

1 Laralei Paras, State Bar No. 203319
2 Rebecca Jackson, State Bar No. 221583
3 Seven Hills LLP
4 4 Embarcadero Center, Suite 1400
5 San Francisco, CA 94111
6 Telephone: (415) 926-7247
7 laralei@sevenhillslp.com
8 rebecca@sevenhillslp.com

9 Attorneys for Plaintiff
10 KEEP AMERICA SAFE AND BEAUTIFUL

FILED
San Francisco County Superior Court

JUL 31 2024

CLERK OF THE COURT

BY:  Deputy Clerk

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE COUNTY OF SAN FRANCISCO
13 UNLIMITED CIVIL JURISDICTION

14 KEEP AMERICA SAFE AND BEAUTIFUL,

15 Plaintiff,

16 v.

17 MANN LAKE, LTD.; *et al*,

18 Defendants.

Case No. CGC-23-607493

~~PROPOSED~~ DEFAULT JUDGMENT
AGAINST DEFENDANT MANN LAKE,
LTD.

1 Pursuant to Code of Civil Procedure § 585, the Court hereby enters final judgment in favor of
2 plaintiff Keep America Safe and Beautiful (“KASB”) against defendant Mann Lake, Ltd. as
3 follows:

4 1. Pursuant to Health and Safety Code § 25249.7(a), Mann Lake is permanently
5 enjoined from offering any tools with vinyl/PVC grips containing diisononyl phthalate (“DINP”) in
6 California without providing clear and reasonable warnings regarding the risks of cancer caused by
7 DINP exposures, as set forth in paragraph 2 below. This includes but is not limited to *Economy*
8 *Ring Clincher*, SKU: PP984, UPC: 7 14854 74984 7.

9 2. The warning provided pursuant to this Judgment shall state:

10 **⚠WARNING:** This product can expose you to diisononyl
11 phthalate (DINP), which is known to the
12 State of California to cause cancer. For
13 more information go to
14 www.P65warnings.gov.

15 The above language should be placed conspicuously on all tools with vinyl grips which contains
16 detectable amounts of DINP or the product packaging.

17 3. Mann Lake, Ltd. is ordered to pay \$5,000 in statutory penalties, pursuant to Health
18 and Safety Code § 25249.7(b);

19 4. Mann Lake, Ltd. is ordered to pay \$30,795 in attorneys’ fees to KASB as
20 reimbursement of reasonable attorneys’ fees pursuant to Code of Civil Procedure section 1021.5. In
21 addition, Mann Lake, Ltd. is ordered to pay \$5,142.05 in costs.

22 5. All amounts required by paragraphs 3 and 4 of this Default Judgment are due within
23 thirty days of the date of entry of this Default Judgment and shall be sent to Seven Hills LLP, 4
24 Embarcadero Center, Suite 1400, San Francisco, CA 94111.

25 Mann Lake’s civil penalty payment will be allocated according to Health and Safety Code
26 §§ 25249.12(c)(1) and (d), with seventy-five percent (75%) of the penalty paid to the California
27 Office of Environmental Health Hazard Assessment (“OEHHA”), and the remaining twenty-five
28 percent (25%) retained by KASB. Mann Lake shall issue its payment in two checks made payable
to: (a) “OEHHA” in the amount of \$3,750; and (b) “Seven Hills LLP in Trust for KASB” in the

1 amount of \$1,250. KASB's counsel shall deliver to OEHHA and KASB their respective portion of
2 the penalty payment.

3 The attorneys' fees and costs payments shall be combined in a single check in the amount of
4 \$35,937.05 made payable to "Seven Hills LLP."

5 **IT IS SO ORDERED.**

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Dated: July 31, 2024 
JUDGE OF THE SUPERIOR COURT
MICHELLE TONG