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**ORIGINAL FILED**

JAN 29, 2008

LOS ANGELES  
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

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

CASE NO. BC375084

13 )  
14 ) Plaintiff, )

~~PROPOSED~~ ORDER APPROVING  
SETTLEMENT BETWEEN CONSUMER  
ADVOCACY GROUP, INC. AND  
A-1 ALL AMERICAN ROOFING CO., INC.

15 v. )

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

Judge: Peter D. Lichtman

Defendants. )

Place: Dept. 322

Date: January 29, 2008

Time: 10:00 a.m.

Action Filed: July 31, 2007

21 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, A-1 All American

25 Roofing Co., Inc. ("A-1") on the other. Appearances are in the record. The Court, having

26 considered the documents filed in connection with this matter and the arguments of counsel, has

27 arrived at the following conclusions and SO ORDERS:  
28

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DEC 19 2007

1 A. CAG and A-1 executed a Settlement Agreement (“Proposed Settlement”) as of  
2 November 26, 2007, which CAG submitted to this Court for approval pursuant to Proposition 65  
3 (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 A-1.

7 1. The Proposed Settlement provides that A-1 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.

14  
15  
16 2. The court grants the Motion for Judicial Approval of Settlement between CAG  
17 and A-1 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 action;  
27  
28

1 d. The Proposed Settlement provides that A-1 will pay \$500 to an entity, CAG,  
2 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 f. CAG adequately represented the public interest in entering into the Proposed  
8 Settlement.  
9

10  
11 Dated: 1/29, 2008

**PETER D. LICHTMAN**

JUDGE OF THE SUPERIOR COURT