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LOS ANGELES SUPERIOR COURT

DEC 17 2007

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

11	CONSUMER ADVOCACY)	CASE NO. BC363759
12	GROUP, INC., in the interest of)	
13	the Public,	)	PROPOSED ORDER APPROVING
14	Plaintiff,	)	SETTLEMENT BETWEEN CONSUMER
15	v.	)	ADVOCACY GROUP, INC. AND
16	THOMPSON ROOF CO.,	)	ROOFING SPECIALISTS, INC
17	INCORPORATED, et al.,)	
18	Defendants.	)	Judge: Richard L. Fruin
19		)	Place: Dept. 15
20		)	Date: December 17, 2007
		)	Time: 8:30 AM
		)	Action Filed: December 20, 2006
		)	Trial date: Not set

21 On December 17, 2007, at 8:30 AM, the Honorable Richard L. Fruin, in Department 15
22 of this Court, heard the motion for judicial approval of settlement of action between plaintiff,
23 Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, defendant, Roofing Specialists,
24 Inc ("Roofing Specialists"), on the other. Appearances are in the record. The Court, having
25 considered the documents filed in connection with this matter and the arguments of counsel, has
26 arrived at the following conclusions and SO ORDERS:
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1 A. CAG and Roofing Specialists have executed a [Proposed] Consent Judgment ("Proposed
2 Settlement"), fully executed as of October 11, 2007, which CAG submitted to this Court for
3 approval pursuant to 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 Roofing Specialists.

7 1. The Proposed Settlement provides that Roofing Specialists will:

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

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

- 19
- 20 a. CAG followed all procedural rules in seeking approval of the Proposed
21 Settlement;
 - 22 b. The Proposed Settlement properly requires Proposition 65 compliant warnings
23 for extant exposures to Proposition 65-listed chemicals;
 - 24 c. The award of \$4,500 in attorney fees and costs as set forth in the Proposed
25 Settlement is appropriate and reasonable under California law given the total
26 fees and costs incurred by CAG and its counsel of record in prosecuting this
27 action;
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- d. The Proposed Settlement provides that Roofing Specialists 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: Dec. 17, 2007


JUDGE OF THE SUPERIOR COURT

FILED