

**SUMMONS
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

SIGNAL PRODUCTS, INC.; SIGNAL BRANDS, LLC; and DOES 1 to 50

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

CA CITIZEN PROTECTION GROUP, LLC

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
Superior Court of California
County of Alameda

03/27/2023

Chad Finke, Executive Officer / Clerk of the Court

By: A. Linhares Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Alameda County Superior Court
Oakland, Rene C. Davidson Alameda County Courthouse
1225 Fallon Street, Oakland, California 94612

CASE NUMBER:
(Número del Caso):

23CV030099

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Andre A. Khansari, Khansari Law Corp., 16133 Ventura Blvd. Suite 1200, Encino, CA 91436; (818) 650-6444

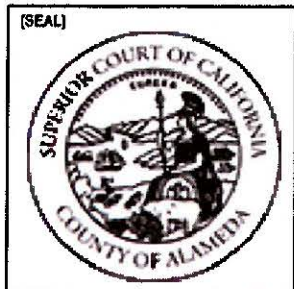
DATE:
(Fecha) 03/27/2023

Clerk, by Chad Finke, Executive Officer / Clerk of the Court, Deputy
(Secretario) A. Linhares (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify):
under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
4. by personal delivery on (date):



1 Andre A. Khansari, Esq. (SBN 223528)
2 KHANSARI LAW CORPORATION
3 16133 Ventura Blvd., Suite 1200
4 Encino, California 91436
5 Telephone: (818) 650-6444
6 Facsimile: (818) 650-6445
7 Email: *andre@khansarilaw.com*

8 Attorneys for Plaintiff,
9 CA Citizen Protection Group, LLC

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF ALAMEDA**

13 CA CITIZEN PROTECTION GROUP,
14 LLC,

15 Plaintiff,

16 vs.

17 SIGNAL PRODUCTS, INC.; SIGNAL
18 BRANDS, LLC; and DOES 1 to 50,

19 Defendants.

CASE NO.

**COMPLAINT FOR INJUNCTIVE
RELIEF AND CIVIL PENALTIES**

[Violations of Proposition 65, the Safe
Drinking Water and Toxic Enforcement
Act of 1986 (*Health & Safety Code* §§
25249.5, *et seq.*)]

UNLIMITED CIVIL
(Demand exceeds \$25,000)

20
21
22 Plaintiff CA CITIZEN PROTECTION GROUP, LLC (“CCPG” or “Plaintiff”)
23 brings this action in the interests of the general public pursuant to California’s Safe
24 Drinking Water and Toxic Enforcement Act of 1986, codified as Cal. Health & Safety
25 Code (“HSC”) § 25249.5 *et seq.* and related statutes (also known and referred to herein as
26 “Proposition 65”) and, based on information and belief, hereby alleges:

27 ////

I
THE PARTIES

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3 1. Plaintiff CCPG is dedicated to, among other causes, reducing the amount of
4 chemical toxins in consumer products, the promotion of human health, environmental
5 safety, and improvement of worker and consumer safety.

6 2. Plaintiff is a person within the meaning of HSC § 25249.11(a) and brings
7 this enforcement action in the public interest pursuant to HSC § 25249.7(d).

8 3. Upon information and belief, Defendant SIGNAL PRODUCTS , INC.
9 (“SPI”), is a California corporation, and a person doing business in the State of California
10 within the meaning of HSC §25249.11(b) and had ten (10) or more employees at all
11 relevant times.

12 4. Upon information and belief, Defendant SIGNAL BRANDS, LLC (“SBL”,
13 and together with SPI, collectively referred to as “Defendants”, and each is a
14 “Defendant”), is a California limited liability company, and a person doing business in the
15 State of California within the meaning of HSC §25249.11(b) and had ten (10) or more
16 employees at all relevant times.

17 5. Defendants own, administer, direct, control, and/or operate facilities and/or
18 agents, distributors, sellers, marketers, or other retail operations who placed the “Covered
19 Products” (as defined in Paragraph 17, p.5 below) into the stream of commerce in
20 California which contain Diisononyl Phthalate (“DINP”) without first giving “clear and
21 reasonable” warnings.

22 6. Defendants DOES 1-50 are named herein under fictitious names, as their true
23 names and capacities are unknown to Plaintiff. Plaintiff is informed and believes, and
24 thereon alleges, that each of said DOES has manufactured, packaged, distributed,
25 marketed, sold and/or has otherwise been involved in the chain of commerce of, and
26 continues to manufacture, package, distribute, market, sell, and/or otherwise continues to
27 be involved in the chain of commerce each of the Covered Products for sale or use in
28 California, and/or is responsible, in some actionable manner, for the events and happenings

1 referred to herein, either through its conduct or through the conduct of its agents, servants
2 or employees, or in some other manner, causing the harms alleged herein. Plaintiff will
3 seek leave to amend this Complaint to set forth the true names and capacities of DOES
4 when ascertained.

5 7. Upon information and belief, at all times relevant to this action, each of
6 DOES 1-50, was an agent, servant, or employee of either of the Defendants. In conducting
7 the activities alleged in this Complaint, each of DOES 1-50 was acting within the course
8 and scope of this agency, service, or employment, and was acting with the consent,
9 permission, and authorization of the relevant Defendant. All actions of each of DOES 1-
10 50 alleged in this Complaint were ratified and approved by the relevant Defendant or its
11 officers or managing agent. Alternatively, each of the DOES 1-50 aided, conspired with
12 and/or facilitated the alleged wrongful conduct of the relevant Defendant.

13
14 **II**
15 **JURISDICTION AND VENUE**

16 8. This Court has jurisdiction over this action pursuant to California
17 Constitution Article VI, Section 10, which grants the Superior Court “original jurisdiction
18 in all causes except those given by statute to other trial courts.” This Court has jurisdiction
19 over this action pursuant to HSC § 25249.7, which allows enforcement of violations of
20 Proposition 65 in any Court of competent jurisdiction.

21 9. This Court has jurisdiction over Defendants because, based on information
22 and belief, Defendants are business entities having sufficient minimum contacts in
23 California, or otherwise intentionally availing themselves of the California market through
24 the sale, marketing, distribution and/or use of each of the Covered Products in the State of
25 California, to render the exercise of jurisdiction over Defendants by the California courts
26 consistent with traditional notions of fair play and substantial justice.

27 10. Venue is proper in the Alameda County Superior Court, pursuant to Code of
28 Civil Procedure (“CCP”) §§ 395 and 395.5, because this Court is a court of competent

1 jurisdiction, because one or more instances of wrongful conduct occurred, and continue to
2 occur, in Alameda County, and the cause of action, or part thereof, arises in Alameda
3 County because Defendants' violations occurred (the Subject Product(s) are marketed,
4 offered for sale, sold, used, and/or consumed without clear and reasonable warnings) in
5 this County. Furthermore, this Court is the proper venue under CCP § 395.5 and HSC §§
6 25249.7(a) and (b), which provide that any person who violates or threatens to violate HSC
7 §§ 25249.5 or 25249.6 may be enjoined in, and civil penalty assessed and recovered in a
8 civil action brought in, any court of competent jurisdiction.

9
10 **III**
11 **STATUTORY BACKGROUND**

12 11. The People of the State of California have declared in Proposition 65 their
13 right “[t]o be informed about exposures to chemicals that cause cancer, birth defects, or
14 other reproductive harm.” (HSC, Div. 20, Ch. 6.6 Note [Section 1, subdivision (b) of
15 Initiative Measure, Proposition 65]). Proposition 65 is classically styled as a “right-to-
16 know” law intended to inform consumers’ choices prior to exposure.

17 12. To affect this goal, Proposition 65 requires that individuals be provided with
18 a “clear and reasonable warning” before being exposed to substances listed by the State of
19 California as causing cancer or reproductive toxicity. HSC § 25249.6, which states, in
20 pertinent part:

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

25 13. Proposition 65 requires the Governor of California to publish a list of
26 chemicals known to the state to cause cancer, birth defects, or other reproductive harm.
27 See HSC § 25249.8. The list, which the Governor updates at least once a year, contains

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1 over 700 chemicals and chemical families. Proposition 65 imposes warning requirements
2 and other controls that apply to Proposition 65-listed chemicals.

3 14. All businesses with ten (10) or more employees that operate or sell products in
4 California must comply with Proposition 65. Under Proposition 65, businesses are: (1)
5 prohibited from knowingly discharging Proposition 65-listed chemicals into sources of
6 drinking water (HSC § 25249.5), and (2) required to provide “clear and reasonable”
7 warnings before exposing a person, knowingly and intentionally, to a Proposition 65-listed
8 chemical (HSC § 25249.6).

9 15. Proposition 65 provides that any person who “violates or threatens to
10 violate” the statute “may be enjoined in any court of competent jurisdiction.” HSC
11 §25249.7(a). “Threaten to violate” is defined to mean creating “a condition in which there
12 is a substantial probability that a violation will occur.” HSC §25249.11(e). Violators are
13 liable for civil penalties of up to \$2,500 per day for each violation of Proposition 65. See
14 HSC §25249.7(b).

15
16 **IV**
17 **BACKGROUND AND PRELIMINARY FACTS**

18 16. This action seeks to remedy the continuing failure of Defendants to clearly
19 and reasonably warn consumers in California that they are being exposed to DINP, a
20 chemical known to the State of California to cause cancer.

21 17. Defendants manufactured, packaged, distributed, marketed, sold and/or has
22 otherwise been involved in the chain of commerce of, and continues to manufacture,
23 distribute, package, promote, market, sell and/or otherwise continues to be
24 involved in the chain of the following consumer products, including all different styles,
25 colors, sizes, and shapes of “Guess” branded cosmetic bags, and other similar bags
26 (referred to as “Covered Product(s)”), which contain the chemical DINP.

27 18. The Covered Products continue to be offered for sale, sold and/or otherwise
28 provided for use and/or handling to individuals in California.

1 19. The use and/or handling of the Covered Products cause exposures to DINP at levels
2 requiring a “clear and reasonable warning” under Proposition 65. Defendants expose
3 consumers of the Covered Products to DINP and has failed to provide the health hazard
4 warnings required by Proposition 65.

5 20. The past, and continued manufacturing, packaging, distributing, marketing
6 and/or sale of the Covered Products, without the required health hazard warnings, causes
7 individuals to be involuntarily exposed to high levels of DINP in violation of Proposition
8 65.

9 21. Plaintiff seeks injunctive relief enjoining Defendants from the continued
10 manufacturing, packaging, distributing, marketing and/or selling of Covered Products in
11 California without first providing clear and reasonable warnings, within the meaning of
12 Proposition 65, regarding the risks of cancer posed by exposures to DINP through the use
13 and/or handling of the Covered Products. Plaintiff seeks an injunctive order compelling
14 Defendants to bring its business practices into compliance with Proposition 65 by
15 providing clear and reasonable warnings to each individual who may be exposed to DINP
16 from the use and/or handling of the Covered Products. Plaintiff also seeks an order
17 compelling Defendant to identify and locate each individual person who in the past has
18 purchased each Covered Product, and to provide to each such purchaser a clear and
19 reasonable warning that the use of the Covered Products, as applicable, will cause
20 exposure to DINP.

21 22. In addition to injunctive relief, Plaintiff seeks an assessment of civil penalties
22 to remedy Defendants’ failure to provide clear and reasonable warnings regarding
23 exposures to DINP.

24 23. On December 20, 2013, the State of California officially listed DINP as a
25 chemical known to cause cancer.

26 24. The No Significant Risk Level (“NSRL”) for cancer as relating DINP is 146
27 µg/day for adults.

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1 25. The NSRL is calculated based on a body weight of 58 kg for an adult or
2 pregnant woman, 70 kg for an adult male, 40 kg for an adolescent, 20 kg for a child, 10 kg
3 for an infant, and 3.5 kg for a neonate (27 CCR § 25803, subd. (b)).

4 26. The exposure estimates from the Covered Products exceed the DINP NSRL
5 set by the California Office of Environmental Health Hazard Assessment (“OEHHA”). As
6 a result, each Subject Product is required to have a clear and reasonable warning under
7 Proposition 65.

8 27. Plaintiff purchased the Covered Products without a Proposition 65 warning
9 on the Covered Products, or as required by Proposition 65.

10 28. To test the Covered Products for DINP, Plaintiff engaged a well-respected
11 and accredited testing laboratory that used the testing protocol used and approved by the
12 California Attorney General.

13 29. The results of testing undertaken by Plaintiff of each Subject Product, shows
14 that the Covered Product tested was in violation of the 146 µg/day NSRL “safe harbor” daily
15 limit for DINP set forth in Proposition 65’s regulations. As a result, the Covered Products
16 are required to have clear and reasonable warning under Proposition 65.

17 30. As a proximate result of acts by the Defendants, as persons in the course of
18 doing business within the meaning of HSC §25249.11(b), individuals throughout the State
19 of California, including in the County of Alameda, have been exposed to DINP without
20 clear and reasonable warnings. The individuals subject to exposures to DINP include
21 normal and foreseeable users of the Covered Products, as well as all other persons exposed
22 to the Covered Products.

23 31. At all times relevant to this action, Defendants have knowingly and
24 intentionally exposed the users of the Covered Products to DINP without first giving clear
25 and reasonable warnings to such individuals.

26 32. Individuals using the Covered Products are exposed to DINP in excess of the
27 daily “no significant risk” levels determined by the State of California, as applicable for
28 DINP.

1 33. At all times relevant to this action, Defendant have, in the course of doing business,
2 failed to provide individuals using and/or handling the Covered Products with clear and
3 reasonable warnings that the Covered Products expose individuals to DINP.

4
5 **V**
6 **SATISFACTION OF PRIOR NOTICES OF PROPOSITION 65 VIOLATIONS**
7 **AND SIXTY (60) DAY INTENT TO SUE**

8 34. On or about September 02, 2022, Plaintiff gave 60-day notice of alleged
9 violations of HSC §25249.6 (the “Notice”), concerning consumer product exposures
10 subject to a private action, to each Defendant, other noticed parties, and to the California
11 Attorney General, County District Attorneys, and City Attorneys for each city containing a
12 population of at least 750,000 people in whose jurisdictions the violations allegedly
13 occurred, concerning the Covered Products, containing DINP. A true and correct copy of
14 the Notice is attached hereto as **Exhibit “A”**, is hereby incorporated by reference, and is
15 available on the Attorney General’s website located at <https://oag.ca.gov/prop65>, under
16 **AG Number 2021-02063**.

17 35. Before sending the Notice of alleged violations, Plaintiff investigated the
18 consumer products involved, the likelihood that such products would cause users to suffer
19 significant exposures to DINP and the corporate structure of Defendants.

20 36. The Notice of alleged violations included a Certificate of Merit executed by
21 the attorney for the noticing party, Plaintiff CCPG. The Certificate of Merit states that the
22 attorney for Plaintiff who executed the certificate had consulted with at least one person
23 with relevant and appropriate expertise who reviewed data regarding the exposures to
24 DINP, the subject Proposition 65-listed chemical related to this action. Based on that
25 information, the attorney for Plaintiff who executed the Certificate of Merit believed there
26 was a reasonable and meritorious case for this private action. The attorney for Plaintiff
27 attached to the Certificate of Merit served on the Attorney General, the confidential factual
28 information sufficient to establish the basis of the Certificate of Merit.

1 violate HSC § 25249.6 by, in the course of doing business, knowingly and intentionally
2 exposing individuals, who use or handle the Covered Products, to the chemical DINP at
3 levels exceeding allowable exposure levels under Proposition 65 guidelines without
4 Defendants first giving clear and reasonable warnings to such individuals pursuant to HSC
5 §§ 25249.6 and 25249.11(f).

6 43. Defendants have manufactured, packaged, distributed, marketed, sold and/or
7 have otherwise been involved in the chain of commerce of, and continue to manufacture,
8 package, distribute, market, sell and/or otherwise continue to be involved in the chain of
9 commerce of the Covered Products, which has been, is, and will be used and/or handled by
10 individuals in California, without Defendants providing clear and reasonable warnings,
11 within the meaning of Proposition 65, regarding the risks of cancer posed by exposure to
12 DINP through the use and/or handling of the Covered Products. Furthermore, Defendants
13 have threatened to violate HSC §25249.6 by the Covered Products being marketed, offered
14 for sale, sold and/or otherwise provided for use and/or handling to individuals in
15 California.

16 44. By the above-described acts, Defendants have violated HSC § 25249.6 and
17 are therefore subject to an injunction ordering Defendants to stop violating Proposition 65,
18 and to provide warnings to consumers and other individuals who will purchase, use and/or
19 handle the Covered Products.

20 45. An action for injunctive relief under Proposition 65 is specifically authorized
21 by HSC § 25249.7(a) in any court of competent jurisdiction.

22 46. Continuing commission by Defendants of the acts alleged above will
23 irreparably harm consumers within the State of California, for which harm they have no
24 plain, speedy, or adequate remedy at law. In the absence of equitable relief, Defendants
25 will continue to create a substantial risk of irreparable injury by continuing to cause
26 consumers to be involuntarily and unwittingly exposed to DINP through the use and/or
27 handling of the Covered Products.

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1 **SECOND CAUSE OF ACTION**

2 **(Civil Penalties for Violations of Proposition 65, The Safe Drinking Water and Toxic**
3 **Enforcement Act of 1986 (*Health & Safety Code*, §§ 25249.5, *et seq.*)**

4 **(Against Defendants and Does 1 - 50)**

5 47. Plaintiff repeats and incorporates by reference Paragraphs 1 through 46,
6 inclusive, as if specifically set forth in this cause of action.

7 48. By committing the acts alleged in this Complaint, Defendants at all times
8 relevant to this action, and continuing through the present, have violated and continue to
9 violate HSC § 25249.6 by, in the course of doing business, knowingly and intentionally
10 exposing individuals who use or handle the Covered Products to the chemical DINP at
11 levels exceeding allowable exposure levels without Defendants first giving clear and
12 reasonable warnings to such individuals pursuant to HSC §§ 25249.6 and 25249.11(f).

13 49. Defendants have manufactured, packaged, distributed, marketed, sold and/or
14 has otherwise been involved in the chain of commerce of, and continue to manufacture,
15 package, distribute, market, sell and/or otherwise continue to be involved in the chain of
16 commerce of the Covered Products, which has been, is, and will be used and/or handled by
17 individuals in California, without Defendants providing clear and reasonable warnings,
18 within the meaning of Proposition 65, regarding the risks of cancer posed by exposure to
19 DINP through the use and/or handling of the Covered Products. Furthermore, Defendants
20 have threatened to violate HSC § 25249.6 by each Covered Product being marketed,
21 offered for sale, sold and/or otherwise provided for use and/or handling to individuals in
22 California.

23 50. By the above-described acts, Defendants are liable, pursuant to HSC §
24 25249.7(b), for a civil penalty of up to \$2,500 per day, for each violation of HSC §
25 25249.6 relating to the Covered Products.

26 51. Wherefore, Plaintiff prays judgment against Defendants, as set forth
27 hereafter.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendants as follows:

1. A preliminary and permanent injunction enjoining Defendants, their agents employees, assigns and all persons acting in concert or participating with Defendants, from manufacturing, packaging, distributing, marketing and/or selling the Covered Products, and any related products, for sale or use in California without first providing clear and reasonable warnings, within the meaning of Proposition 65, that the users and/or handlers of the Covered Products are exposed to the chemical DINP;
2. An injunctive order, pursuant to HSC § 25249.7(b) and 27 CCR §§ 25603 and 25603.1, compelling Defendants to provide a “clear and reasonable” warning on the label of the Covered Products, and warnings online as required and applicable. The warning should indicate that the Covered Products will expose the user or consumer to chemicals known to the State of California to cause cancer.
3. An assessment of civil penalties against Defendants, pursuant to HSC § 25249.7(b), in the amount of \$2,500 per day, for each violation of Proposition 65;
4. An award to Plaintiff of its attorneys’ fees pursuant to CCP § 1021.5 or the substantial benefit theory;
5. An award of costs of suit herein pursuant to CCP § 1032 *et seq.* or as otherwise warranted; and
6. Such other and further relief as the Court may deem just and proper.

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DATED: March 27, 2023

Respectfully submitted,

KHANSARI LAW CORPORATION



Andre A. Khansari, Esq.
Attorneys for Plaintiff,
CA Citizen Protection Group, LLC

EXHIBIT “A”

EXHIBIT “A”

September 2, 2022

VIA CERTIFIED MAIL

Jack Rimokh, President/CEO
Signal Products, Inc.
320 West 31st Street
Los Angeles, California 90007

Jack Rimokh, President/CEO
Signal Products, Inc.
c/o Paracorp Incorporated
2804 Gateway Oaks Drive, #100
Sacramento, California 95833

Jack Rimokh, Manager or Managing Member
Signal Brands, LLC
320 West 31st Street
Los Angeles, California 90007

Jack Rimokh, Manager or Managing Member
Signal Brands, LLC
c/o Paracorp Incorporated
2804 Gateway Oaks Drive, #100
Sacramento, California 95833

VIA U.S. MAIL and EMAIL

District Attorney's Office for all Counties in
California and applicable City Attorneys
(See Attached - Certificate of Service)

VIA CERTIFIED MAIL

Carlos Alberini, President/CEO
Guess ?, Inc.
1444 South Alameda Street
Los Angeles, California 90021

Carlos Alberini, President/CEO
Guess ?, Inc.
c/o CSC – Lawyers Incorporating Service
2710 Gateway Oaks Drive, Suite 150N
Sacramento, California 95833

Barbara Rentler, President/CEO
Ross Stores, Inc.
5130 Hacienda Drive
Dublin, California 94568

Barbara Rentler, President/CEO
Ross Stores, Inc.
c/o C T Corporation System (Agent)
330 North Brand Blvd., Ste 700
Glendale, California 91203

VIA ELECTRONIC FILING

State of California Department of Justice
Office of the Attorney General
Proposition 65 Enforcement Reporting
Filing link: oag.ca.gov/prop65

(continued on next page)

Sixty-Day Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986

(California Health & Safety Code Section 25249.5 et seq.)

Dear Alleged Violators and the Appropriate Public Enforcement Agencies:

We represent CA Citizen Protection Group, LLC (“CCPG”), an organization dedicated to reducing the amount of chemical toxins in consumer products, the promotion of human health, environmental safety, and improvement of worker and consumer safety.

Through this Notice of Violations (this “**Notice**”), CCPG is acting “in the public interest” pursuant to “Proposition 65” (as defined below), and seeks to reduce and/or eliminate exposures to toxic chemicals, including Diisononyl phthalate (“**DINP**”), by consumers and workers from exposure to DINP in household goods, and other consumer goods manufactured, produced, distributed and/or sold by Signal Products, Inc., Signal Brands, LLC, Guess ?, Inc. and Ross Stores, Inc. (collectively, the “**Noticed Parties**”), among other retailers, distributors and/or sellers.

This Notice constitutes written notification that the Noticed Parties have violated the warning requirements of The Safe Drinking Water and Toxic Enforcement Act (codified at California Health & Safety Code Section 25249.5, *et seq*) (“**Proposition 65**”). The product subject to this Notice (the “**specified product**”) and the chemical in the specified product identified as exceeding allowable levels are the following:

- **Guess cosmetic bags, floral design, Style: P8212099, UPC: 190231618973, Group: Homestead Travel – DINP**

The Noticed Parties have manufactured, marketed, distributed and/or sold the specified product, as applicable, which has exposed and continues to expose numerous individuals within California to DINP. DINP was listed pursuant to Proposition 65 as a chemical known to the State of California to cause cancer on December 20, 2013.

With respect to the specified product listed above, the violations: commenced on the latter of the date that the specified product were first offered for sale in California or the date upon which California law codified the allowable level of the relevant chemical surpassed by the specified product; has continued every day since the relevant date the violations commenced; and will continue every day henceforth until DINP is removed from the specified product, reduced to allowable levels, or until a “clear and reasonable” warning is provided to consumers by the Noticed Parties in accordance with the law.

The primary route of exposure has been through contact with human skin in carrying, handling or touching the specified product in the course of using or handling the

specified product, resulting in dermal exposure to plasticizers, and oral exposure from activities involving direct and indirect hand to mouth contact, hand to mucous membrane, trans-dermal absorption, or breathing in particulate matter emanating from the specified product, as well as through environmental mediums that carry the DINP contained within the specified product.

Proposition 65 requires that a “clear and reasonable” warning be provided prior to exposure to certain listed chemicals. The Noticed Parties are in violation of Proposition 65 because the Noticed Parties have failed to provide a warning to consumers that they are being exposed to DINP. While in the course of doing business, the Noticed Parties are “knowingly and intentionally” exposing consumers to DINP without first providing a “clear and reasonable” warning. See Cal. Health and Safety Code § 25249.6. The method of warning should be a warning that appears on the product's label. See Cal. Code Regs. tit. 27, § 25602, subd. (a)(3), and subd. (b) for internet purchases, as applicable.

The Noticed Parties have not provided any Proposition 65 warnings on the specified product's label or any other appropriate warnings that persons handling and/or otherwise using the specified product are being exposed to DINP.

Proposition 65 requires that notice and intent to sue be provided to a violator 60-days before a suit is filed in connection therewith. With this Notice, CCPG gives written notice of the alleged violations to the Noticed Parties and the appropriate governmental authorities.

This Notice covers all violations of Proposition 65 that are currently known to the noticing party from information now available as specifically related to the specified product sold through or by the Noticed Parties. CCPG is continuing its investigation that may reveal further violations.

Pursuant to Title 27, C.C.R. § 25903(b), copies of the documents entitled (i) “The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary”, referenced as Appendix “A”, and (ii) “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): Special Compliance Procedure”, referenced as Appendix “B”, are attached hereto for reference by the Noticed Parties, as applicable. Please review for applicability, however, note the “Special Compliance Procedure” is only available for certain products and under certain conditions as explained in Appendix B.

Pursuant to Title 11, C.C.R. § 3100, a “Certificate of Merit” is attached hereto.

CCPG is interested in a prompt resolution of this matter with an enforceable written agreement by the Noticed Parties to (1) eliminate or reduce DINP to an allowable level in, or provide appropriate warning on the label of, the specified product; and (2) pay an

appropriate civil penalty. Such a resolution will prevent further unwarned consumer exposures and expensive and time-consuming litigation.

In keeping with its public interest mission and to expeditiously rectify these ongoing violations of California law, CCPG is interested in seeking a constructive resolution of this matter without engaging in costly and protracted litigation. Please direct all communications regarding this Notice to my office on behalf of CCPG.

If you have any questions, please contact my office at your earliest convenience. Thank you for your time and consideration with respect to this urgent matter.

Sincerely,
KHANSARI LAW CORP., APC



Andre A. Khansari, Esq.
(Attachments)

Attachments:

1. Certificate of Merit;
2. Certificate of Service;
3. Additional Supporting Information for Certificate of Merit (to Attorney General only); and
4. Appendix "A" – "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary", and Appendix "B" – "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): Special Compliance Procedure" (to the Noticed Parties only)

Cc: CA Citizen Protection Group, LLC (via email only)

CERTIFICATE OF MERIT

**Re: CA Citizen Protection Group, LLC's Notice of Proposition 65
Violations by Signal Products, Inc., Signal Brands, LLC, Guess
?, Inc. and Ross Stores, Inc.**

I, Andre A. Khansari, hereby declare:

1. This Certificate of Merit (this "Certificate") accompanies the attached Notice of Violations dated September 2, 2022 (the "NOV") in which it is alleged that the parties identified in the NOV ("alleged violators") have violated California Health and Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am the attorney for the noticing party CA Citizen Protection Group, LLC. The NOV alleges that the alleged violators have exposed persons in California to the listed chemical that is the subject of this Certificate. Please refer to the NOV for additional details regarding the product(s) name(s) and alleged violations.
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 alleged exposure to the listed chemical that is the subject of this Certificate. I have reviewed the laboratory testing results for the chemical subject to the NOV and relied on the results. The testing was conducted by a reputable testing laboratory, with proper accreditation, and by experienced scientists. The facts, studies and other data derived through this investigation demonstrate that the alleged violators expose persons, including workers, to the listed chemical that is the subject of this Certificate.
4. Based on the information obtained through these consultants and on other information in my possession, I believe there is sufficient evidence that the listed product(s) in the NOV expose(s) individuals to unlawful levels of the specified chemical. Furthermore, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established, and that the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of this Certificate served on the California Attorney General attaches to it information sufficient to establish the basis for this Certificate, including the information identified in Health & 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.

Dated: September 2, 2022



Andre A. Khansari, Esq.
Attorney for CA Citizen Protection Group, LLC

APPENDIX A

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY

The following summary has been prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). A copy of this summary must be included as an attachment to any notice of violation served upon an alleged violator of the Act. The summary provides basic information about the provisions of the law, and is intended to serve only as a convenient source of general information. It is not intended to provide authoritative guidance on the meaning or application of the law. The reader is directed to the statute and OEHHA implementing regulations (see citations below) for further information.

FOR INFORMATION CONCERNING THE BASIS FOR THE ALLEGATIONS IN THE NOTICE RELATED TO YOUR BUSINESS, CONTACT THE PERSON IDENTIFIED ON THE NOTICE.

The text of Proposition 65 (Health and Safety Code Sections 25249.5 through 25249.13) is available online at: <http://oehha.ca.gov/prop65/law/P65law72003.html>. Regulations that provide more specific guidance on compliance, and that specify procedures to be followed by the State in carrying out certain aspects of the law, are found in Title 27 of the California Code of Regulations, sections 25102 through 27001.¹ These implementing regulations are available online at: <http://oehha.ca.gov/prop65/law/P65Regs.html>.

WHAT DOES PROPOSITION 65 REQUIRE?

The "Proposition 65 List." Under Proposition 65, the lead agency (OEHHA) publishes a list of chemicals that are known to the State of California to cause cancer and/or reproductive toxicity. Chemicals are placed on the Proposition 65 list if they are known to cause cancer and/or birth defects or other reproductive harm, such as damage to

¹ All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated. The statute, regulations and relevant case law are available on the OEHHA website at: <http://www.oehha.ca.gov/prop65/law/index.html>.

female or male reproductive systems or to the developing fetus. This list must be updated at least once a year. The current Proposition 65 list of chemicals is available on the OEHHA website at: http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html.

Only those chemicals that are on the list are regulated under Proposition 65. Businesses that produce, use, release or otherwise engage in activities involving listed chemicals must comply with the following:

Clear and reasonable warnings. A business is required to warn a person before “knowingly and intentionally” exposing that person to a listed chemical unless an exemption applies. The warning given must be “clear and reasonable.” This means that the warning must: (1) clearly make known that the chemical involved is known to cause cancer, or birth defects or other reproductive harm; and (2) be given in such a way that it will effectively reach the person before he or she is exposed to that chemical. Some exposures are exempt from the warning requirement under certain circumstances discussed below.

Prohibition from discharges into drinking water. A business must not knowingly discharge or release a listed chemical into water or onto land where it passes or probably will pass into a source of drinking water. Some discharges are exempt from this requirement under certain circumstances discussed below.

DOES PROPOSITION 65 PROVIDE ANY EXEMPTIONS?

Yes. You should consult the current version of the statute and regulations (<http://www.oehha.ca.gov/prop65/law/index.html>) to determine all applicable exemptions, the most common of which are the following:

Grace Period. Proposition 65 warning requirements do not apply until 12 months after the chemical has been listed. The Proposition 65 discharge prohibition does not apply to a discharge or release of a chemical that takes place less than 20 months after the listing of the chemical.

Governmental agencies and public water utilities. All agencies of the federal, state or local government, as well as entities operating public water systems, are exempt.

Businesses with nine or fewer employees. Neither the warning requirement nor the discharge prohibition applies to a business that employs a total of nine or fewer employees. This includes all employees, not just those present in California.

Exposures that pose no significant risk of cancer. For chemicals that are listed under Proposition 65 as known to the State to cause cancer, a warning is not required if the business causing the exposure can demonstrate that the exposure occurs at a level that poses “no significant risk.” This means that the exposure is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. The Proposition 65 regulations identify specific “No Significant Risk Levels” (NSRLs) for many listed carcinogens. Exposures below these levels are exempt from the warning requirement. See OEHHA's website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of NSRLs, and Section 25701 *et seq.* of the regulations for information concerning how these levels are calculated.

Exposures that will produce no observable reproductive effect at 1,000 times the level in question. For chemicals known to the State to cause reproductive toxicity, a warning is not required if the business causing the exposure can demonstrate that the exposure will produce no observable effect, even at 1,000 times the level in question. In other words, the level of exposure must be below the “no observable effect level” divided by 1,000. This number is known as the Maximum Allowable Dose Level (MADL). See OEHHA's website at: <http://www.oehha.ca.gov/prop65/getNSRLs.html> for a list of MADLs, and Section 25801 *et seq.* of the regulations for information concerning how these levels are calculated.

Exposures to Naturally Occurring Chemicals in Food. Certain exposures to chemicals that naturally occur in foods (i.e., that do not result from any known human activity, including activity by someone other than the person causing the exposure) are exempt from the warning requirements of the law. If the chemical is a contaminant² it must be reduced to the lowest level feasible. Regulations explaining this exemption can be found in Section 25501.

Discharges that do not result in a “significant amount” of the listed chemical entering any source of drinking water. The prohibition from discharges into drinking water does not apply if the discharger is able to demonstrate that a “significant amount” of the listed chemical has not, does not, or will not pass into or probably pass into a source of drinking water, and that the discharge complies with all other applicable laws, regulations, permits, requirements, or orders. A “significant amount” means any detectable amount, except an amount that would meet the “no significant risk” level for chemicals that cause cancer or that is 1,000 times below the “no observable effect” level for chemicals that cause reproductive toxicity, if an individual were exposed to that amount in drinking water.

² See Section 25501(a)(4).

HOW IS PROPOSITION 65 ENFORCED?

Enforcement is carried out through civil lawsuits. These lawsuits may be brought by the Attorney General, any district attorney, or certain city attorneys. Lawsuits may also be brought by private parties acting in the public interest, but only after providing notice of the alleged violation to the Attorney General, the appropriate district attorney and city attorney, and the business accused of the violation. The notice must provide adequate information to allow the recipient to assess the nature of the alleged violation. The notice must comply with the information and procedural requirements specified in Section 25903 of Title 27 and sections 3100-3103 of Title 11. A private party may not pursue an independent enforcement action under Proposition 65 if one of the governmental officials noted above initiates an enforcement action within sixty days of the notice.

A business found to be in violation of Proposition 65 is subject to civil penalties of up to \$2,500 per day for each violation. In addition, the business may be ordered by a court to stop committing the violation.

A private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. For the following types of exposures, the Act provides an opportunity for the business to correct the alleged violation:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

If a private party alleges that a violation occurred based on one of the exposures described above, the private party must first provide the alleged violator a notice of special compliance procedure and proof of compliance form.

A copy of the notice of special compliance procedure and proof of compliance form is included in Appendix B and can be downloaded from OEHHA's website at: <http://oehha.ca.gov/prop65/law/p65law72003.html>.

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS...

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at P65Public.Comments@oehha.ca.gov.

Revised: May 2017

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.

APPENDIX B

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): SPECIAL COMPLIANCE PROCEDURE

This Appendix B contains the notice of special compliance procedure and proof of compliance form prepared by the California Office of Environmental Health Hazard Assessment (OEHHA), the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as "Proposition 65"). Under the Act, a private party may not file an enforcement action based on certain exposures if the alleged violator meets specific conditions. These exposures are:

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;
- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

A private party may not file an action against the alleged violator for these exposures, or recover in a settlement any payment in lieu of penalties any reimbursement for costs and attorney's fees, if the alleged violator has done *all* of the following within 14 days of being served notice:

- Corrected the alleged violation;
- Agreed to pay a civil penalty of \$500 (subject to change in 2019 and every five years thereafter) to the private party within 30 days; and

- Notified the private party serving the notice in writing that the violation has been corrected.

An alleged violator may satisfy these conditions only one time for a violation arising from the same exposure in the same facility or on the same premises. The satisfaction of these conditions does not prevent the Attorney General, a district attorney, a city attorney of a city of greater than 750,000 population, or any full-time city prosecutor with the consent of the district attorney, from filing an enforcement action against an alleged violator.

When a private party sends a notice of alleged violation that alleges one or more of the exposures listed above, the notice must include a notice of special compliance procedure, and a proof of compliance form to be completed by the alleged violator as directed in the notice.

The notice and proof of compliance form is reproduced here:

Date:

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Name of Noticing Party or attorney for Noticing Party:

Address:

Phone number:

SPECIAL COMPLIANCE PROCEDURE
PROOF OF COMPLIANCE

You are receiving this form because the Noticing Party listed above has alleged that you are violating California Health and Safety Code §25249.6 (Prop. 65).

The Noticing Party may not bring any legal proceedings against you for the alleged violation checked below if:

- (1) You have actually taken the corrective steps that you have certified in this form.**
- (2) The Noticing Party has received this form at the address shown above, accurately completed by you, postmarked within 14 days of your receiving this notice.**
- (3) The Noticing Party receives the required \$500 penalty payment from you at the address shown above postmarked within 30 days of your receiving this notice.**
- (4) This is the first time you have submitted a Proof of Compliance for a violation arising from the same exposure in the same facility on the same premises.**

PART 1: TO BE COMPLETED BY THE NOTICING PARTY OR ATTORNEY FOR THE NOTICING PARTY

The alleged violation is for an exposure to: (check one)

___Alcoholic beverages that are consumed on the alleged violator's premises to the extent on-site consumption is permitted by law.

___A chemical known to the state to cause cancer or reproductive toxicity in a food or beverage prepared and sold on the alleged violator's premises for immediate consumption on or off premises to the extent: (1) the chemical was not intentionally added; and (2) the chemical was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination.

___Environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises.

___Chemicals known to the State to cause cancer or reproductive toxicity in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking noncommercial vehicles.

IMPORTANT NOTES:

(1) You have no potential liability under California Health and Safety Code §25249.6 if your business has nine (9) or fewer employees.

(2) Using this form will NOT prevent the Attorney General, a district attorney, a city attorney, or a prosecutor in whose jurisdiction the violation is alleged to have occurred from filing an action over the same alleged violations, and that in any such action, the amount of civil penalty shall be reduced to reflect any payment made at this time.

Date:

Page 2

Name of Noticing Party or attorney for Noticing Party:

Address:

Phone number:

PART 2: TO BE COMPLETED BY THE ALLEGED VIOLATOR OR AUTHORIZED REPRESENTATIVE

Certification of Compliance

Accurate completion of this form will demonstrate that you are now in compliance with California Health and Safety Code §25249.6 for the alleged violation listed above. You must complete and submit the form below to the Noticing Party at the address shown above, postmarked within 14 days of you receiving this notice.

I hereby agree to pay, within 30 days of completion of this notice, a civil penalty of \$500 to the Noticing Party only and certify that I have complied with Health and Safety Code §25249.6 by (check only one of the following):

Posting a warning or warnings about the alleged exposure that complies with the law, and attaching a copy of that warning and a photograph accurately showing its placement on my premises;

Posting the warning or warnings demanded in writing by the Noticing Party, and attaching a copy of that warning and a photograph accurately showing its placement on my premises; OR

Eliminating the alleged exposure, and attaching a statement accurately describing how the alleged exposure has been eliminated.

Certification

My statements on this form, and on any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I have carefully read the instructions to complete this form. I understand that if I make a false statement on this form, I may be subject to additional penalties under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

Signature of alleged violator or authorized representative

Date

Name and title of signatory

FOR FURTHER INFORMATION ABOUT THE LAW OR REGULATIONS...

Contact the Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office at (916) 445-6900 or via e-mail at P65Public.Comments@oehha.ca.gov.

Revised: May 2017

NOTE: Authority cited: Section 25249.12, Health and Safety Code. Reference: Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11, Health and Safety Code.

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the County of Los Angeles. I am over the age of eighteen years and not a party to the within entitled action or process. My business address is 16133 Ventura Blvd., Suite 1200, Encino, California 91436.

On September 2, 2022, I served the following documents:

- (i) **Sixty-Day Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by CA Citizen Protection Group, LLC's Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by Signal Products, Inc., Signal Brands, LLC, Guess ?, Inc. and Ross Stores, Inc, for Violations of California Health & Safety Code Section 25249.5 et seq.,**
- (ii) **Certificate of Merit,**
- (iii) **Appendix "A" – "The Safe Drinking Water and Toxic Enforcement act of 1986 (Proposition 65): A Summary", and Appendix "B" – "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): Special Compliance Procedure" (to the Noticed Party only), and**
- (iv) **Certificate of Service,**

on the following party(ies) by placing a true and correct copy thereof in a sealed envelope, addressed to the party below, and causing each envelope to be deposited at a United States Postal Service Office in Los Angeles, California for delivery by Certified Mail or Registered International Mail, as applicable:

Jack Rimokh, President/CEO
Signal Products, Inc.
320 West 31st Street
Los Angeles, CA 90007

Carlos Alberini, President/CEO
Guess ?, Inc.
1444 South Alameda Street
Los Angeles, CA 90021

Jack Rimokh, President/CEO
Signal Products, Inc.
c/o Paracorp Incorporated
2804 Gateway Oaks Drive, #100
Sacramento, CA 95833

Carlos Alberini, President/CEO
Guess ?, Inc.
c/o CSC – Lawyers Incorporating Service
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833

Jack Rimokh, Manager or Managing Member
Signal Brands, LLC
320 West 31st Street
Los Angeles, CA 90007

Barbara Rentler, President/CEO
Ross Stores, Inc.
5130 Hacienda Drive
Dublin, CA 94568

Jack Rimokh, Manager or Managing Member
Signal Brands, LLC
c/o Paracorp Incorporated
2804 Gateway Oaks Drive, #100
Sacramento, CA 95833

Barbara Rentler, President/CEO
Ross Stores, Inc.
c/o C T Corporation System (Agent)
330 North Brand Blvd., Ste 700
Glendale, CA 91203

On September 2, 2022, I served the following documents:

- (i) **Sixty-Day Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by CA Citizen Protection Group, LLC's Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by Signal Products, Inc., Signal Brands, LLC, Guess ?, Inc. and Ross Stores, Inc, for Violations of California Health & Safety Code Section 25249.5 et seq.,**
- (i) **Certificate of Merit,**

- (ii) **Additional Information and Supporting Documentation Required by Title 11, C.C.R. §3102, and**
- (iii) **Certificate of Service,**

on the following party by filing electronically a true and correct copy thereof as permitted through the website of the California Office of the Attorney General via link at oag.ca.gov/prop65:

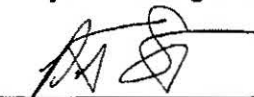
State of California Department of Justice
Office of the Attorney General

On September 2, 2022, I served the following documents:

- (i) **Sixty-Day Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by CA Citizen Protection Group, LLC's Notice of Intent to Sue for Violations of the Safe Drinking Water and Toxic Enforcement Act of 1986 by Signal Products, Inc., Signal Brands, LLC, Guess ?, Inc. and Ross Stores, Inc, for Violations of California Health & Safety Code Section 25249.5 et seq.,**
- (i) **Certificate of Merit, and**
- (ii) **Certificate of Service,**

on each of the parties on the service list attached hereto (see attached "Service List") by placing a true and correct copy thereof in a sealed envelope, addressed to each of the District Attorney and City Attorney offices listed on the attached Service List, and causing each envelope to be deposited at a United States Postal Service mail box for delivery by First Class Mail, except for the Contra Costa County District Attorney, Lassen County District Attorney, Riverside County District Attorney, Sacramento County District Attorney, San Francisco County District Attorney, Napa County District Attorney, San Joaquin County District Attorney, San Luis Obispo County District Attorney, Santa Clara County District Attorney, Sonoma County District Attorney, Tulare County District Attorney, Ventura County District Attorney, Monterey County District Attorney, Yolo County District Attorney, Santa Barbara County District Attorney, Alameda County District Attorney, San Francisco City Attorney, Calaveras County District Attorney, Inyo County District Attorney, Santa Cruz County District Attorney, San Diego City Attorney, Mariposa County District Attorney, Merced County District Attorney, Nevada County District Attorney, Placer County District Attorney, Plumas County District Attorney, San Diego County District Attorney, Fresno County District Attorney, Santa Clara City Attorney, and Orange County District Attorney, all of whom have requested electronic service only via the following email addresses: sgrassini@contracostada.org; mlatimer@co.lassen.ca.us; prop65@rivcoda.org; prop65@sacda.org; Alexandra.grayner@sfgov.org; cepd@countyofnapa.org; daconsumer.environmental@sjcda.org; edobroth@co.slo.ca.us; epu@da.sccgov.org; Jeannie.Barnes@sonoma-county.org; prop65@co.tulare.ca.us; daspecialops@ventura.org; Prop65DA@co.monterey.ca.us; cfepd@yolocounty.org; DAProp65@co.santa-barbara.ca.us; CEPDProp65@acgov.org; Valerie.lopez@sfcityatty.org; Prop65Env@co.calaveras.ca.us; inyoda@inyocounty.org; Prop65DA@santacruzcounty.us; CityAttyProp65@sandiego.gov; mcd@mariposacounty.org; Prop65@countyofmerced.com; DA.Prop65@co.nevada.ca.us; prop65@placer.ca.gov; davidhollister@countyofplumas.com; SanDiegoDAProp65@sdca.org; consumerprotection@fresnocountyca.gov; Proposition65notices@sanjoseca.gov; and Prop65Notice@da.ocgov.com.

I, Peter T. Sato, declare under penalty of perjury that the foregoing is true and correct. Executed on September 2, 2022, in the City and County of Los Angeles, California.



Peter T. Sato

SERVICE LIST

<p>DISTRICT ATTORNEY ALAMEDA COUNTY 1225 FALLON STREET, SUITE 900 OAKLAND, CA 94612 CEPDProp65@acgov.org</p>	<p>DISTRICT ATTORNEY KERN COUNTY 1215 TRUXTUN AVENUE BAKERSFIELD, CA 93301</p>	<p>DISTRICT ATTORNEY NEVADA COUNTY 201 COMMERCIAL STREET NEVADA CITY, CA 95959 DA.Prop65@co.nevada.ca.us</p>
<p>DISTRICT ATTORNEY ALPINE COUNTY P.O. BOX 248 MARKLEEVILLE, CA 96120</p>	<p>DISTRICT ATTORNEY KINGS COUNTY 1400 WEST LACEY BLVD. HANFORD, CA 93230</p>	<p>DISTRICT ATTORNEY ORANGE COUNTY P.O. BOX 808 SANTA ANA, CA 92702 Prop65Notice@da.ocgov.com</p>
<p>DISTRICT ATTORNEY AMADOR COUNTY 708 COURT STREET, SUITE 202 JACKSON, CA 95642</p>	<p>DISTRICT ATTORNEY LAKE COUNTY 255 N. FORBES STREET LAKEPORT, CA 95453</p>	<p>DISTRICT ATTORNEY PLACER COUNTY 10810 JUSTICE CENTER DRIVE ROSEVILLE, CA 95678 Prop65@placer.ca.gov</p>
<p>DISTRICT ATTORNEY BUTTE COUNTY 25 COUNTY CENTER DRIVE, STE 245 OROVILLE, CA 95965</p>	<p>DISTRICT ATTORNEY LASSEN COUNTY 220 SOUTH LASSEN STREET, SUITE 8 SUSANVILLE, CA 96130 mlatimer@co.lassen.ca.us</p>	<p>DISTRICT ATTORNEY PLUMAS COUNTY 520 MAIN STREET QUINCY, CA 95911 davidhollister@countyofplumas.com</p>
<p>DISTRICT ATTORNEY CALAVERAS COUNTY 891 MOUNTAIN RANCH ROAD SAN ANDREAS, CA 95249 Prop65Env@co.calaveras.ca.us</p>	<p>DISTRICT ATTORNEY LOS ANGELES COUNTY 210 WEST TEMPLE STREET, STE 18000 LOS ANGELES, CA 90012</p>	<p>DISTRICT ATTORNEY RIVERSIDE COUNTY 3072 ORANGE STREET RIVERSIDE, CA 92501 Prop65@rivcoda.org</p>
<p>DISTRICT ATTORNEY COLUSA COUNTY 346 FIFTH STREET SUITE 101 COLUSA, CA 95932</p>	<p>DISTRICT ATTORNEY MADERA COUNTY 209 WEST YOSEMITE AVENUE MADERA, CA 93637</p>	<p>DISTRICT ATTORNEY SACRAMENTO COUNTY 901 "G" STREET SACRAMENTO, CA 95814 Prop65@sacda.org</p>
<p>DISTRICT ATTORNEY CONTRA COSTA COUNTY 900 WARD STREET. MARTINEZ, CA 94553 sgrassini@contracostada.org</p>	<p>DISTRICT ATTORNEY MARIN COUNTY 350 CIVIC CENTER DRIVE, RM. 130 SAN RAFAEL, CA 94903</p>	<p>DISTRICT ATTORNEY SAN BENITO COUNTY 419 4TH STREET HOLLISTER, CA 95023</p>
<p>DISTRICT ATTORNEY DEL NORTE COUNTY 450 H STREET SUITE 171 CRESCENT CITY, CA 95531</p>	<p>DISTRICT ATTORNEY MARIPOSA COUNTY POST OFFICE BOX 730 MARIPOSA, CA 95338 mcda@mariposacounty.org</p>	<p>DISTRICT ATTORNEY SAN BERNARDINO COUNTY 316 N. MOUNTAIN VIEW AVENUE SAN BERNARDINO, CA 92415</p>
<p>DISTRICT ATTORNEY EL DORADO COUNTY 778 PACIFIC STREET PLACERVILLE, CA 95667</p>	<p>DISTRICT ATTORNEY MENDOCINO COUNTY P. O. BOX 1000 UKIAH, CA 95482</p>	<p>DISTRICT ATTORNEY SAN DIEGO COUNTY 330 WEST BROADWAY SAN DIEGO, CA 92101 SanDiegoDAProp65@sdcda.org</p>
<p>DISTRICT ATTORNEY FRESNO COUNTY 2220 TULARE STREET FRESNO, CA 93721 consumerprotection@fresnocountyca.gov</p>	<p>DISTRICT ATTORNEY MERCED COUNTY 550 W. MAIN STREET MERCED, CA 95340 Prop65@countyofmerced.com</p>	<p>DISTRICT ATTORNEY SAN FRANCISCO COUNTY 350 RHODE ISLAND STREET SAN FRANCISCO, CA 94103 Alexandra.grayner@sfgov.org</p>

SERVICE LIST

<p>DISTRICT ATTORNEY GLENN COUNTY POST OFFICE BOX 430 WILLOWS, CA 95988</p>	<p>DISTRICT ATTORNEY SAN MATEO COUNTY 400 COUNTY CTR., 3RD FLOOR REDWOOD CITY, CA 94063</p>	<p>DISTRICT ATTORNEY SUTTER COUNTY 446 SECOND STREET YUBA CITY, CA 95991</p>
<p>DISTRICT ATTORNEY HUMBOLDT COUNTY 825 5TH STREET, 4TH FLOOR EUREKA, CA 95501</p>	<p>DISTRICT ATTORNEY SANTA BARBARA COUNTY 1112 SANTA BARBARA STREET SANTA BARBARA, CA 93101 DAProp65@co.santa-barbara.ca.us</p>	<p>DISTRICT ATTORNEY TEHAMA COUNTY P.O. BOX 519 RED BLUFF CA 96080</p>
<p>DISTRICT ATTORNEY IMPERIAL COUNTY 940 WEST MAIN STREET, STE 102 EL CENTRO, CA 92243</p>	<p>DISTRICT ATTORNEY SANTA CLARA COUNTY 70 WEST HEDDING STREET SAN JOSE, CA 95110 EPU@da.sccgov.org</p>	<p>DISTRICT ATTORNEY TRINITY COUNTY P. O. BOX 310 WEAVERVILLE, CA 96093</p>
<p>DISTRICT ATTORNEY INYO COUNTY 168 NORTH EDWARDS STREET INDEPENDENCE, CA 93526 inyoda@inyocounty.org</p>	<p>DISTRICT ATTORNEY SANTA CRUZ COUNTY 701 OCEAN STREET SANTA CRUZ, CA 95060 Prop65DA@santacruzcounty.us</p>	<p>DISTRICT ATTORNEY TULARE COUNTY 221 S. MOONEY BLVD. VISALIA, CA 95370 Prop65@co.tulare.ca.us</p>
<p>DISTRICT ATTORNEY MODOC COUNTY 204 S. COURT STREET, ROOM 202 ALTURAS, CA 96101</p>	<p>DISTRICT ATTORNEY SHASTA COUNTY 1355 WEST STREET REDDING, CA 96001</p>	<p>DISTRICT ATTORNEY TUOLUMNE COUNTY 423 N. WASHINGTON ST. SONORA, CA 95370</p>
<p>DISTRICT ATTORNEY MONO COUNTY P. O. BOX 617 BRIDGEPORT, CA 93517</p>	<p>DISTRICT ATTORNEY SIERRA COUNTY P.O. BOX 457 DOWNIEVILLE, CA 95936</p>	<p>DISTRICT ATTORNEY VENTURA COUNTY 800 SOUTH VICTORIA AVE VENTURA, CA 93009 daspecialops@ventura.org</p>
<p>SAN FRANCISCO CITY ATTORNEY 1390 MARKET STREET, 7TH FLOOR SAN FRANCISCO, CA 94102 Valerie.lopez@sfcityatty.org</p>	<p>DISTRICT ATTORNEY SISKIYOU COUNTY P. O. BOX 986 YREKA, CA 96097</p>	<p>BERKELEY CITY ATTORNEY'S OFFICE 2180 MILVIA STREET, 4TH FLOOR BERKELEY, CA 94704</p>
<p>DISTRICT ATTORNEY NAPA COUNTY 1127 First Street, Suite C NAPA, CA 94559 CEPD@countyofnapa.org</p>	<p>DISTRICT ATTORNEY SOLANO COUNTY 675 TEXAS STREET, STE 4500 FAIRFIELD, CA 94533</p>	<p>DISTRICT ATTORNEY YUBA COUNTY 215 FIFTH STREET, SUITE 152 MARYSVILLE, CA 95901</p>
<p>DISTRICT ATTORNEY SAN JOAQUIN COUNTY 222 E. WEBER AVE., RM. 202 STOCKTON, CA 95202 DAConsumer.Environmental@sjcda.org</p>	<p>DISTRICT ATTORNEY SONOMA COUNTY 600 ADMINISTRATIVE DRIVE SONOMA, CA 95403 Jeannie.barnes@sonoma-county.org</p>	<p>LOS ANGELES CITY ATTORNEY'S OFFICE CITY HALL EAST 200 N. MAIN STREET, SUITE 800 LOS ANGELES, CA 90012</p>
<p>SAN JOSE CITY ATTORNEY'S OFFICE 200 E. SANTA CLARA STREET, 16th Floor SAN JOSE, CA 96113</p>	<p>DISTRICT ATTORNEY STANISLAUS COUNTY 83212 STREET, SUITE 300 MODESTO, CA 95354</p>	<p>SAN DIEGO CITY ATTORNEY'S OFFICE 1200 THIRD AVENUE SAN DIEGO, CA 92101 CityAttyProp65@sandiego.gov</p>

SERVICE LIST

<p>DISTRICT ATTORNEY MONTEREY COUNTY 1200 AGUAJITO ROAD MONTEREY, CA 93940 Prop65DA@co.monterey.ca.us</p>	<p>DISTRICT ATTORNEY YOLO COUNTY 301 SECOND STREET WOODLAND, CA 95695 cfepd@yolocounty.org</p>	<p>OAKLAND CITY ATTORNEY CITY HALL, 6TH FLOOR 1 FRANK OGAWA PLAZA OAKLAND, CA 94612</p>
<p>DISTRICT ATTORNEY SAN LUIS OBISPO COUNTY COUNTY GOVERNMENT CENTER ANNEX, 4th FLOOR SAN LUIS OBISPO, CA 93408 edobroth@co.slo.ca.us</p>		

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Andre A. Khansari, Esq. (SBN 223528)
KHANSARI LAW CORPORATION
16133 Ventura Blvd., Suite 1200
Encino, California 91436
TELEPHONE NO.: (818) 650-6444 FAX NO.: (818) 650-6445
ATTORNEY FOR (Name) CA CITIZEN PROTECTION GROUP, LLC

FOR COURT USE ONLY
ELECTRONICALLY FILED
Superior Court of California,
County of Alameda
03/27/2023 at 09:04:25 PM
By: Angela Linhares,
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
STREET ADDRESS: 1225 Fallon Street
MAILING ADDRESS: SAME
CITY AND ZIP CODE: Oakland, 94612
BRANCH NAME: Oakland, Rene C. Davidson Alameda County Courthouse

CASE NAME
CA Citizen Protection Group, LLC v. Signal Products, Inc. et al.

CIVIL CASE COVER SHEET
[checked] Unlimited (Amount demanded exceeds \$25,000)
[] Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
[] Counter [] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER
23CV030099
JUDGE:
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

- 1. Check one box below for the case type that best describes this case:
Auto Tort: [] Auto (22), [] Uninsured motorist (46)
Other PIP/D/W/D (Personal Injury/Property Damage/Wrongful Death) Tort: [] Asbestos (04), [] Product liability (24), [] Medical malpractice (45), [] Other PIP/D/W/D (23)
Non-PIP/D/W/D (Other) Tort: [] Business tort/unfair business practice (07), [] Civil rights (08), [] Defamation (13), [] Fraud (16), [] Intellectual property (19), [] Professional negligence (25), [] Other non-PIP/D/W/D tort (35)
Employment: [] Wrongful termination (36), [] Other employment (15)
Contract: [] Breach of contract/warranty (06), [] Rule 3.740 collections (09), [] Other collections (09), [] Insurance coverage (18), [] Other contract (37)
Real Property: [] Eminent domain/Inverse condemnation (14), [] Wrongful eviction (33), [] Other real property (26)
Unlawful Detainer: [] Commercial (31), [] Residential (32), [] Drugs (38)
Judicial Review: [] Asset forfeiture (05), [] Petition re: arbitration award (11), [] Writ of mandate (02), [] Other judicial review (39)
Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403): [] Antitrust/Trade regulation (03), [] Construction defect (10), [] Mass tort (40), [] Securities litigation (28), [checked] Environmental/Toxic tort (30), [] Insurance coverage claims arising from the above listed provisionally complex case types (41)
Enforcement of Judgment: [] Enforcement of judgment (20)
Miscellaneous Civil Complaint: [] RICO (27), [] Other complaint (not specified above) (42)
Miscellaneous Civil Petition: [] Partnership and corporate governance (21), [] Other petition (not specified above) (43)

- 2. This case [] is [checked] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. [] Large number of separately represented parties
b. [] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. [] Substantial amount of documentary evidence
d. [] Large number of witnesses
e. [] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. [] Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. [checked] monetary b. [checked] nonmonetary; declaratory or injunctive relief c. [] punitive
4. Number of causes of action (specify): 1 (Proposition 65, HSC section 25249.5 et seq.)
5. This case [] is [checked] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 27, 2023
Andre A. Khansari, Esq.

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
• Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
• File this cover sheet in addition to any cover sheet required by local court rule.
• If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
• Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

F. ADDENDUM TO CIVIL CASE COVER SHEET

Short Title: CA Citizen Protection Group, LLC vs. Signal Products, Inc. et al.

Case Number: 23CV030099

ELECTRONICALLY FILED

Superior Court of California

County of Alameda

03/27/2023

CIVIL CASE COVER SHEET ADDENDUM

THIS FORM IS REQUIRED IN ALL NEW UNLIMITED CIVIL CASE FILINGS IN THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Chief Clerk / Executive Officer / Clerk of the Court

By: A. Linhares Deputy

Hayward Hall of Justice (447)

Oakland, Rene C. Davidson Alameda County Courthouse (446)

Pleasanton, Gale-Schenone Hall of Justice (448)

Civil Case Cover Sheet Category	Civil Case Cover Sheet Case Type	Alameda County Case Type (check only one)	
Auto Tort	Auto tort (22)	<input type="checkbox"/> 34 Auto tort (G)	Is this an uninsured motorist case? <input type="checkbox"/> yes <input type="checkbox"/> no
Other PI /PD / WD Tort	Asbestos (04)	<input type="checkbox"/> 75 Asbestos (D)	
	Product liability (24)	<input type="checkbox"/> 89 Product liability (<u>not</u> asbestos or toxic tort/environmental) (G)	
	Medical malpractice (45)	<input type="checkbox"/> 97 Medical malpractice (G)	
	Other PI/PD/WD tort (23)	<input type="checkbox"/> 33 Other PI/PD/WD tort (G)	
Non - PI /PD / WD Tort	Bus tort / unfair bus. practice (07)	<input type="checkbox"/> 79 Bus tort / unfair bus. practice (G)	
	Civil rights (08)	<input type="checkbox"/> 80 Civil rights (G)	
	Defamation (13)	<input type="checkbox"/> 84 Defamation (G)	
	Fraud (16)	<input type="checkbox"/> 24 Fraud (G)	
	Intellectual property (19)	<input type="checkbox"/> 87 Intellectual property (G)	
	Professional negligence (25)	<input type="checkbox"/> 59 Professional negligence - non-medical (G)	
	Other non-PI/PD/WD tort (35)	<input type="checkbox"/> 03 Other non-PI/PD/WD tort (G)	
Employment	Wrongful termination (36)	<input type="checkbox"/> 38 Wrongful termination (G)	
	Other employment (15)	<input type="checkbox"/> 85 Other employment (G)	
		<input type="checkbox"/> 53 Labor comm award confirmation	
		<input type="checkbox"/> 54 Notice of appeal - L.C.A.	
Contract	Breach contract / Wrnty (06)	<input type="checkbox"/> 04 Breach contract / Wrnty (G)	
	Collections (09)	<input type="checkbox"/> 81 Collections (G)	
	Insurance coverage (18)	<input type="checkbox"/> 86 Ins. coverage - non-complex (G)	
	Other contract (37)	<input type="checkbox"/> 98 Other contract (G)	
Real Property	Eminent domain / Inv Cdm (14)	<input type="checkbox"/> 18 Eminent domain / Inv Cdm (G)	
	Wrongful eviction (33)	<input type="checkbox"/> 17 Wrongful eviction (G)	
	Other real property (26)	<input type="checkbox"/> 36 Other real property (G)	
Unlawful Detainer	Commercial (31)	<input type="checkbox"/> 94 Unlawful Detainer - commercial	Is the deft. in possession of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Residential (32)	<input type="checkbox"/> 47 Unlawful Detainer - residential	
	Drugs (38)	<input type="checkbox"/> 21 Unlawful detainer - drugs	
Judicial Review	Asset forfeiture (05)	<input type="checkbox"/> 41 Asset forfeiture	
	Petition re: arbitration award (11)	<input type="checkbox"/> 62 Pet. re: arbitration award	
	Writ of Mandate (02)	<input type="checkbox"/> 49 Writ of mandate	
	Other judicial review (39)	<input type="checkbox"/> 64 Other judicial review	Is this a CEQA action (Publ.Res.Code section 21000 et seq) <input type="checkbox"/> Yes <input type="checkbox"/> No
Provisionally Complex	Antitrust / Trade regulation (03)	<input type="checkbox"/> 77 Antitrust / Trade regulation	
	Construction defect (10)	<input type="checkbox"/> 82 Construction defect	
	Claims involving mass tort (40)	<input type="checkbox"/> 78 Claims involving mass tort	
	Securities litigation (28)	<input type="checkbox"/> 91 Securities litigation	
	Toxic tort / Environmental (30)	<input checked="" type="checkbox"/> 93 Toxic tort / Environmental	
	Ins covrg from cmplx case type (41)	<input type="checkbox"/> 95 Ins covrg from complex case type	
Enforcement of Judgment	Enforcement of judgment (20)	<input type="checkbox"/> 19 Enforcement of judgment	
		<input type="checkbox"/> 08 Confession of judgment	
Misc Complaint	RICO (27)	<input type="checkbox"/> 90 RICO (G)	
	Partnership / Corp. governance (21)	<input type="checkbox"/> 88 Partnership / Corp. governance (G)	
	Other complaint (42)	<input type="checkbox"/> 68 All other complaints (G)	
Misc. Civil Petition	Other petition (43)	<input type="checkbox"/> 06 Change of name	
		<input type="checkbox"/> 69 Other petition	

SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA	Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Rene C. Davidson Courthouse Administration Building, 1221 Oak Street, Oakland, CA 94612	FILED Superior Court of California County of Alameda 03/27/2023 Clad Flake, Executive Officer / Clerk of the Court By: <u> A. Linhares </u> Deputy
PLAINTIFF(S): CA Citizen Protection Group, LLC	
DEFENDANT(S): Signal Products, Inc. et al	
NOTICE OF CASE ASSIGNMENT	CASE NUMBER: 23CV030099

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Rule 3.734 of the California Rules of Court and Title 3 Chapter 2 of the Local Rules of the Superior Court of California, County of Alameda, this action is hereby assigned by the Presiding Judge for all purposes to:

ASSIGNED JUDGE: Tara Desautels
DEPARTMENT: 16
LOCATION: Rene C. Davidson Courthouse
Administration Building, 1221 Oak Street, Oakland, CA 94612
PHONE NUMBER: (510) 267-6932
FAX NUMBER:
EMAIL ADDRESS: Dept16@alameda.courts.ca.gov

Under direct calendaring, this case is assigned to a single judge for all purposes including trial.

Please note: In this case, any challenge pursuant to Code of Civil Procedures section 170.6 must be exercised within the time period by law. (See Code of Civ. Proc. §§ 170.6, subd. (a.)(2) and 101.3)

NOTICE OF NONAVAILABILITY OF COURT REPORTERS: Effective June 4, 2012, the court will not provide a court reporter for civil law and motion hearings, any other hearing or trial in civil departments, or any afternoon hearing in Department 201 (probate). Parties may arrange and pay for the attendance of a certified shorthand reporter. In limited jurisdiction cases, parties may request electronic recording. Amended Local Rule 3.95 states: "Except as otherwise required by law, in general civil case and probate departments, the services of an official court reporter are not normally available. For civil trials, each party must serve and file a statement before the trial date indicating whether the party requests the presence of an official court reporter."

GENERAL PROCEDURES

Following assignment of a civil case to a specific department, all pleadings, papers, forms, documents and writings can be submitted for filing at either Civil Clerk's Office, located at the Rene C. Davidson Courthouse, Room 109, 1225 Fallon Street, Oakland, California, 94612, and the Hayward Hall of Justice, 24405 Amador Street, Hayward, California, 94544 and through Civil e-filing. Information regarding Civil e-filing can be found on the courts website. All documents, with the exception of the original summons and the original civil complaint, shall have clearly typed on the face page of each document, under the case number, the following:

NOTICE OF CASE ASSIGNMENT

**ASSIGNED FOR ALL PURPOSES TO
JUDGE Tara Desautels
DEPARTMENT 16**

All parties are expected to know and comply with the Local Rules of this Court, which are available on the court's website at [http://www.alameda.courts.ca.gov/Pages.aspx/Local-Rules\(1\)](http://www.alameda.courts.ca.gov/Pages.aspx/Local-Rules(1)) and with the California Rules of Court, which are available at www.courtinfo.ca.gov.

Parties must meet and confer to discuss the effective use of mediation or other alternative dispute processed (ADR) prior to the Initial Case Management Conference. The court encourages parties to file a "Stipulation to Attend ADR and Delay Initial Case Management Conference for 90 Days." The court's website contains this form and other ADR information. If the parties do not stipulate to attend ADR, the parties must be prepared to discuss referral to ADR at the Initial Case Management Conference.

COURT RESERVATIONS

The use of the Court Reservation System (CRS) is now mandated in many civil courtrooms within the Alameda County Superior Court. Instead of calling or emailing the courtroom to make a reservation, parties with a case assigned to a courtroom using CRS are directed to utilize CRS to make and manage their own reservations, within parameters set by the courtrooms. CRS is available 24 hours a day, seven days a week and reservations can be made from a computer or smart phone. Please note, you are prohibited from reserving more than one hearing date for the same motion.

Prior to scheduling any motion on CRS, including any Applications for Orders for Appearance and Examination, or continuing any motion, please review the online information (if any) for the courtroom in which you are reserving. There may be specific and important conditions associated with certain motions and proceedings. Information is available on the court's eCourt Public Portal at www.eportal.alameda.courts.ca.gov.

Chad Finke, Executive Officer / Clerk of the Court

By **A. Linhares, Deputy Clerk**



Superior Court of California, County of Alameda Alternative Dispute Resolution (ADR) Information Packet

The person who files a civil lawsuit (plaintiff) must include the ADR Information Packet with the complaint when serving the defendant. Cross complainants must serve the ADR Information Packet on any new parties named to the action.

The Court *strongly encourages* the parties to use some form of ADR before proceeding to trial. You may choose ADR by:

- Indicating your preference on Case Management Form CM-110;
- Filing the Stipulation to ADR and Delay Initial Case Management Conference for 90 Days (a local form included with the information packet); or
- Agreeing to ADR at your Initial Case Management Conference.

QUESTIONS? Call (510) 891-6055. Email: adrprogram@alameda.courts.ca.gov
Or visit the court's website at <http://www.alameda.courts.ca.gov/divisions/civil/adr>

What Are the Advantages of Using ADR?

- **Faster** – Litigation can take years to complete but ADR usually takes weeks or months.
- **Cheaper** – Parties can save on attorneys' fees and litigation costs.
- **More control and flexibility** – Parties choose the ADR process appropriate for their case.
- **Cooperative and less stressful** – In mediation, parties cooperate to find a mutually agreeable resolution.
- **Preserve Relationships** – A mediator can help you effectively communicate your interests and point of view to the other side. This is an important benefit when you want to preserve a relationship.

What Is the Disadvantage of Using ADR?

- **You may go to court anyway** – If you cannot resolve your dispute using ADR, you may still have to spend time and money resolving your lawsuit through the courts.

What ADR Options Are Available?

- **Mediation** – A neutral person (mediator) helps the parties communicate, clarify facts, identify legal issues, explore settlement options, and agree on a solution that is acceptable to all sides.
 - **Court Mediation Program:** Mediators do not charge fees for the first two hours of mediation. If parties need more time, they must pay the mediator's regular fees.

Some mediators ask for a deposit before mediation starts which is subject to a refund for unused time.

- **Private Mediation:** This is mediation where the parties pay the mediator's regular fees and may choose a mediator outside the court's panel.
- **Arbitration** – A neutral person (arbitrator) hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial and the rules of evidence are often relaxed. Arbitration is effective when the parties want someone other than themselves to decide the outcome.
 - **Judicial Arbitration Program (non-binding):** The judge can refer a case, or the parties can agree to use judicial arbitration. The parties select an arbitrator from a list provided by the court. If the parties cannot agree on an arbitrator, one will be assigned by the court. There is no fee for the arbitrator. The arbitrator must send the decision (award of the arbitrator) to the court. The parties have the right to reject the award and proceed to trial.
 - **Private Arbitration (binding and non-binding)** occurs when parties involved in a dispute either agree or are contractually obligated. This option takes place outside of the courts and is normally binding meaning the arbitrator's decision is final.

Mediation Service Programs in Alameda County

Low-cost mediation services are available through non-profit community organizations. Trained volunteer mediators provide these services. Contact the following organizations for more information:

SEEDS Community Resolution Center

2530 San Pablo Avenue, Suite A, Berkeley, CA 94702-1612

Telephone: (510) 548-2377 Website: www.seedscrc.org

Their mission is to provide mediation, facilitation, training and education programs in our diverse communities – Services that Encourage Effective Dialogue and Solution-making.

Center for Community Dispute Settlement

291 McLeod Street, Livermore, CA 94550

Telephones: (925) 337-7175 | (925) 337-2915 (Spanish)

Website: www.trivalleymediation.com

CCDS provides services in the Tri-Valley area for all of Alameda County.

For Victim/Offender Restorative Justice Services

Catholic Charities of the East Bay: Oakland

433 Jefferson Street, Oakland, CA 94607 Telephone: (510) 768-3100 Website: www.cceb.org Mediation sessions involve the youth, victim, and family members work toward a mutually agreeable restitution agreement.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)	FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	
SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	
STIPULATION TO ATTEND ALTERNATIVE DISPUTE RESOLUTION (ADR) AND DELAY INITIAL CASE MANAGEMENT CONFERENCE FOR 90 DAYS	CASE NUMBER: _____

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

This stipulation is effective when:

- All parties have signed and filed this stipulation with the Case Management Conference Statement at least 15 days before the initial case management conference.
- A copy of this stipulation has been received by the ADR Program Administrator, 24405 Amador Street, Hayward, CA 94544 or Fax to (510) 267-5727.

1. Date complaint filed: _____ . An **Initial Case Management Conference** is scheduled for:

Date: _____ Time: _____ Department: _____

2. Counsel and all parties certify they have met and conferred and have selected the following ADR process (*check one*):

- Court mediation Judicial arbitration
 Private mediation Private arbitration

3. All parties agree to complete ADR within 90 days and certify that:

- a. No party to the case has requested a complex civil litigation determination hearing;
- b. All parties have been served and intend to submit to the jurisdiction of the court;
- c. All parties have agreed to a specific plan for sufficient discovery to make the ADR process meaningful;
- d. Copies of this stipulation and self-addressed stamped envelopes are provided for returning endorsed filed stamped copies to counsel and all parties;
- e. Case management statements are submitted with this stipulation;
- f. All parties will attend ADR conferences; and,
- g. The court will not allow more than 90 days to complete ADR.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE OF PLAINTIFF)

Date:

_____ ▶ _____

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR PLAINTIFF)

ALA ADR-001

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER.:
--	---------------

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF DEFENDANT)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF ATTORNEY FOR DEFENDANT)