

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.

**ORIGINAL FILED**

JAN 29, 2008

LOS ANGELES  
SUPERIOR COURT

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9  
10 COUNTY OF LOS ANGELES

11 CONSUMER ADVOCACY )  
12 GROUP, INC., et al., )

13 Plaintiff, )

14 v. )

15 THE REROOFING SPECIALISTS, )  
16 INC., et al., )

17 Defendants. )

CASE NO. BC375084

18 ~~PROPOSED~~ ORDER APPROVING  
19 SETTLEMENT BETWEEN CONSUMER  
20 ADVOCACY GROUP, INC. AND  
21 PRIORITY ROOFING, INC.

Judge: Hon. Peter D. Lichtman  
Place: Dept. 322  
Date: January 29, 2008  
Time: 10:00 a.m.

Action Filed: July 31, 2007

22 On January 29, 2008, at 10:00 a.m., the Honorable Peter D. Lichtman, in Department 322  
23 of this Court, heard the motion for judicial approval of settlement of action between plaintiff,  
24 Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, defendant, Priority Roof Service,  
25 Inc. ("Priority") on the other. Appearances are in the record. The Court, having considered the  
26 documents filed in connection with this matter and arguments of counsel, has arrived at the  
27 following conclusions and SO ORDERS:  
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1 A. CAG and Priority executed a Settlement Agreement ("Proposed Settlement") as of  
2 November 13, 2007, which CAG submitted to this Court for approval pursuant to Proposition 65  
3 (Health & Saf. Code, §§ 25249.5, et seq.).

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

7 1. The Proposed Settlement provides that Priority 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 \$14,000 for its attorney fees; and
- 13 • Pay \$1,000 to an entity, CAG, in lieu of a civil penalty.  
14

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

- 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 \$14,000 attorney fee award set forth in the Proposed Settlement is  
24 appropriate and reasonable under California law given the total fees incurred  
25 by CAG and its counsel of record in prosecuting this action;  
26  
27  
28

- d. The Proposed Settlement provides that Priority will pay \$1,000 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: 1/29/08<sup>20</sup>, 2007

**PETER D. LICHTMAN**  
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JUDGE OF THE SUPERIOR COURT