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**60 Day Notice of Intent to Sue Darden Restaurants, Inc. and Darden Corporation
Under Health & Safety Code Section 25249.6**

This letter constitutes notification that Darden Restaurants, Inc. and Darden Corporation (hereinafter referred to collectively as "the Violator") has violated Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with Health & Safety Code Section 25249.5). This notice is given by the Consumer Defense Group Action, Inc. (hereinafter "Consumer Defense Group"), which may be contacted through the following entity: Law Offices of Graham & Martin, LLP, 3 Park Plaza, Suite 2030, Irvine, California 92614.

Summary of Violation:

Proposition 65 requires that when a party, such as the Violator, has been and is knowingly and intentionally exposing its customers, the public and/or its employees to chemicals designated by the State of California to cause cancer and reproductive toxicity ("the Designated Chemicals") it has violated the statute unless, prior to such exposure, it provides clear and reasonable warning of that potential exposure to the potentially exposed persons (Health & Safety Code Section 24249.6). Mercury, mercury compounds, methyl mercury and methyl mercury compounds are Designated Chemicals. Methyl mercury compounds were listed under Proposition 65 as a chemical known to the State of California to cause cancer on May 1, 1996. Methyl mercury was listed as a chemical known to the State of California to cause reproductive toxicity on July 1, 1987. Mercury and mercury compounds were listed as chemicals known to the State of California to cause reproductive toxicity on July 1, 1987. 22 CCR § 12000.

The Violator owns and/or operates (1) the "Red Lobster" chain of restaurants which operate at each of the facilities listed on Exhibit A to this Notice; and (2) the "Olive Garden" chain of restaurants listed on Exhibit B to this Notice (hereinafter referred to collectively as "the Facilities"). In the ordinary course of business, the Violator sells food for consumption by its customers. One of the foods it sells and serves are various kinds of fish and shellfish in the form of meals containing mahi-mahi, flounder, catfish, crab, salmon, trout, grouper, haddock, swordfish and lobster (hereinafter referred to collectively as "Fish"). Fish contains mercury, mercury compounds, methyl mercury and methyl mercury compounds.

At the "Red Lobster" restaurants listed on Exhibit A the Violator serves mahi-mahi in the form of "teriyaki glazed mahi-mahi" and "seared mahi-mahi portobello", flounder in the form of "broiled flounder", catfish in the form of "farm raised catfish", crab in the form of "crab alfredo", salmon, rainbow trout, grouper, and haddock prepared grilled, broiled, fried or blackened, and lobster in the following forms: "lobster and crab stuffed mushrooms", "artichoke lobster dip", "shrimp and lobster caesar salad", "ultimate feast" (lobster tail), "lobster chops", "live maine lobster", "rock lobster tail",

“rockzilla” and “shrimp and lobster linguini”. Each of these Fish contains mercury, mercury compounds, methyl mercury and methyl mercury compounds. Customers and employees are exposed to these Designated Chemicals when they ingest the Fish by eating it in the form of the meals delineated above.

At the “Olive Garden” restaurants listed on Exhibit B the Violator serves the following types of fish; lobster in the form of “lobster spaghetti” and swordfish in the form of “swordfish piccata”. Lobster and swordfish contain mercury, mercury compounds, methyl mercury and methyl mercury compounds. Customers and employees are exposed to these Designated Chemicals when they ingest the lobster and/or swordfish contained in one of the identified meals by eating that meal.

The Violator knows or has known since at least July 1, 1988 that the Fish served at the restaurants it owns and/or operates contain methyl mercury; since May 1, 1997 that the Fish contain methyl mercury compounds; and since July 1, 1991 that the Fish contain mercury and mercury compounds, and that persons eating the Fish are exposed to these chemicals.

Although the Violator has chosen to allow its customers and employees to be exposed to mercury, mercury compounds, methyl mercury and methyl mercury compounds by serving its customers and employees Fish, the Violator has specifically chosen to ignore the requirements of Proposition 65 and has failed to post clear and reasonable warnings at the entrances to the Facilities, inside the Facilities or on its menus so that its customers and employees, who may not wish to be exposed, can be warned that, upon eating (ingesting) the Fish offered at the Facilities, they may be exposed to mercury, mercury compounds, methyl mercury and methyl mercury compounds.

Investigators for the Consumer Defense Group have conducted an investigation of the Facilities between January 5, 2003 and February 6, 2003 (the “Investigation Period”). During those investigations the Consumer Defense Group discovered that the properties are owned and/or operated by the Violator. Further, the Consumer Defense Group discovered that the Violator has more than nine employees, and not only permits but requires the preparation and sale of Fish at each of the Facilities. Finally, the investigators for the Consumer Defense Group saw that at none of the Facilities during the Investigation Period was there a clear and reasonable warning sign at the front entrances, inside the Facilities at the reception area, or on the menus in use at the Facilities.

Product Exposures:

While in the course of doing business, at the locations in the attached Exhibits A and B, from at least the period between January 5, 2003 and February 6, 2003, the Violator has been and is knowingly and intentionally exposing its customers and employees to mercury, mercury compounds, methyl mercury and methyl mercury compounds by serving its customers and employees Fish in the form as delineated above, without providing a clear and reasonable warning at the entrances to the Facilities, inside the Facilities or on its menus so that its customers and employees, who may not wish to be exposed, can be warned that, upon eating (ingesting) the Fish offered at the Facilities, they may be exposed to mercury, mercury compounds, methyl mercury and methyl mercury compounds. The source of exposures is the Fish prepared and offered for sale at each of the Facilities. The exposure takes place when the customers and/or employees ingest the Fish at the Facilities.

Environmental Exposures:

While in the course of doing business, at the locations in the attached Exhibits A and B, from at least the period between January 5, 2003 and February 6, 2003, the Violator has been and is knowingly and intentionally exposing its customers and employees to mercury, mercury compounds, methyl

mercury and methyl mercury compounds by serving its customers and employees Fish in the form as delineated above, without providing a clear and reasonable warning at the entrances to the Facilities, inside the Facilities or on its menus so that its customers and employees, who may not wish to be exposed, can be warned that, upon eating (ingesting) the Fish offered at the Facilities, they may be exposed to mercury, mercury compounds, methyl mercury and methyl mercury compounds. The source of exposures is the Fish prepared and offered for sale at each of the Facilities. The exposure takes place when the customers and/or employees ingest the Fish at the Facilities.

Occupational Exposures:

While in the course of doing business, at the locations in the attached Exhibits A and B, from at least the period between January 5, 2003 and February 6, 2003, the Violator has been and is knowingly and intentionally exposing its employees to mercury, mercury compounds, methyl mercury and methyl mercury compounds by serving its customers and employees Fish in the form as delineated above, without providing a clear and reasonable warning at the entrances to the Facilities, inside the Facilities or on its menus so that its customers and employees, who may not wish to be exposed, can be warned that, upon eating (ingesting) the Fish offered at the Facilities, they may be exposed to mercury, mercury compounds, methyl mercury and methyl mercury compounds. The source of exposures is the Fish prepared and offered for sale at each of the Facilities. The exposure takes place when the employees ingest the Fish at the Facilities. Employees include and are not limited to bartenders, cashiers, waiters, waitresses, cooks, service personnel and administrative personnel. Such exposures take place inside the Facilities when and where meals containing Fish are consumed.

The route of exposure for Product, Occupational and Environmental Exposures to the Designated Chemicals has been ingestion, that is via the eating of the Fish contained in the meals delineated above.

Proposition 65 requires that notice and intent to sue be given to the violators (60) days before the suit is filed. With this letter, Consumer Defense Group gives notice of the alleged violations to the Violator and the appropriate governmental authorities. This notice covers all violations of Proposition 65 that are currently known to Consumer Defense Group from information now available to them. With the copy of this notice submitted to the violations, a copy is provided of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."

Dated: February 7, 2003

By: J

EXHIBIT A

1. Red Lobster
8501 Wilshire Blvd
Beverly Hills, CA 90211
2. Red Lobster
250 Brea Mall
Brea, CA 92821
3. Red Lobster
1210 El Camino Real
San Bruno, CA 94066
4. Red Lobster
8330 Mira Mesa Blvd
San Diego, CA 92126
5. Red Lobster
5343 Almaden Expy
San Jose, CA 95118
6. Red Lobster
2040 Aborn Rd
San Jose, CA 95121
7. Red Lobster
1525 S Bradley Rd
Santa Maria, CA 93454
8. Red Lobster
620 Pacific Coast Hwy
Seal Beach, CA 90740
9. Red Lobster
2283 W March Ln
Stockton, CA 95207
10. Red Lobster
21233 Hawthorne Blvd
Torrance, CA 90503
11. Red Lobster
27524 The Old Rd

Valencia, CA 91355

12. Red Lobster
1180 Admiral Callaghan Ln
Vallejo, CA 94591
13. Red Lobster
12180 Amargosa Rd
Victorville, CA 92392
14. Red Lobster
1545 S Mooney Blvd
Visalia, CA 93277
15. Red Lobster
22800 Vanowen St
West Hills, CA 91307
16. Red Lobster
2010 Business Ln
Chico, CA 95928
17. Red Lobster
342 F St
Chula Vista, CA 91910
18. Red Lobster
6231 Sunrise Blvd
Citrus Heights, CA 95610
19. Red Lobster
1525 The Courtyard
Fairfield, CA 94533
20. Red Lobster
39401 Fremont Blvd
Fremont, CA 94538
21. Red Lobster
1460 E Shaw Ave
Fresno, CA 93710
22. Red Lobster
12892 Harbor Blvd
Garden Grove, CA 92840

23. Red Lobster
8703 Murray Dr
La Mesa, CA 91942
24. Red Lobster
4333 Candlewood St
Lakewood, CA 90712
25. Red Lobster
503 E Calaveras Blvd
Milpitas, CA 95035
26. Red Lobster
3000 Sisk Rd
Modesto, CA 95350
27. Red Lobster
928 W Huntington Dr
Monrovia, CA 91016
28. Red Lobster
9345 Monte Vista Ave
Montclair, CA 91763
29. Red Lobster
2685 Vista Way
Oceanside, CA 92054
30. Red Lobster
1740 E Ventura Blvd
Oxnard, CA 93030
31. Red Lobster
1041 W Avenue P
Palmdale, CA 93551
32. Red Lobster
4095 Century Blvd
Pittsburg, CA 94565
33. Red Lobster
1345 Dana Dr
Redding, CA 96003

34. Red Lobster
3700 Park Sierra Dr
Riverside, CA 92505
35. Red Lobster
6440 Redwood Dr
Rohnert Park, CA 94928
36. Red Lobster
17601 Castleton St
Rowland Heights, CA 91748
37. Red Lobster
1400 Howe Ave
Sacramento, CA 95825
38. Red Lobster
1720 N Main St
Salinas, CA 93906
39. Red Lobster
195 E Hospitality Ln
San Bernardino, CA 92408

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Montclair, CA 91763
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Oceanside, CA 92054
30. Red Lobster
1740 E Ventura Blvd
Oxnard, CA 93030
31. Red Lobster
1041 W Avenue P
Palmdale, CA 93551
32. Red Lobster
4095 Century Blvd
Pittsburg, CA 94565
33. Red Lobster
1345 Dana Dr
Redding, CA 96003

34. Red Lobster
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Riverside, CA 92505
35. Red Lobster
6440 Redwood Dr
Rohnert Park, CA 94928
36. Red Lobster
17601 Castleton St
Rowland Heights, CA 91748
37. Red Lobster
1400 Howe Ave
Sacramento, CA 95825
38. Red Lobster
1720 N Main St
Salinas, CA 93906
39. Red Lobster
195 E Hospitality Ln
San Bernardino, CA 92408

EXHIBIT B

Olive Garden Italian Restaurants

1160 Galleria Blvd, Roseville, CA 95678

27003 McBean Pkwy, Santa Clarita, CA 91355

1741 N Victory Pl, Burbank, CA 91502

389 E Shaw Av, Clovis, CA 93612

460 Hospitality Ln, San Bernardino, CA 92402

5526 Philadelphia St, Chino, CA 91710

2800 N Main St, Santa Ana, CA 92705

22880 Centerpoint Dr, Moreno Valley, CA 92553

11555 Carmel Mountain Rd, San Diego, CA 92128

430 E Huntington Dr, Arcadia, CA 91006

1780 Challenge Way, Sacramento, CA 95815

19724 Nordhoff Pl, Chatsworth, CA 91311

936 Westwood Blvd, Los Angeles, CA 90024

1210 S Bradley Rd, Santa Maria, CA 93454

24688 Hesperian Blvd, Hayward, CA 94545

9253 Firestone Blvd, Downey, CA 90241

2515 El Camino Real, Palo Alto, CA 94306

1107 W Valley Pkwy, Escondido, CA 92025

3215 Sports Arena Blvd, San Diego, CA 92110

1891 E Ventura Blvd, Oxnard, CA 93030

4195 Century Blvd, Pittsburg, CA 94565

101 N Brand Blvd Ste 100, Glendale, CA 91203

6430 Redwood Dr, Rohnert Park, CA 94928

5445 Sunrise Blvd, Citrus Heights, CA 95610

3955 Alton Pkwy, Irvine, CA 92606

12330 Amargosa Rd, Victorville, CA 92392

2020 Business Ln, Chico, CA 95928

1081 W Olive Ave, Sunnyvale, CA 94086

940 Blossom Hill Rd, San Jose, CA 95123

17585 Castleton St, La Puente, CA 91748

270 Brea Mall, Brea, CA 92821

39145 Farwell Dr, Fremont, CA 94538

1884 Marron Rd, Carlsbad, CA 92008

72225 US Highway 111, Palm Desert, CA 92260

1176 Admiral Callaghan Ln, Vallejo, CA 94591

6874 Katella Ave, Cypress, CA 90630

11171 183rd St, Cerritos, CA 90703

1051 W Avenue P, Palmdale, CA 93551

5500 Grossmont Center Dr, La Mesa, CA 91942

1580 N Main St, Salinas, CA 93906

9251 Monte Vista Ave, Montclair, CA 91763

1701 New Stine Rd, Bakersfield, CA 93309

2610 N Sepulveda Blvd, Manhattan Beach, CA 90266

3251 20th Ave, San Francisco, CA 94132

24256 El Toro Rd, Laguna Hills, CA 92653

23442 Hawthorne Blvd, Torrance, CA 90505

16811 Beach Blvd, Huntington Beach, CA 92647

585 I St, Chula Vista, CA 91910

2330 N Tustin St, Orange, CA 92865

1025 Dana Dr, Redding, CA 96003

2200 Plaza Pkwy, Modesto, CA 95350

22633 Oakcrest Cir, Yorba Linda, CA 92887

13500 Whittier Blvd, Whittier, CA 90605

CERTIFICATE OF MERIT

I, Anthony G. Graham, declare as follows:

1. I am a member of the State Bar of California, a partner of the law firm of Graham & Martin LLP, and one of the attorneys principally responsible for representing plaintiff Consumer Defense Group Action, Inc. (hereinafter “Consumer Defense Group”, the “noticing party” as to the “60 Day Notice of Intent to Sue” (the “Notice”) served concurrently herewith. I have personal knowledge of the facts set forth herein and, if called upon, could and would testify competently thereto.

2. I have consulted with Andrew Brach and other toxicologists with Komex International, which is an international, full-service environmental consulting company providing leading-edge technology and innovative solutions to industries and governments worldwide. Komex has more than twenty years of industry experience and a depth of professional expertise in every aspect of environmental sciences and provides economical solutions to environmental problems worldwide. The clients of Komex range from small independent owners to multinational corporations, governments and international development agencies. The toxicologists at Komex, including Dr. Brach, have relevant and appropriate experience and expertise, and have reviewed the facts as set forth below regarding the exposure to the listed chemicals (mercury, mercury compounds, methyl mercury and methyl mercury compounds) set forth in the attached Notice.

3. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that “reasonable and meritorious case for the private action” means that the information provides a credible basis that all elements of the plaintiffs’ case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.

4. The information referred to in paragraph 3 is as follows; by investigation of the locations referenced in the Notice plaintiff discovered that:

- (1) the violator owns and/or operates the specific subject property (“operate” in this context means controls the use of the property, and/or its management, and/or the decision as to whether to permit the serving of the specified food at that facility);
- (2) the violator has more than nine employees;
- (3) the violator permits the serving of the specified food at the locations referenced in the Notice;
- (4) as to the locations referenced in the Notice, Plaintiff examined the major entrances to the facilities, the reception area and the menus in use at the facilities;
- (5) at none of the locations did Plaintiff see any sign purporting to comply with the requirements of Proposition 65.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Irvine, California on February 7, 2003.

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 3 Park Plaza, Suite 2030, Irvine, California 92614.

I SERVED THE FOLLOWING:

- 1.) 60-Day Notice of Intent to Sue Under Health & Safety Code Section 24249.6 and Certificate of Merit;
- 2.) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary (*only sent to Violator*);
- 3.) Supporting documents for Certificate of Merit (only sent to Office of Attorney General, Office of Proposition 65 Enforcement).;

by enclosing a true copy of the same in a sealed envelope addressed to each person whose name and address is shown below and depositing the envelope in the United States mail with the postage fully prepaid:

Date of Mailing: February 7, 2003
Place of Mailing: Irvine, California

NAME AND ADDRESS OF EACH PERSON TO WHOM DOCUMENTS WERE MAILED:

Joe R. Lee, Chairman
Blaine Sweatt III, President
Darden Restaurants, Inc.
Darden Corporation
5900 Lake Ellenor Drive
P.O. Box 593330
Orlando, FL 32859-3330

California Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

Sacramento County DA
P.O. Box 749
Sacramento, CA 95812

San Diego City Attorney
1200 3rd Ave. Ste. 1620
San Diego, CA 92101

San Mateo District Attorney
1050 Mission Road
South San Francisco, CA 94080

Los Angeles County District Attorney
210 W. Temple Street, 18th Floor
Los Angeles, CA 90012

San Diego County District Attorney
330 Broadway
San Diego, CA 92101

Los Angeles City Attorney
200 N. Main St. N.E.
Los Angeles, CA 90012

Marin County DA
3501 Civic Center Dr. #130
San Rafael, CA 94903

Riverside County DA
4075 Main St., 1st Fl.
Riverside, CA 92501

Sonoma County DA
600 Administrative Dr.
Santa Rosa, CA 95403

San Jose City Attorney
151 W. Mission St.
San Jose, CA 95110

El Dorado County DA
1360 Johnson Blvd. #105
South Lake Tahoe, CA 96150

Napa County DA
931 Parkway Mall
Napa, CA 94559

Inyo County DA
386 W. Line Street
Bishop, CA 93514

Lake County DA
255 N. Forbes St.
Lakeport, CA 95453

Yuba County DA
215 5th Street
Marysville, CA 95901

Stanislaus County DA
300 Starr Avenue
Turlock, CA 95380

Santa Clara County DA
2645 Zanker Road
San Jose, CA 95134

Mariposa County DA
P.O. Box 748
Mariposa, CA 95338

Nevada County DA
201 Church Street, Suite 8
Nevada City, CA 95959

Santa Barbara County DA
1105 Santa Barbara St.
Santa Barbara, CA 93101

San Francisco City Attorney
1390 Market Street
San Francisco, CA 94102

Contra Costa County DA
727 Court Street
Martinez, CA 94553

Ventura County DA
800 South Victoria Avenue
Ventura, CA 95695

Kern County DA
2100 College Avenue
Bakersfield, CA 93305

San Joaquin DA
225 W. Elm Street #C
Lodi, CA 95240

Mendocino County DA
700 S. Franklin St.
Forst Bragg, CA 94537

Solano County DA
321 Tuolumne Street
Valejo, CA 94590

Butte County DA
25 County Center Drive
Oroville, CA 95695

Sutter County DA
446 Second Street
Yuba City, CA 95991

Santa Cruz County DA
701 Ocean Street
Santa Cruz, CA 95061

Alameda County DA
1225 Fallon Street
Oakland, CA 94612

San Luis Obispo County DA
1050 Monterey Street, Rm. 450
San Luis Obispo, CA 93408

Del Norte County DA
450 H Street
Crescent City, CA 95531

San Bernardino County DA
316 N. Mountain View Av.
San Bernardino, CA 92415

Mono County DA
P.O. Box 617
Bridgeport, CA 93517

Siskyou County DA
P.O. Box 986
Yreka, CA 96097

San Francisco County DA
880 Bryant Street
San Francisco, CA 94103

Orange County District Attorney
700 Civic Center Dr. W., 2nd Fl.
Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: February 7, 2003

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