

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.

FILED
 San Francisco County Superior Court

MAY - 9 2008

GORDON PARK-LI, Clerk
 BY: *Gordon Park-Li* Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9
 10 COUNTY OF SAN FRANCISCO

11 CONSUMER ADVOCACY)
 12 GROUP, INC., in the interest of)
 13 the Public,)
 14 Plaintiff,)
 15 v.)
 16 KEN COOPER ROOFING AND)
 17 GUTTER SYSTEMS, et al.,)
 18 Defendants.)
 19)
 20)

CASE NO. CGC-07-464039

(2A)
~~PROPOSED~~ ORDER APPROVING
 SETTLEMENT BETWEEN CONSUMER
 ADVOCACY GROUP, INC. AND
 CENTRAL ROOFING COMPANY

Judge: Hon. Peter Busch
 Place: Dept. 301
 Date: April 25, 2008
 Time: 9:30 a.m.

Action Filed: June 9, 2007
 Trial date: Not set

21 On April 25, 2008, at 9:30 a.m., the Honorable Peter Busch, in Department 301 of this
 22 Court, heard the motion for judicial approval of settlement of action between plaintiff,
 23 Consumer Advocacy Group, Inc. ("CAG"), and defendant, Central Roofing Company
 24 ("Central"). Appearances are in the record. The Court, having considered the documents filed
 25 in connection with this matter and the arguments of counsel, has arrived at the following
 26 conclusions and SO ORDERS:
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1 The Proposed Settlement represents a fair, reasonable, and adequate settlement, providing
2 that Central will:

- 3 • Change its business practices to reduce exposures of Proposition 65-listed chemicals to
4 its employees and the public;
- 5 • Provide occupational warnings that satisfy the "clear and reasonable" warning
6 requirement under Proposition 65;
- 7 • Pay CAG \$15,000 for its attorney fees and costs; and
- 8 • Pay \$500 to an entity, CAG, in lieu of a civil penalty.

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11 The court grants the motion in its entirety pursuant to Health and Safety Code section
12 25249.7, subdivision (f)(4) after finding that:

- 13 a. CAG followed all procedural rules in seeking approval of the Proposed Settlement;
- 14 b. The Proposed Settlement properly requires Proposition 65 compliant warnings for
15 extant exposures to Proposition 65-listed chemicals;
- 16 c. The mandated award of \$15,000 in attorney fees is appropriate and reasonable under
17 California law given the total fees incurred by CAG in prosecuting this action;
- 18 d. The mandated payment of \$500 to an entity, CAG, in lieu of a civil penalty is proper
19 pursuant to California Code of Regulations, title 11, section 3203, subdivision (b);
- 20 e. The terms of the Proposed Settlement are in the public interest consistent with Health
21 and Safety Code section 25249.7, subdivision (d); and
- 22 f. CAG represented the public interest in entering into the Proposed Settlement.

23
24
25
26 Dated: MAY - 9 2008 ^{at}
2008

27 ^{at} 
28 THE HONORABLE PETER BUSCH
JUDGE OF THE SUPERIOR COURT

* 464039
CONSUMER ADVOCACY v. KEN COOPER² ROOFING
[PROPOSED] ORDER APPROVING SETTLEMENT BETWEEN CONSUMER ADVOCACY GROUP, INC.
AND CENTRAL ROOFING COMPANY

YEROUSHALMI & ASSOCIATES

ATTORNEYS AT LAW

YUSEN YEROUSHALMI
DANIEL D. CHO
BEN YEROUSHALMI
BRIAN KEITH ANDREWS
JOSHUA NAJENY

WILSHIRE PARK PLACE
3700 WILSHIRE BOULEVARD, SUITE 480
LOS ANGELES, CA 90010-2905
TELEPHONE (213) 382-3183
FACSIMILE (213) 382-3430

MAY 05 2008

Thursday, May 01, 2008

VIA U.S. MAIL

Clerk of The Honorable Peter Busch
San Francisco Superior Court-Unlimited
400 McAllister St.
Dept. 301
San Francisco, CA 94102

Re: *Consumer Advocacy Group, Inc. v. Ken Cooper Roofing and Gutter Systems, et al.*
Case # CGC07464039

Dear Court:

Enclosed please find the proposed order approving settlement between plaintiff, Consumer Advocacy Group, Inc., and defendant, Central Roofing Company, heard on April 25, 2008, line 11. Pursuant to California Rules of Court, rule 3.1312, I delivered the proposed order to the other party for approval as conforming to the court's order—see enclosure. I received no responses from the other party. Please also find an SASE.

Sincerely,



Brian Keith Andrews

cc: David Kim, Esq.

EXHIBIT "A"

YERUSHALMI & ASSOCIATES

ATTORNEYS AT LAW

REBECCY YERUSHALMI
DANIEL D. CHO
JEN YERUSHALMI
BRIAN KEITH ANDREWS

WILSHIRE PARK PLACE
3700 WILSHIRE BOULEVARD, SUITE 400
LOS ANGELES, CA 90010-2905
TELEPHONE (213) 382-3183
FACSIMILE (213) 382-3430

Thursday, April 24, 2008

VIA FACSIMILE AT 650.573.9689

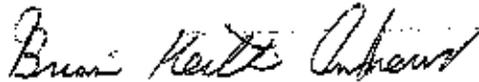
David Kim, Esq.
Greene Charvel Descalso & Minoletti
155 Bovet Road, Suite 780
San Mateo, CA 94402

Re: *Consumer Advocacy Group, Inc. v. Ken Cooper Roofing and Gutter Systems, et al.*; Case No. CGC-07-464039

Dear Mr. Kim:

Enclosed, please find the Court's tentative ruling approving the settlement between Consumer Advocacy Group, Inc. and Central Roofing Company. Pursuant to California Rules of Court, rule 3.1312, please review the enclosed [proposed] order concerning this motion. Please contact me have you questions or concerns, or if you or your client desire changes to, or have objections to the content of, the [proposed] order.

Sincerely,



Brian Keith Andrews