products already sold; 2) that either warnings be given to all future purchasers in California of the products subject to this Notice, that the products be reformulated to eliminate the exposures described in the Notice, or that you stop marketing, distributing or selling the products in California; 3) that you locate and provide a warning compliant with 27 Cal. Code Regs Section 25601 to each person who has been subject to the unwarned exposures described in the Notice to the extent those exposures are caused by products that were sold in California during the past three years; and 4) that you pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249(b). It should be noted that ERF cannot finalize any settlement of this matter until 70 days have elapsed since the sending of the Notice and unless no public enforcer has begun an enforcement action concerning the violations described in the Notice. Any settlement on behalf of the public interest must be approved by the California Superior Court on noticed motion with 45 days' notice to the California Attorney General. The Attorney General may appear at any approval hearing and oppose a settlement if he or she believes the proposed settlement is not in the public interest. If you wish to discuss settlement of this matter before ERF files suit, please promptly contact ERF's counsel.

Sincerely,

  
Brian Gaffney

Enclosure to Violators "The Safe Drinking Water and Toxic Enforcement Act of 1986: A Summary." A Certificate of Merit is also attached.

**Certificate of Merit - Health & Safety Code Section 25249.7(d)**

I, Brian Gaffney, hereby declare:

(1) This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

(2) I am the attorney for the noticing party.

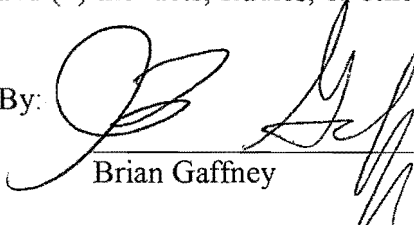
(3) I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of the action.

(4) Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.

(5) The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Date: April 24, 2019

By:

  
\_\_\_\_\_  
Brian Gaffney

## **Attachment A – Violators – 3D Printers**

Amazon.com Inc.

Robo 3D Inc.

Monoprice Inc.

Staples, Inc.

Print-Rite, N.A. Inc.

Afinia 3D

Microboards Technology LLC

Flashforge USA, Inc.

Walmart Inc.

TEVO 3D Electronic Technology Co. Ltd.,

XYZPRINTING, INC.

Kinpo Group

**ATTACHMENT B 3D PRINTERS**

<u>Violator</u>	<u>Product</u>
Amazon.com Inc.	Robo R1+ 3D PERSONAL 3D PRINTER UPC: 855076 005400 A1218BAT15000668
Robo 3D Inc.	Robo R1+ 3D PERSONAL 3D PRINTER UPC: 855076 005400 A1218BAT15000668
Monoprice Inc.	Monoprice MP Mini Delta 3D Printer UPC: 889028 049884
Staples, Inc.	Colido DIY3D Printer / LMD024XQ7J1 UPC: 6955530 944086
Print-Rite, N.A. Inc.	Colido DIY3D Printer / LMD024XQ7J1 UPC: 6955530 944086
Afinia 3D	AFINIA H400 3D Printer MODEL 3DP-12-4M UPC: 678621 110097
Microboards Technology LLC	AFINIA H400 3D Printer MODEL 3DP-12-4M UPC: 678621 110097
Flashforge USA, Inc.	FlashForge Creator Pro 3D Printer SKU: 4H8931 UPC: 0737557590219
Walmart Inc.	FlashForge Creator Pro 3D Printer SKU: 4H8931 UPC: 0737557590219

**ATTACHMENT B 3D PRINTERS**

<b>Violator</b>	<b>Product</b>
Walmart Inc.	TEVO TARANTULA i3 TR-01A SKU: 735845 TH6474
TEVO 3D Electronic Technology Co. Ltd.,	TEVO TARANTULA i3 TR-01A SKU: 735845 TH6474

Amazon.com Inc.	XYZ PRINTING DAVINCI 1.0 PRO UPC: 840710 108180
XYZPRINTING, INC.	XYZ PRINTING DAVINCI 1.0 PRO UPC: 840710 108180
Kinpo Group	XYZ PRINTING DAVINCI 1.0 PRO UPC: 840710 108180

## CERTIFICATE OF SERVICE

I, Brian Gaffney, declare:

If so called, I could and would testify as follows: I am over eighteen. My business address is 446 Old County Road, Suite 100-310, Pacifica, CA 94044.

On April 24, 2019, I caused the attached

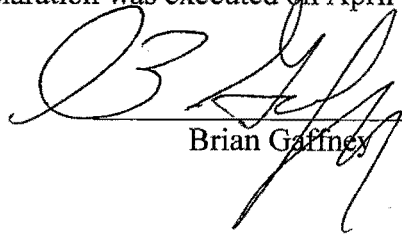
(1) Notice of Violations: California Safe Drinking Water and Toxic Enforcement Act, (2) Certificate of Merit: Health and Safety Code Section 25249.7(d), (3) Appendix A: The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary, (4) Certificate of Service to be served by CERTIFIED MAIL to each private business entity listed on the attached SERVICE LIST-Noticed Parties, except for each private business located outside of the U.S.A. which are served by REGISTERED MAIL. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected.

In addition, on the same date and I caused the attached

(1) Notice of Violations: California Safe Drinking Water and Toxic Enforcement Act, (2) Certificate of Merit: Health and Safety Code Section 25249.7(d), (3) Certificate of Merit (Attorney General Copy): Factual information sufficient to establish the basis of the Certificate of Merit (only sent to the Attorney General), (4) Certificate of Service by FIRST CLASS U.S. MAIL on those public enforcement agencies listed on the attached SERVICE LIST-Public Enforcers. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected, and

by sending portable document format (PDF) files of the same to the electronic mail addresses to each of the public prosecutors identified by the California Attorney General as having authorized electronic service of notices. These public enforcement agencies appear on the attached Service List with their electronic mail addresses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on April 24, 2019, at Pacifica, California.

  
\_\_\_\_\_  
Brian Gaffney



**SERVICE LIST-Noticed Parties  
3D PRINTERS**

Jeffrey P. Bezos or  
Current President or CEO,  
Amazon.Com Inc.  
410 Terry Avenue  
North Seattle WA 98109-5210

Robo 3D Inc.,  
ATTN: President/CEO  
5070 SANTA FE Street, STE C  
SAN DIEGO CA 92109

Staples, Inc.  
c/o CT Corporation System  
818 West Seventh Street, Suite 930 Los  
Angeles, CA 90017

Print-Rite, N.A., Inc.  
ATTN: President/CEO  
201 SPEAR STREET, STE 1100 #3204  
SAN FRANCISCO CA 94105

Flashforge USA Inc.  
c/o PAUL CHENG  
17747 RAILROAD STREET  
CITY OF INDUSTRY CA 91748

XYZPrinting, Inc.  
c/o TIM T CHANG  
One Wilshire Blvd., Suite 2000,  
LA CA 90017

Kinpo Group  
10th Floor., 99 NanKing East Road  
Sec 5, Taipei, 105 Taiwan

Amazon.Com Inc.  
c/o CSC - LAWYERS INCORPORATING  
SERVICE  
2710 Gateway Oaks Dr., Ste. 150N  
Sacramento CA 95833

Monoprice, Inc.  
c/o BERNARD LUTHI  
ONE POINTE DR. ,SUITE#400  
BREA, CA 92821

Staples, Inc.,  
ATTN: President/CEO  
500 Staples Drive  
Framingham, MA, 01702

Afinia 3D  
ATTN: President/CEO  
8150 Mallory Ct  
Chanhassen, MN 55317

Walmart, Inc.,  
c/o CT Corporation System  
818 West Seventh Street, Suite 930 Los  
Angeles, CA 90017

XYZ Printing  
ATTN: President/CEO  
20191 Windrow Drive, Suite B  
Lake Forest CA 92630

XYZPrinting, Inc.,  
147, Beishen Rd., Sec. 3,  
New Taipei City,  
22201 Taiwan

Robo 3d Inc.  
c/o TAILORED LEGAL, A PROFESSION  
CORPORATION,  
3555 4th Avenue  
San Diego, CA 92103

Monoprice, Inc.  
Attn: President/CEO  
ONE POINTE DR., SUITE#400  
BREA, CA 92821

Print-Rite N.A., Inc.  
c/o JEMMA JANG  
1077 Timber Crest Drive  
SAN JOSE CA 95120

Microboards Technology LLC  
ATTN: President/CEO  
8150 Mallory Ct, PO Bx 846  
Chanhassen, MN 55317

Walmart Inc.  
ATTN: President/CEO  
708 SW 8th Street  
Bentonville, AR 72716

TEVO 3D Electronic Technology Co.  
Ltd., ATTN: President/CEO, 9  
Ruiyunnan Road West, Mazhang |  
Zhanjiang, China, 524000

## Service List - Public Enforcers

Office of the District Attorney Alameda County CEPDProp65@acgov.org	Office of the District Attorney Lassen County mlatimer@co.lassen.ca.us	Office of the District Attorney San Benito County 419 4th Street Hollister, CA 95023	Office of the District Attorney Tehama County P.O. Box 519 Red Bluff, CA 96080
Office of the District Attorney Alpine County P.O. Box 248 Markleeville, CA 96120	Office of the District Attorney Los Angeles County 211 W. Temple Street, Suite 1200 Los Angeles, CA 90012	Office of the District Attorney San Bernardino County 303 W. Third Street San Bernardino, CA 92415	Office of the District Attorney Trinity County P.O. Box 310 Weaverville, CA 96093
Office of the District Attorney Amador County 708 Court Street, #202 Jackson, CA 95642	Office of the District Attorney Madera County 209 West Yosemite Avenue Madera, CA 93637	Office of the District Attorney San Diego County CityAttyProp65@sandiego.gov	Office of the District Attorney Tulare County Prop65@co.tulare.ca.us
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Office of the District Attorney Imperial County 940 West Main Street, Suite 102 El Centro, CA 92243	Office of the District Attorney Orange County 401 Civic Center Drive West Santa Ana, CA 92701	Office of the District Attorney Siskiyou County P.O. Box 986 Yreka, CA 96097	Office of the City Attorney City of San Diego 1200 Third Ave., Suite 1620 San Diego, CA 92101
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