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SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL

MINUTE ORDER

DATE: 06/07/2019

TIME: 09:30:00 AM

DEPT: C-71

JUDICIAL OFFICER PRESIDING: Gregory W Pollack

CLERK: Terry Ray

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: L. Wilks

CASE NO: 37-2018-00033952-CU-NP-CTL CASE INIT.DATE: 07/10/2018

CASE TITLE: Kingpun Cheng vs. Standex International Corporation [IMAGED]

CASE CATEGORY: Civil - Unlimited CASE TYPE: Non-PI/PD/WD tort - Other

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EVENT TYPE: Motion Hearing (Civil)

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**APPEARANCES**

Parker A Smith, counsel, present for Plaintiff(s).

Michael Cory Brown, counsel, present for Defendant(s).

Brett H. Oberst, counsel, present telephonically for Amazon.Com, Inc., Defendant.

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The Court orally advises the parties of its tentative ruling, after which oral argument is conducted. Upon completion of oral argument, the court makes the below ruling:

**RULING AFTER ORAL ARGUMENT:** The Court rules on plaintiff King Pun Cheng's (Plaintiff) motion to approve Prop. 65 Settlement and Order as follows:

Plaintiff brings this motion pursuant to Code of Civil Procedure section 664.6 (section 664.6) and contends that the Settlement Agreement entered into by the parties complies with the requirements set forth in Health and Safety Code section 25249.7 subd. (f)(4). More specifically, Defendant has agreed to following: (1) it will provide Proposition 65 warnings, (2) pay a civil penalty of \$1,000.00, and (3) pay attorney fees, investigation fees and costs, expert consultant fees, and litigation fees and costs in the amount of \$9,000.00. (Smith Dec., ¶¶8, 10, 12-18.) Plaintiff also notes that the Settlement Agreement was reached after arms-length negotiations by experienced counsel. (*Id.*, at ¶17.)

Based on the foregoing, the Court finds that the above noted terms comply with Prop. 65 and that the attorney fees and costs and penalty amounts noted above are reasonable. As a result, the Court approves the settlement and grants the motion except as to the proposed judgment, which both parties agree was not contemplated by the settlement and shall not be entered by the Court.

**IT IS SO ORDERED.**



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Judge Gregory W Pollack