Daniel D. Cho (SBN 105409) Ben Yeroushalmi (SBN 232540) Yeroushalmi & Associates 3700 Wilshire Blvd., Suite 480 Los Angeles, CA 90010 Telephone: 213-382-3183 Facsimile: 213-382-3430 Email: lawfirm@yeroushalmi.com Attorneys for Plaintiff, Consumer Advocacy Group, Inc.  SUPERIOR COURT OF THE STATE OF COUNTY OF SAN FRANCISC  COUNTY OF SAN FRANCISC  CONSUMER ADVOCACY GROUP, INC., in the interest of the Public,  Plaintiff,  ADVOCACY GROUP TOWN ROO  SETTLEMENT BI Plaintiff,  ADVOCACY GROUP TOWN ROO  Telephone Appears  PRO GENERAL ROOFING, INC.,  Pro GENERAL ROOFING, INC.,  Pro GENERAL ROOFING, INC.,  Pro GENERAL ROOFING, INC.,  Time: 9:30 AM  Defendants.  On January 3, 2008, at 9:30 AM, the Honorable Patrick I  Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, d  Roofing, Inc. ("Los Gatos"), on the other. Appearances are in the	1	Reuben Yeroushalmi (SBN 193981)		
3700 Wilshire Blvd., Suite 480 Los Angeles, CA 90010 Telephone: 213-382-3183 Facsimile: 213-382-3430 Email: lawfirm@yeroushalmi.com Attorneys for Plaintiff, Consumer Advocacy Group, Inc.  SUPERIOR COURT OF THE STATE OF COUNTY OF SAN FRANCISC  COUNTY OF SAN FRANCISC  CONSUMER ADVOCACY The Public,  Plaintiff,  Plaintiff,  ADVOCACY GROUP, INC., in the interest of  Plaintiff,  Plaintiff,  PRO GENERAL ROOFING, INC.,  Telephone Appears  PRO GENERAL ROOFING, INC.,  Place: Department et al.,  Date: January 3, 2008, at 9:30 AM, the Honorable Patrick 1 Trial date:  Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, d  Roofing, Inc. ("Los Gatos"), on the other. Appearances are in the considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are considered the documents filed in conn	•	Daniel D. Cho (SBN 105409)	TIT TO	
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Telephone: 213-382-3183 Facsimile: 213-382-3430 Email: lawfirm@yeroushalmi.com Attorneys for Plaintiff, Consumer Advocacy Group, Inc.  SUPERIOR COURT OF THE STATE OF COUNTY OF SAN FRANCISC  COUNTY OF SAN FRANCISC  CONSUMER ADVOCACY CASE NO. CGC-0  GROUP, INC., in the interest of the Public, Plaintiff, ADVOCACY GROUP (Inc.)  Plaintiff, ADVOCACY CASE NO. CGC-0  Unit Public, Plaintiff, ADVOCACY GROUP (Inc.)  PRO GENERAL ROOFING, INC., Place: Department et al., Date: January 3, 2  PRO GENERAL ROOFING, INC., Place: Department et al., Date: January 3, 2  On January 3, 2008, at 9:30 AM, the Honorable Patrick John Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, d  Roofing, Inc. ("Los Gatos"), on the other. Appearances are in the considered the documents filed in connection with this matter are considered the documents filed in connection with this matter are			JAN 2 5 2008	
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6 Email: lawfirm@yeroushalmi.com Attorneys for Plaintiff, Consumer Advocacy Group, Inc.  SUPERIOR COURT OF THE STATE OF COUNTY OF SAN FRANCISC  COUNTY OF SAN FRANCISC  CONSUMER ADVOCACY CASE NO. CGC-0  GROUP, INC., in the interest of the Public, Case No. CGC-0  Plaintiff, ADVOCACY CASE NO. CGC-0  SETTLEMENT BI  Plaintiff, ADVOCACY GROUP, INC., CASE NO. CGC-0  Telephone Appears  Defendants. Case No. CGC-0  PROPOSED OR  PROPOSED OR  PROPOSED OR  Telephone Appears  Defendants. Case No. CGC-0  PROPOSED OR  PROPOSED OR  Telephone Appears  Defendants. Case No. CGC-0  PROPOSED OR  Telephone Appears  Date: January 3, 2  Date: January 3, 2  Time: 9:30 AM  Defendants. Case No. CGC-0  Telephone Appears  Date: January 3, 2  Time: 9:30 AM  Defendants. Case No. CGC-0  Telephone Appears  Time: 9:30 AM  Date: January 3, 2  Time: 9:30 AM  Time: 9:30 AM  Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, delease  Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, delease  Roofing, Inc. ("Los Gatos"), on the other. Appearances are in the considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and case of the considered the documents filed in connection with this matter and case of the considered the documents filed in connection with this matter and case of the considered the documents filed in connection with this matter and case of the considered the considered the connection with this matter and case of the considered the conn	5		GORDON PARK-I I Clark	
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COUNTY OF SAN FRANCISC  CONSUMER ADVOCACY CASE NO. CGC-0  GROUP, INC., in the interest of the Public, SETTLEMENT BI  Plaintiff, ADVOCACY GROUD OLD TOWN ROO  V. Telephone Appears  PRO GENERAL ROOFING, INC., Place: Department et al., Date: January 3, 2  PRO GENERAL ROOFING, INC., Place: Department of the al., Trial date:  On January 3, 2008, at 9:30 AM, the Honorable Patrick Jof this Court, heard the motion for judicial approval of settlement consumer Advocacy Group, Inc. ("CAG"), on one hand, and, deconsidered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and considered the documents filed in connection with this matter and connection with this matter and considered the documents filed in connection with this matter and connec	8	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
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CONSUMER ADVOCACY GROUP, INC., in the interest of the Public,  Plaintiff,  Plaintiff,  PRO GENERAL ROOFING, INC.,		COUNTY OF SAN FRANCISCO		
GROUP, INC., in the interest of the Public,   Plaintiff,   ADVOCACY GROUP, INC., in the interest of SETTLEMENT BITE OLD TOWN ROOD   Plaintiff,   ADVOCACY GROUP, INC.,   Plaintiff,   PRO GENERAL ROOFING, INC.,   Place: Department of tal.,   Date: January 3, 2 Time: 9:30 AM    Defendants.   Action Filed: Trial date:   Trial date:    On January 3, 2008, at 9:30 AM, the Honorable Patrick Jof this Court, heard the motion for judicial approval of settlement of this Court, heard the motion for judicial approval of settlement Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, deconsidered the documents filed in connection with this matter are considered the documents filed in connection with this matter are	10		. or billing decised	
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Plaintiff, ADVOCACY GRO OLD TOWN ROO  V. )  Telephone Appears Defendants. )  PRO GENERAL ROOFING, INC., ) Place: Department et al., )  Defendants. )  On January 3, 2008, at 9:30 AM, the Honorable Patrick Jof this Court, heard the motion for judicial approval of settlement Consumer Advocacy Group, Inc. ("CAG"), on one hand, and, deconsidered the documents filed in connection with this matter are considered the documents filed in connection with this matter are	12		•	
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considered the documents filed in connection with this matter ar	,	Roofing, Inc. ("Los Gatos"), on the other. Appearances are in the record. The Court having		
	<sup>20</sup>	<b>  </b>		
	27	considered the documents filed in connection with this matter and the arguments of counsel, ha		
arrived at the following conclusions and SO ORDERS:	,			
	**	arrived at the following conclusions and SO ORDERS:		
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[PROPOSED] ORDER APPROVING OF SETTLEMENT BETWEEN CONSUMER ADVOCACY GROUP, INC.
AND LOS GATOS OLD TOWN ROOFING, INC.

- A. CAG and Los Gatos have executed a settlement agreement ("Proposed Settlement"), fully executed as of October 11, 2007, which CAG submitted to this Court for approval pursuant to Proposition 65 (Health & Saf. Code, §§ 25249.5 et seq.).
- B. This Court has considered the Proposed Settlement and determined that it represents a fair, reasonable, and adequate settlement between CAG and Los Gatos.
  - 1. The Proposed Settlement provides that Los Gatos will:
  - Change its business practices to reduce exposures of Proposition 65-listed chemicals to its employees and the public;
  - Provide warnings to its employees that satisfy the "clear and reasonable" warning requirement under Proposition 65;
  - Pay CAG \$14,500 for its attorney fees and costs; and
  - Pay \$500 to an entity, CAG, in lieu of a civil penalty.
- 2. The court grants the Motion for Judicial Approval of Settlement between CAG and Los Gatos in its entirety pursuant to Health and Safety Code section 25249.7, subdivision (f)(4) after making the following findings.
  - CAG followed all procedural rules in seeking approval of the Proposed Settlement;
  - The Proposed Settlement properly requires Proposition 65 compliant warnings for extant exposures to Proposition 65-listed chemicals;
  - The award of \$14,500 in attorney fees and costs as set forth in the Proposed Settlement is
    appropriate and reasonable under California law given the total fees and costs incurred by
    CAG and its counsel of record in prosecuting this action;

Dated:

- The Proposed Settlement provides that Los Gatos 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);
- The terms of the Proposed Settlement are in the public interest consistent with Health and Safety Code section 25249.7, subdivision (d); and
- CAG adequately represented the public interest in entering into the Proposed Settlement.

JAN 22 2008

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SEE EXHIBIT "A" RE COMPENSATION WITH CRC 3.1312

JUDGE OF THE SUPERIOR COURT

PATRICK J. MAHON L

## EXHIBIT "A"

## YEROUSHALMI & ASSOCIATES

## ATTORNEYS AT LAW

REUBEN Y EROUSHALMI DANIBLD , CHO BEN Y EROUSHALMI BRIAN KEITH ANDREWS WILSHIRE PARK PLACE 3700 WILSHIRE BOULEVARD, SUITE 480 LOS ANGELES, CA 90010-2905 TELEPHONE (213) 382-3183 FACSIMILE (213) 382-3430

4 7 4 2008

Thursday, January 10, 2008

VIA U.S. MAIL

Clerk of The Honorable Patrick J. Mahoney San Francisco Superior Court-Unlimited 400 McAllister St. Dept. 302 San Francisco, CA 94102

Re:

Consumer Advocacy Group, Inc., v. Pro General Roofing, Inc., et al. San Francisco Superior Court Case No. CGC-07-460126

Dear Court:

Enclosed please find the [proposed] order approving settlement between plaintiff, Consumer Advocacy Group, Inc., and defendant, Los Gatos Old Town Roofing, Inc., heard on January 3, 2008, line 7.

Pursuant to California Rules of Court, rule 3.1312, on January 4, 2008, I sent a copy of the [proposed] order to counsel for Los Gatos Old Town Roofing, Inc. (see attached letter). Counsel has indicated that she approves of the content of the [proposed] order.

Sincerely.

Brian Keith Andrews

cc: Patricia M. Leary, Esq.

## YEROUSHALMI & ASSOCIATES

ATTORNEYS AT LAW

REUBEN Y EEOUSHALMI DANIELD , CHO BEN Y EROUSHALMI BRIAN E BITH A NDREWS

WILSHIRE PARK PLACE 3700 WILSHIRE BOULEVARD, SUTTE 480 LOS ANGELES, CA 90010-2905 TELEPHONE (213) 382-3183 FACSIMILE (213) 382-3430

Friday, January 04, 2008

VIA FACSIMILE AT 650.949.0695

Patricia M. Leary, Esq. Nelson Perlov & Lee 339 South San Antonio Road Los Altos, CA 94022

Re: Consumer Advocacy Group, Inc., v. Pro General Roofing, Inc., et al.

Dear Ms. Leary:

Pursuant to California Rules of Court, rule 3.1312, please review the enclosed [proposed] order concerning the motion for approval of the settlement involving your client Los Gatos Old Town Roofing, Inc. Please call me have you questions or concerns, or if you or your client desire changes to, or have objections to the content of, the [proposed] order.

Please contact my office if you have questions or concerns.

Very truly yours,

Bun Keill andrews

Brian Keith Andrews