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FILED
ALAMEDA COUNTY

MAR 24 2011

CLERK OF THE SUPERIOR COURT
By: [Signature] Deputy

Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

CENTER FOR ENVIRONMENTAL HEALTH,)
a non-profit corporation,)

Plaintiff,

v.

LULU NYC LLC, *et al.*, and Defendant DOES 1)
through 500, inclusive,)

Defendants.)

And Consolidated Cases.)
_____)

Lead Case No. RG 09-459448
[Consolidated with Case Nos. RG 10-494289, RG 10-494513, and RG 10-494517]

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR COURT
APPROVAL OF SETTLEMENT AND
STIPULATION FOR ENTRY OF
JUDGMENT AS TO BENETTON USA
CORPORATION DOING BUSINESS
AS UNITED COLORS OF BENETTON**

(Health & Safety Code §25249.7(f))

Date: March 24, 2011
Time: 3:00 p.m.
Dept.: Dept. 17
Judge: Hon. Steven A. Brick

Reservation No.: 1149082

Action Filed: June 24, 2009

1 On March 24, 2011, at 3:00 p.m., Plaintiff Center for Environmental Health's
2 Motion for Approval of Settlement and Stipulation for Entry of Judgment as to Benetton USA
3 Corporation doing business as United Colors of Benetton came on regularly for hearing before
4 this Court in Department 17, the Honorable Steven A. Brick presiding. After full consideration
5 of the points and authorities and related pleadings submitted, and having heard oral arguments of
6 counsel, the Court rules as follows:

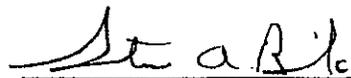
7 IT IS HEREBY ORDERED that Plaintiff's Motion for Approval of Settlement
8 and Stipulation for Entry of Judgment is GRANTED. Pursuant to and in accordance with Health
9 & Safety Code §25249.7(f)(4), the Court makes the following findings with respect to the
10 Settlement Agreement and the Stipulation for Entry of Judgment between CEH and Benetton
11 USA Corporation doing business as United Colors of Benetton:

- 12 1. The Settlement Agreement and Stipulation for Entry of Judgment ensure
13 compliance with the Proposition 65 warning requirement;
- 14 2. The attorneys' fee award in the Settlement Agreement is reasonable under
15 California law; and
- 16 3. The civil penalty and payment in lieu of civil penalty in the Settlement
17 Agreement are reasonable based on the criteria listed in Health & Safety
18 Code §25249.7(b)(2).

19 In light of the findings set forth herein, the Settlement Agreement and Stipulation for
20 Entry of Judgment are hereby APPROVED.

21
22 **IT IS SO ORDERED.**

23
24 Dated: March 24, 2011



JUDGE OF THE SUPERIOR COURT

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