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**Superior Court of California, County of Alameda**  
**George E. McDonald Hall of Justice**

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As You Sow  <p style="text-align: right;">Plaintiff/Petitioner(s)</p> vs.  Starwest Botanicals, Inc  <p style="text-align: right;">Defendant/Respondent(s) (Abbreviated Title)</p>	No. <u>RG15766060</u>  Order  Motion for Judicial Approval of Proposed Consent Judgment Granted
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The Motion for Judicial Approval of Proposed Consent Judgment was set for hearing on 08/29/2016 at 02:30 PM in Department 301 before the Honorable Sandra K. Bean. The Tentative Ruling was published and has not been contested.

**IT IS HEREBY ORDERED THAT:**

The tentative ruling is affirmed as follows: On the unopposed motion of Plaintiff As You Sow ("Plaintiff") for judicial approval of proposed consent judgment, the court orders as follows:

The motion is GRANTED.

The court finds that the proposed consent judgment meets the criteria established by Health & Safety Code § 25249.7. (A) Defendant Starwest Botanicals, Inc. ("Defendant") will include an instruction statement on Organic Kelp Powder ("the Covered Product") stating the daily serving size should not exceed 1/8 teaspoon (500 milligrams), and if testing results reveal that the Covered Product contains levels of lead that exceeds 0.5 micrograms of lead per 0.5 grams of the Covered Product, then the instruction statement will be modified to a clear and conspicuous warning statement. This injunctive relief complies with Proposition 65. (B) The consent judgment provides for a payment of \$25,000 for reimbursement of attorney fees and costs. Having reviewed the tasks performed, this payment is reasonable under California law. (C) Defendant will pay a civil penalty of \$2,500, and a further \$2,500 in additional settlement. This is reasonable based on the criteria set forth in Health & Safety Code § 25249.7(b)(2).

Accordingly, the court approves the settlement. Counsel for Plaintiff should cause to be delivered to Department 301 a separate copy of the Proposed Consent Judgment for the court's signature. The Proposed Consent Judgment delivered to Department 301 should be the same as the Proposed Consent Judgment in Exhibit B to the Declaration of Barbara J. Chisholm.

The court VACATES the further case management conference scheduled for 11/22/2016 at 2:30 p.m. in Dept. 301.

Once the court receives the Proposed Consent Judgment, the court will sign it and post it online in the Register of Actions. Counsel for Plaintiff shall download a copy, serve it on counsel for Defendant, and shall file and serve a notice of entry of judgment/order no later than ten (10) days after the date of online posting of the Consent Judgment.

Dated: 08/29/2016



Facsimile

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Judge Sandra K. Bean

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Order

Superior Court of California, County of Alameda  
George E. McDonald Hall of Justice

Case Number: RG15766060  
Order After Hearing Re: of 08/29/2016

**DECLARATION OF SERVICE BY MAIL**

I certify that I am not a party to this cause and that a true and correct copy of the foregoing document was mailed first class, postage prepaid, in a sealed envelope, addressed as shown on the foregoing document or on the attached, and that the mailing of the foregoing and execution of this certificate occurred at 2233 Shoreline Drive, Alameda, California.

Executed on 08/30/2016.

Chad Finke Executive Officer / Clerk of the Superior Court

By <sup>Digital</sup> Nancy A. Rose Deputy Clerk