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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

JAN 29 2009

John A. Clarke, Executive Officer/Clerk
By: *[Signature]*
KATHLEEN [unclear]

12 SUPERIOR COURT, STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES

14 Coordination Proceeding
15 Special Title (Rule (1550(b))

16 SECONDHAND SMOKE CASES

17 This Document Relates to the following cases:

18 *Consumer Advocacy Group, Inc. v. Destination
19 Hotels & Resorts, et al.*; Former Los Angeles
20 County Superior Court
21 Case No. BC234630; and

22 *Consumer Advocacy Group, Inc. v. Hilton
23 Corporation, et al.*; Former Los Angeles
24 County Superior Court Case No. BC276355.

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4182

~~PROPOSED~~ ORDER APPROVING
STIPULATED CONSENT JUDGMENT
BETWEEN CONSUMER ADVOCACY
GROUP, INC. AND BEVERLY HILLS
HOTEL CORPORATION

Date Proceeding Coordinated: June 18, 2001
Trial Date: None set
Hearing: January 9, 2009
Time: 9:00 p.m.
Place: Department 307
Judge: Hon. William Highberger

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BY: *[Signature]*

25 On January 9, 2009, at 9:00 p.m., the Honorable William Highberger, in Department 307
26 of this Court, heard the Motion to Approve the settlement between Consumer Advocacy Group,
27 Inc. ("Plaintiff") on the one hand, and The Beverly Hills Hotel Corporation, and Sajahtera, Inc.
28 ("Defendants"), on the other. Appearances are in the record. The Court, having considered the

~~PROPOSED~~ JUDGMENT AND ORDER APPROVING SETTLEMENT BETWEEN CONSUMER
ADVOCACY GROUP, INC., ON THE ONE HAND, AND THE BEVERLY HILLS HOTEL CORPORATION
AND SAJAHTERA, INC., ON THE OTHER

ORIGINAL

1 documents filed in connection with this matter and the arguments of counsel, has arrived at the
2 following conclusions and SO ORDERS:

3 A. Plaintiff and Defendants executed a [Proposed] Stipulated Consent Judgment
4 (“Settlement”), which they have submitted to this Court for approval pursuant to Proposition 65
5 (Health & Saf. Code, §§ 25249.5, et seq.).

6 B. This Court has considered the Settlement and determined that it represents a fair,
7 reasonable, and adequate settlement between Plaintiff and Defendants.

8 1. The Settlement provides that Defendants will:

- 9
- 10 • Provide Proposition 65 warnings; and
 - 11 • Pay Plaintiff \$35,000 for its attorney fees.

12 2. The court grants the Motion to Approve the settlement between Plaintiff and
13 Defendants in its entirety pursuant to Health and Safety Code section 25249.7, subdivision (f)(4)
14 after making the following findings:

15 a. Plaintiff followed all procedural rules in seeking approval of the Settlement;

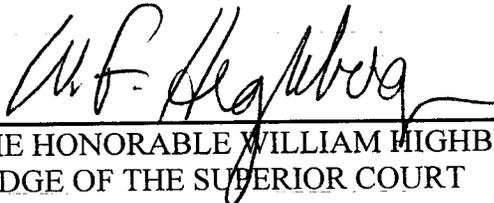
16 b. The Settlement requires “clear and reasonable” Proposition 65 compliant
17 warnings for extant exposures to Proposition 65-listed chemicals;

18 c. The award of \$35,000 in attorney fees and costs as set forth in the Settlement is
19 appropriate and reasonable under California law given the total fees and costs incurred by
20 Plaintiff and its counsel of record in prosecuting this action as to Defendant;

21 d. The terms of the Settlement are in the public interest consistent with Health and
22 Safety Code section 25249.7, subdivision (d); and

23 e. Plaintiff adequately represented the public interest in entering into the Settlement.

24
25 Dated: 1/29/09

26
27 
28 THE HONORABLE WILLIAM HIGHBERGER
JUDGE OF THE SUPERIOR COURT