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9 Consumer Advocacy Group, Inc. and Benjamin Sassoon

ORIGINAL FILED
JUN 12 2007
LOS ANGELES
SUPERIOR COURT

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES-UNLIMITED

12	CONSUMER ADVOCACY)	CASE NO. BC364149
13	GROUP, INC., in the interest of the)	
14	Public, and BENJAMIN SASSOON,)	[PROPOSED] ORDER APPROVING
15	in the interest of the Public, and on)	SETTLEMENT AND JUDGMENT
16	Behalf of the General Public,)	BETWEEN PLAINTIFFS CONSUMER
17)	ADVOCACY GROUP, INC. AND BEN
18	Plaintiffs,)	SASSOON, AND DEFENDANT ROOFCORP
19)	OF CA, INC.
20)	
21	v.)	
22)	Judge: Ernest M. Hiroshige
23)	Place: Dept. 54
24)	Date: June 12, 2007
25	ROOFCORP OF CA, INC., et al.,)	Time: 8:30 AM
26)	
27	Defendants.)	Action Filed: December 29, 2006
28)	

23 On June 12, 2007, at 8:30 AM, the Honorable Ernest M. Hiroshige, in Department 54 of
24 this Court, heard the motion for judicial approval of settlement of action between plaintiffs,
25 Consumer Advocacy Group, Inc. and Benjamin Sassoon ("Plaintiffs"), on one hand, and
26 defendant, Roofcorp of CA, Inc. ("RoofCorp"), on the other. Appearances are in the record.
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1 The Court, having considered the documents filed in connection with this matter and the
2 arguments of counsel, has arrived at the following conclusions and SO ORDERS:

3 A. On December 29, 2006, Plaintiffs commenced this action in Los Angeles Superior Court
4 on behalf of themselves, and suing in the public interest pursuant to Health and Safety Code
5 section 25249.7, subdivision (d). Benjamin Sassoon also brought causes of action against
6 RoofCorp for violations of Business and Professions Code sections 17200, et seq. and 17500, et
7 seq.
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9 B. Plaintiffs and RoofCorp have executed a [Proposed] Consent Judgment ("Proposed
10 Settlement"), fully executed as of February 12, 2007, attached to this order as Exhibit A, which
11 Plaintiffs have submitted to this Court for approval pursuant to Proposition 65 (Health & Saf.
12 Code, §§ 25249.5 et seq.).
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14 C. This Court has considered the Proposed Settlement and determined that it represents a
15 fair, reasonable, and adequate settlement between Plaintiffs and RoofCorp.
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17 **FINDINGS OF FACT AND ORDER APPROVING PROPOSED SETTLEMENT**

18 1. The Proposed Settlement attached as Exhibit A provides that RoofCorp will:

- 19 • Change its business practices in order to reduce exposures of Proposition 65-listed
20 chemicals to its employees and the public;
21 • Provide warnings to its employees that satisfy the "clear and reasonable" warning
22 requirement under Proposition 65;
23 ▪ Pay Plaintiffs \$6,800.00 for their attorney fees and costs; and
24 ▪ Pay civil penalties of \$1,000.00.
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- 1 2. The Court Clerk is to enter this Judgment as the Judgment of the Court as to defendant,
2 Roofcorp of CA, Inc.
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4 3. Roofcorp of CA, Inc. is dismissed with prejudice from this action.
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6 4. Except as otherwise set forth in the Proposed Settlement, all parties shall bear their own
7 attorney fees and costs.
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JUN 12 2007

9 Dated: _____, 2007

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11 **ERNEST M. WINOSWICK**
12 _____
13 JUDGE OF THE SUPERIOR COURT
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