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**ENDORSED  
FILED**  
*San Francisco County Superior Court*

JAN 28 2008

**GORDON PARK-LI, Clerk**  
BY: **ERICKA LARNAUTI**  
Deputy Clerk

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

11 CONSUMER ADVOCACY )	CASE NO. CGC-07-464039
12 GROUP, INC., in the interest of )	
13 the Public, )	<del>PROPOSED</del> ORDER APPROVING
14 )	SETTLEMENT BETWEEN CONSUMER
15 Plaintiff, )	ADVOCACY GROUP, INC. AND
16 )	C.R.C. ROOFING, INC.
17 v. )	
18 )	Judge: Hon. Peter Busch
19 KEN COOPER ROOFING AND )	Place: Dept. 301
20 GUTTER SYSTEMS, et al., )	Date: January 10, 2008
21 )	Time: 9:30 AM
22 Defendants. )	
23 )	Action Filed: June 9, 2007
24 )	Trial date: Not set
25 )	
26 )	
27 )	
28 )	

21 On January 10, 2008, at 9:30 AM, 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"), on one hand, and, defendant, C.R.C. Roofing, Inc.  
24 ("C.R.C.") 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 C.R.C. have executed a Settlement Agreement (“Proposed Settlement”), fully  
2 executed as of October 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 C.R.C.

7 1. The Proposed Settlement provides that C.R.C. 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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15  
16 2. The court grants the Motion for Judicial Approval of Settlement between CAG  
17 and C.R.C. in its entirety pursuant to Health and Safety Code section 25249.7, subdivision (f)(4)  
18 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  
27  
28 action;

- 1 d. The Proposed Settlement provides that C.R.C. will pay \$500 to an entity,  
2 CAG, in lieu of a civil penalty that is proper in light of the criteria set forth in  
3 California Code of Regulations, title 11, section 3203, subdivision (b);  
4  
5 e. The terms of the Proposed Settlement are in the public interest consistent with  
6 Health and Safety Code section 25249.7, subdivision (d); and  
7  
8 f. CAG adequately represented the public interest in entering into the Proposed  
9 Settlement.  
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11 Dated: JAN 22 2008 <sup>(ak)</sup>  
12 , 2008

13 **PETER J. BUSCH**  
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**JUDGE OF THE SUPERIOR COURT**  
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