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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **FOR THE COUNTY OF LOS ANGELES – CENTRAL CIVIL WEST**  
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16 ENVIRONMENTAL LAW FOUNDATION,  
17 Plaintiff,  
18 vs.  
19 BIRDS EYE FOODS, INC., et al.,  
20 Defendants.

Case No.: **BC 356591** [Lead Case]  
Action Filed: August 7, 2006

**[PROPOSED] ORDER GRANTING  
MOTION FOR COURT  
APPROVAL OF CONSENT  
JUDGMENT IN CASE BC 356591**

[Cal. Health & Safety Code §  
25249.7(f)(4)]

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22 ENVIRONMENTAL LAW FOUNDATION,  
23 Plaintiff,  
24 vs.  
25 ALBERTSONS LLC, et al.,  
26 Defendants.

Case No.: **BC 384665** [Related Case]  
Action Filed: January 31, 2008

Date: 5/19/09  
Time: 10:00 a.m.  
Judge: Hon. Anthony J. Mohr  
Dept.: 309 - CCW

**ORIGINAL FILED**

MAY 19 2009

LOS ANGELES  
SUPERIOR COURT

1 Plaintiff's Motion for Court Approval of Consent Judgment in Case BC 356591  
2 came on regularly for hearing before this Court on May 9, 2009, the Honorable Anthony J.  
3 Mohr, presiding, with attorneys for all parties in that case having had the opportunity to be  
4 heard by this Court. After considering the proposed Consent Judgment between Plaintiff  
5 ENVIRONMENTAL LAW FOUNDATION and Defendants BIRDS EYE FOODS, INC.;  
6 ~~THE HAIN CELESTIAL GROUP, INC.;~~ POORE BROTHERS, INC.; SNYDER'S OF  
7 HANOVER MFG., INC.; SNYDER'S OF HANOVER SALES COMPANY; and ZAPPE  
8 ENDEAVORS, LLC, the moving papers, declarations, pleadings, oral arguments and all  
9 other relevant documents in the court file, and any comments submitted by the Attorney  
10 General of the State of California, and any other matters presented to this Court, and  
11 GOOD CAUSE APPEARING THEREFORE, this Court GRANTS the Motion for Court  
12 Approval of Consent Judgment, and makes the following findings pursuant to California  
13 Health & Safety Code section 25249.7(f) and 11 Cal. Code Regs. section 3201, et seq.:

- 14 1. The warning required by the Consent Judgment complies with Proposition 65;
- 15 2. The awards of attorney's fees and costs provided in the Consent Judgment is  
16 reasonable under California law;
- 17 3. The penalties provided by the Consent Judgment are reasonable; and
- 18 4. The Consent Judgment is in the public interest.

19 Therefore, for the foregoing reasons, the Consent Judgment shall be entered as the  
20 Judgment of this Court.

21 **IT IS SO ORDERED.**

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23 DATE: May 19, 2009

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ANTHONY J. MOHR

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Honorable Anthony J. Mohr  
Judge of the Superior Court