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LOS ANGELES SUPERIOR COURT

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1 Reuben Yeroushalmi (SBN 193981)
2 Daniel D. Cho (SBN 105409)
3 Ben Yeroushalmi (SBN 232540)
4 Yeroushalmi & Associates
5 3700 Wilshire Blvd., Suite 480
6 Los Angeles, CA 90010
7 Telephone: 213-382-3183
8 Facsimile: 213-382-3430
9 Email: lawfirm@yeroushalmi.com
10 Attorneys for Plaintiff,
11 Consumer Advocacy Group, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

11	CONSUMER ADVOCACY)	CASE NO. BC371829
12	GROUP, INC., et al.,)	
13)	[PROPOSED] ORDER APPROVING
14	Plaintiff,)	SETTLEMENT BETWEEN CONSUMER
15)	ADVOCACY GROUP, INC. AND
16	v.)	WESTERN STATES ROOF SYSTEMS, INC
17	BUILT-RITE CONSTRUCTION)	Judge: Ralph W. Dau
18	INC., et al.,)	Place: Dept. 57
19)	Date: January 28, 2008
20	Defendants.)	Time: 8:30 a.m.
21)	
22)	Action Filed: May 29, 2007
23)	Discovery-Cutoff: March 23, 2008
24)	Trial date: April 23, 2008

21 On January 28, 2008, at 8:30 a.m., the Honorable Ralph W. Dau, in Department 57 of this
22 Court, heard the motion for judicial approval of settlement of action between plaintiff, Consumer
23 Advocacy Group, Inc. ("CAG"), on one hand, and, defendant, Western States Roof Systems, Inc
24 ("Western") on the other. Appearances are in the record. The Court, having considered the
25 documents filed in connection with this matter and the arguments of counsel, has arrived at the
26 following conclusions and SO ORDERS:
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1 A. CAG and Western have executed a Settlement Agreement ("Proposed Settlement"), fully
2 executed as of November 26, 2007, which CAG submitted to this Court for approval pursuant to
3 Proposition 65 (Health & Saf. Code, §§ 25249.5 et seq.).
4

5 B. This Court has considered the Proposed Settlement and determined that it represents a
6 fair, reasonable, and adequate settlement between CAG and Western.

7 1. The Proposed Settlement provides that Western will:

- 8 • Change its business practices to reduce exposures of Proposition 65-listed chemicals to
9 its employees and the public;
- 10 • Provide warnings to its employees that satisfy the "clear and reasonable" warning
11 requirement under Proposition 65;
- 12 • Pay CAG \$14,500 for its attorney fees and costs; and
- 13 • Pay \$500 to an entity, CAG, in lieu of a civil penalty.

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16 2. The court grants the Motion for Judicial Approval of Settlement between CAG
17 and Western in its entirety pursuant to Health and Safety Code section 25249.7, subdivision
18 (f)(4) after making the following findings.

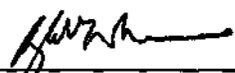
- 19 a. CAG followed all procedural rules in seeking approval of the Proposed
20 Settlement;
- 21 b. The Proposed Settlement properly requires Proposition 65 compliant warnings
22 for extant exposures to Proposition 65-listed chemicals;
- 23 c. The award of \$14,500 in attorney fees and costs as set forth in the Proposed
24 Settlement is appropriate and reasonable under California law given the total
25 fees and costs incurred by CAG and its counsel of record in prosecuting this
26 action;
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- d. The Proposed Settlement provides that Western will pay \$500 to an entity, CAG, in lieu of a civil penalty that is proper in light of the criteria set forth in California Code of Regulations, title 11, section 3203, subdivision (b);
- e. The terms of the Proposed Settlement are in the public interest consistent with Health and Safety Code section 25249.7, subdivision (d); and
- f. CAG adequately represented the public interest in entering into the Proposed Settlement.

Dated: _____, 2007



JUDGE OF THE SUPERIOR COURT

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