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Attorneys for Plaintiff
KEEP AMERICA SAFE AND BEAUTIFUL

FILED
Superior Court of California
County of Los Angeles

MAR 01 2024

David W. Slayton, Executive Officer/Clerk of Court
By: C. King, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

KEEP AMERICA SAFE AND
BEAUTIFUL, a California non-profit
corporation,

Plaintiff,

v.

RPM FITNESS, INC., a Delaware Stock
Corporation; and DOES 1 to 10,

Defendants.

Case No. 23TRCV01962

Assigned for all purposes to: Hon. Ronald F. Frank

~~PROPOSED~~ **ORDER GRANTING
PLAINTIFF'S MOTION TO CONFIRM
STIPULATED CONSENT JUDGMENT AS
TO RPM FITNESS, INC.**

Date: March 1, 2024
Time: 8:30 AM
Dept.: 8
Reservation ID: 842676882037

Complaint Filed: June 16, 2023

1 On March 1, 2024, at 8:30 AM, Plaintiff KEEP AMERICA SAFE AND BEAUTIFUL's
2 ("KASB") Motion for Court Approval and Entry of Consent Judgment came on regularly for hearing
3 before this Court in Department 8, the Honorable Ronald F. Frank presiding. After full consideration
4 of the points and authorities and related pleadings submitted, the Court rules as follows:

5 IT IS HEREBY ORDERED that Plaintiff's Motion for Court Approval and Entry of Consent
6 Judgment is GRANTED. Pursuant to and in accordance with *Health & Safety Code* § 25249.7(t)(4),
7 the Court makes the following findings with respect to the Consent Judgment between KEEP
8 AMERICA SAFE AND BEAUTIFUL, and Defendant RPM FITNESS, INC., in the action *Keep*
9 *America Safe and Beautiful v. RPM Fitness, Inc., et al.*, Case No. 23TRCV01962 (the "Consent
10 Judgment"):
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- 13 1. The Consent Judgment ensures compliance with the Proposition 65 warning requirement;
- 14 2. The attorneys' fee award in the Consent Judgment is reasonable under California law;
- 15 3. The civil penalty in the Consent Judgment are reasonable based on the criteria listed in
16 *Health & Safety Code* § 25249.7(b)(2); and
- 17 4. The amount sought for Plaintiff's costs for testing and bringing this action are reasonable.

18 In light of the findings set forth herein, the Consent Judgment is hereby APPROVED.

19
20 IT IS SO ORDERED.

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22 Dated: March 1, 2024



23 *Ronald F. Frank*
24 Hon. Ronald F. Frank
25 Judge of the Superior Court.
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