

VIA U.S. MAIL

60-Day Notice of Intent to Sue Under Health & Safety Code Section 25249.6

This notice is given by Consumer Advocacy Group, Inc., which must be contacted through the following entity: **Reuben Yeroushalmi, Esq., Yeroushalmi & Associates**; 3700 Wilshire Blvd. Ste. 480 Los Angeles, CA 90010; 213-382-3183. This letter constitutes notification that Consumer Advocacy Group, Inc. believes and alleges that Proposition 65, *The Safe Drinking Water and Toxic Enforcement Act* (commencing with Health & Safety Code Section 25249.5) and California Code of Regulations, title 22, section 12601 has been violated by the following companies and/or entities (hereinafter, "the violators") and during the time period referenced below:

	PERIOD OF VIOLATION	
From: May 11, 2000	Through May 11, 2004	And continuing thereafter.

Environmental Exposures

While in the course of doing business at, but not limited to:

The locations on the section of the attached Certificate of Service entitled the name and address of each violator to whom documents were mailed:

during the time period referenced above, in the normal course of business, during which violators installed, repaired, removed, and replaced roofs, the violators have been and are knowingly and intentionally exposing reasonably foreseeable members of the public, including neighbors and residents, passersby, motorists, and inspectors not in the direct employ of violators and found within a 50 foot radius of the locations at which **roofing** work has been performed, to products containing **Asphalt**, including hot asphalt, and its constituent chemicals as listed below and designated by the State of California to cause **cancer and reproductive toxicity**, pursuant California Code of Regulations, title 22, section 12000, without first giving clear and reasonable warning of such to the exposed persons (Health & Safety Code Section 25249.6). The sources of exposures are **Asphalt**, including hot asphalt, and its constituent chemicals as listed below. The locations of the exposures include the areas in and around within a 50 foot radius of the violators' principal places of business, as referenced above, involving activities including whereby hot asphalt has been heated and mixed, to the area along and within 50 feet of the route traveled between said principal places of business and the addresses at which **roofing** materials have been stored and **roofing** work has been performed, whereby the **Asphalt**, including hot asphalt, has been transported, and the area within a 50 foot radius to such addresses at which such **roofing** work has been performed including the street, sidewalks and pathways within a 50 foot radius to said addresses, the vicinity of work vehicles and the immediately neighboring areas affected by the **Asphalt**, including hot asphalt, and associated fumes and its constituent chemicals that have been breathed in via the ambient air by the exposed persons causing contact with their mouths, throats, esophagi, and lungs. The route of exposure for Environmental exposures, as referenced above, to the chemicals listed below, has been the inhalation contact described above. Said exposures took place in the California counties whose district attorneys received copies of this notice as listed in the attached certificate of service.

Occupational Exposures

While in the course of doing business at, but not limited to:

The locations on the section of the attached Certificate of Service entitled the name and address of each violator to whom documents were mailed:

during the time period referenced above, the violators have been and are knowingly and intentionally exposing

employees of the violators to **Asphalt**, including hot asphalt, "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, and its constituent chemicals as listed below and designated by the State of California to cause cancer and reproductive toxicity, pursuant California Code of Regulations, title 22, section 12000, without first giving clear and reasonable warning of such to the exposed person (Health & Safety Code Section 25249.6). The sources of exposures include **Asphalt**, including hot asphalt, "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, and its constituent chemicals as listed below.

The employees exposed to said chemicals include **roofing** contractors, drivers, roofing installers, and workers otherwise involved in the installation, repair, and replacement of roofs. Said exposures took place in locations including the storage facilities/garage areas where the **Asphalt**, including where hot asphalt has been prepared and heated, and where "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar have been stored at the violators' principal places of business, as referenced above, on, in and in the vicinity of work vehicles transporting **Asphalt**, including hot asphalt, the addresses where roofing installations have been performed, and the areas along the routes traveled between said principal places of business and the addresses at which **roofing** work has been performed, by which the **Asphalt**, including hot asphalt, has been transported. The route of exposure for occupational exposures to the chemicals listed below, by the affected persons has been from heated **Asphalt**, including hot asphalt, **Asphalt** smoke, and associated fumes, and particulate matter and other airborne constituents, including gaseous emissions, released from "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar by means of removing these products from packaging and tearing out said products from old roofing in preparation of re-roofing, that have been breathed in via the ambient air by the exposed persons (and was a direct result of participating in the process by which **Asphalt** is applied to roofing surfaces, handling roofing materials for storage, application, and transportation, or being in the vicinity of where hot asphalt was mixed, heated, or transported) causing inhalation contact with their mouths, throats, esophagi, and lungs.

Consumer Advocacy Group, Inc. also believes and alleges that the violators are also responsible for a route of exposure of dermal contact due to employees coming in direct contact (e.g. their bare skin touching) with the asphalt, including hot asphalt, while mixing, heating, transporting, and then applying the asphalt, including hot asphalt, "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, to surfaces at work locations, as well as employees coming in contact with the asphalt by inadvertently allowing their work gloves, which had touched the asphalt, to come in contact with their bare skin. Employees also sustained dermal contact when moving the asphalt, including hot asphalt, "cold" asphalt emulsions and adhesives, asphalt shingles, and inter-ply layers of asphalt or coal tar, in and out of the storage facilities/garage areas where the **Asphalt** has been stored at the violators' principal places of business, as referenced above. Said exposures took place in the California counties whose district attorneys received copies of this notice as listed in the attached certificate of service.

The roofing products used by employees of the violators that consist of, contain or result in exposure to asphalt or coal tar, and any equipment used in the storage, installation, repair, removal, and transportation of such products whose use may cause persons to be exposed to asphalt or coal tar, include the following: binders, felts, base sheets, Cap sheets, Surfacing materials, Membrane systems, Insulation materials, Substrates, Shingles, Roll roofing, felt underlayments, flashings, coatings, mastics, cements, adhesives, caulking compounds, roofing kettles, tank trucks, vehicles used to tow roofing kettles to, from, and within job sites, torches, hot-air welders, other heating equipment, spreaders, felt-laying machines, roof removal equipment, including but not limited to roof cutters, and hand tools.

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997.

This approval specifically placed certain conditions with regard to occupational exposures on Proposition 65, including that it does not apply to (a.) the conduct of manufacturers occurring outside the State of California; and (b.) employers with less than 10 employees. The approval also provides that an employer may use any means of

compliance in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement be subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the California Attorney General.

For each such type and means of exposure, the violators have exposed and are exposing the above referenced persons to:

CARCINOGENS

∇

Benz[a]anthracene	Chrysene	Toluene diisocyanate	Formaldehyde (gas)
5-Methylchrysene	Nickel and Nickel Compounds	Dichloromethane (Methylene Chloride)	Benzene
Lead and lead compounds	Benzo[b]flouranthene	Benzo[k]flouranthene	Benzo[a]pyrene
Indeno[1,2,3-cd]pyrene	Acetaldehyde	Beryllium and Beryllium compounds	Arsenic (inorganic arsenic compounds)
Cadmium and Cadmium compounds	Chromium (hexavalent compounds)	Tetrachloroethylene (Perchloroethylene)	Trichloroethylene
Formaldehyde (gas)	Chrysene	Dibenz[a,h]anthracene	1, 3-butadiene
Carbazole	dibenz[a,j]acridine	dibenz[a,h]anthracene	dibenzo[a,e]pyrene
dibenzo[a,h]pyrene	dibenzo[a,i]pyrene	dibenzo[a,l]pyrene	Silica, Crystalline (airborne particles of respirable size)

REPRODUCTIVE TOXINS

∇

Toluene	Carbon Disulfide	Benzene	Lead
Mercury and Mercury compounds	Arsenic (inorganic oxides)	Cadmium	

Proposition 65 (Health & Safety Code Section 25249.7) requires that notice and intent to sue be given to the violator(s) 60 days before the suit is filed. With this letter, *Consumer Advocacy Group, Inc.* gives notice of the alleged violations to the violators and the appropriate governmental authorities. In absence of any action by the appropriate governmental authorities within 60 days of the sending of this notice, *Consumer Advocacy Group, Inc.* may file suit. This notice covers all violations of Proposition 65 that *Consumer Advocacy Group, Inc.* currently knows of from information now available to it. With the copy of this notice submitted to the violators, a copy of the following is attached: *The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.*

Note: *Consumer Advocacy Group, Inc.*, in the interest of the public, is determined to resolve this matter in the least costly manner and one which would be beneficial to all parties involved. In order to encourage the expeditious and proper resolution of this matter, *Consumer Advocacy Group, Inc.* is prepared to forgo all monetary recovery including attorney fees and costs, penalties, and restitution in exchange for a complete elimination of the exposures listed above through the possible reformulation of your products and modification of your business practices.

Dated: May 11/04

By:

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 3700 Wilshire Boulevard, Suite 480, Los Angeles, CA 90010.

I SERVED THE FOLLOWING:

- 1) 60-Day Notice of Intent to Sue Under Health & Safety Code Section 25249.6
- 2) Certificate of Merit: Health and Safety Code Section 25249.7(d)
- 3) Certificate of Merit: Health and Safety Code Section 25249.7(d) *Attorney General Copy (only sent to Attorney General)*
- 4) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary

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

Place of Mailing: Los Angeles, CA

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

Mi Song Choy	Mi Song Construction	936 S Alvarado St. #202	Los Angeles	90006-3008	CA
Brad Coyne	Culver City Roofing Co	5741 W Adams Blvd.	Los Angeles	90016-2440	CA
Paul Klien	Roofoppers Inc	5313 Venice Blvd	Los angeles	90019-5245	CA
	Owen Roofing Co	1236 Copton Ave.	Los Angeles	90021-3184	CA
Donna Rhode	Robertson Roofing	1232 S Eastman Ave	Los Angeles	90023-4004	CA
Don Jones	United Roofing Co	1821 Daly St	Los Angeles	90031-3398	CA
Jesus Cabral	Reyes Roof Tear Off	4532 E Pacific Way	City of Commerce	90040-1021	CA
Fernanado Cabral	F C & Sons Inc	6508 Clara St.	Bell Gardens	90201-5608	CA
Charles A Jewett	Hull Brothers Roofing Co	9034 Lindblade St	Culver City	90232-2513	CA
Pam Gill	Southern California Roofing Co	9623 Imperial Hwy	Downey	90242-3094	CA
Jonathan Townsley	Central Roofing	19113 S Hamilton Ave	Gardena	90248-4401	CA
Robert Hiley	Butler Roofing Co	1327 W 228 th St	Torrance	90501-5029	CA
Sherry Andersen	RGSLA Inc	13245 Imperial Hwy	Whittier Santa Fe Springs	90605-4144	CA
Jay Bligh	Bligh Roof Co	11043 Forest Pl	San Pedro	90670-3905	CA
Jim Dunn	A City Roofing	660 W 29 th St	San Pedro	90731-6613	CA
Dwight Warren	Bonded Roofing	200 Nieto Ave #200	Long Beach	90803-5500	CA
Jeanie Adams	Olsen Roofing Co	6951 Newton Ave	Long Beach	90805-1828	CA
Pete Hille	Commercial Roofing System In	11735 Goldring Rd	Arcadia	91006-5894	CA
Marco Suarez	Advanced Roofing Systems	5304 Derry Ave	Agoura Hills	91301	CA
Nestor Ascarrunz	A-Quality Roofing Co	8617 Yolanda Ave	Northridge	91324-4552	CA
Shawn Reeves	Elite Roofing Co	18605 Parthenia St	Northridge	91324-4028	CA
Geovany Mora	Tres Amigos Tear Off	18719 Napa St	Northridge	91324-4536	CA
Martin Folger	Folger Roofing	18435 Bryant St	Northridge	91325-3309	CA
Paul Owens	Pacific Coast Roofing Corp.	21616 Golden Triangle Rd	Santa Clarita	91350-2614 91405-	CA
Brian Mowatt	Eberhard Roofing	15220 Raymer St	Van Nuys	1065f	CA
Anthony Pohnel	A & P Clean-Up U Tear Off Svc	15950 Blythe St	Van Nuys	91406-1810	CA
Steve Smart	Konrad Roofing Co	12036 Vose St	North Hollywood	91605-5751	CA

Guy D La Rocque	Showcase Roofing Ctr Inc	4251 Baldwin Ave	El Monte	91731-1101	CA
Ron Chambers	Roof Construction	747 Enterprise St	Escondido	92029-1248	CA
Ignacio Campos	Campos Roofing Co	8662 Tamacha Road	Spring Valley	91977	CA
Ron Walker	Roofing Wholesale Co	1401 Linda Vista Dr	San Marcos	92069-3806	CA
Roy Larson	Service First	PO BOX 1688	Rialto	92377-1688	CA
Paul Byrnes	Structural Materials	1515 S Waterman Ave	San Bernardino	92408-2807	CA
James Fontaine	Fontaine & Assoc	23482 Peralta Dr # F	Laguna Hills	92653-1733	CA
Jeffrey Ray	J L Ray Co	103 W Escalones # A	San Clemente	92672-4670	CA
David A Montross	Montross Weatherproofing Inc	1521 Calle Valle	San Clemente	92672-3843	CA
Rick Cech	Coastline Engineering	1000 E South St	Anaheim	92805-5348	CA
Rita Ritchie	Centimark Corp	987 N Batavia St	Orange	92867-5501	CA
Sean Prewett	Graham-Prewett Inc	1220 E North Ave	Fresno	93725-1930	CA
Dennis Ryan	Waterproofing Associates	975 Terra Bella Ave	Mountain View	94043-1827	CA
Bob Montgomery	Montgomery Roof Svc	4628 Palomino Way	Antioch	94531-9312	CA
George Manson	Alcal Roofing & Insulation	31164 Huntwood Ave	Hayward	94544-7817	CA
Todd Bender	Centimark Corp	14111 Catalina St	San Leandro	94577-5509	CA
Vincent Altman	V's Tear-Off Inc	PO Box 1199	Santa Cruz	95061-1199	CA
Robert Laubach	Legacy Roofing/Water Proofing	860 Faultstich Ct	San Jose	95112-1361	CA
James Sagor	Western Region Roofing	231 N 12 th St	San Jose	95112-3436	CA
James Silva	Better Built & Assoc	320 W Larch Rd #7	Tracy	95304-1646	CA
Jack Holsey	H & M Roofing	3646 Omec Cir	Rancho Cordova	95742-7301	CA
Jeff Williamson	D 7 Roofing Svc Inc	PO Box 231126	Sacramento	95823-0402	CA
Anthony Cianchetta	Reach Removal Inc	PO Box 292486	Sacramento	95829-2486	CA
F Raymond little	Booth & Little	2150 Redwood Hwy	Greenbrae	94904	CA
Ken Cooper	Ken Cooper Construction	101 Roblar Dr # D	Novato	94949-6138	CA
	Alameda Roofing Svc	26 San Juan Road	Watsonville	95076	CA
	Permanent Roofing Co	3330 S Robertson Blvd.	Los Angeles	90034	CA
James E Quill	AMQ Roofing inc	PO Box 463066	Escondido	92029	CA
Mark Woltmon	C L Frost Inc	1831 East Ave	Sand City	93955-3015	CA
Lindsey D Casto	Casto Roofing Co	1938 Old Middlefield Way	Mountain View	94043	CA
Don Cox	Tri State Enterprise Inc.	2133 Leghorn street	Mountain View	94043-1605	CA
	All Seasons Roofing	2103 Middlefield Rd	Redwood City	94063	CA
	C & J Roofing Co	233 S Maple Ave	San Francisco	94080-6322	CA
	Associated Builders	4026 3 rd St # 101	San Francisco	94124	CA
	DU Bois Roofing	99 Duarte Ave	Fremont	94536-1610	CA
	Old County Roofing	125 Grobic Ct # B	Suisun	94515-1673	CA
	Industrial Roofers	1627 Wilcox Ave # 322	Los Angeles	90028-6205	CA
Ross Wright	Mutual Roofing Co Inc.	426 w 168 th St	Gardena	90248-2735	CA

Anthony Chonel	Big Valley Roofing	15950 Blythe Street	Van Nuys	91406-1810	CA
Gary Stewart Sr	SBR Inc	801 S Flower Street	Burbank	91502-2016	CA
Leesa Scalise	American Eagle Roofing Inc.	5752 Klusman Ave	Alta Loma	91737-2224	CA
Barry Turnour	C & L Roofing Co Inc	9239 Olive Dr	Spring Valley	919772306	CA
Doug Sylvester	Sylvester Roofing Co	306 W El Norte Pkwy # N	Escondido	92026-1960	CA
David Massey	Secure Roof Inc	2255 Barham Dr	Escondido	92029-1025	CA
Greg Rudesill	A Roofing Discount Company	13992 Putney Rd	Poway Thousand Palms	92064-3428	CA
David Bunde	Bunde Roofing & associates Inc	31435 Dia Del Palmas	Palms	92276	CA
Don Luginbill	J J Roofing	2466 Main Street	Riverside	92501-2201	CA
Vice Mac Donald	Gardner Roofing	594 w 7 th Street	San Jacinto	92583-4058	CA
Tom Harris	Pacific South west	PO Box 4278	Santa Ana	92702-4278	CA
Dan Klein	Lavey Roofing Corp	1220 S Wright St	Santa Ana	92705-4507	CA
Eric Enriquez	Platinum Roofing Co	1420 E Edlinger Ave # 209	Santa ana	92705-4816	CA
Gary Zanella	Petersen & Dean Inc	2191 S Dupont Dr	Anaheim	92806-6102	CA
Kory Frost	Western Roofing Systems	2031 E Cerritos Ave.# 7 E	Anaheim	92806-5705	CA
William Ward	Award Roofing & Construction	PO Box 877	Exeter	93221-0877	CA
Ernie Montowa	BSW Roofing Contractors	4 P St	Bakersfield	93302-1446	CA
Ronald Matteson	Matteson Construction Co All American Construction Company	39221 Littlefield RD 5804 E Brown Ave # 104	Shaver Lake Fresno	93664-9622 93727-1361	CA CA
Martine Borges	A & B Roofing Inc	3051 Edison Way	Redwood City	94063-3808	CA
Moses Avila	IMR Roofing	850 S. Van Ness Ave	San Francisco	94110-1911	CA
Tom Lee	Tom Lee Roofing Inc	243 Onodaga Ave	San Francisco	94112-3231	CA
Jack Bowman	American Roof systems	2461 N Main St	Walnut Creek	94597-2712	CA
David Makovec	California Roof Savers Inc	1010 Lakeville St # 3B	Petaluma	94952-3361	CA
Mile Farrell	Weather Solutions	420 Coloma St	Sausalito	94965-1428	CA
Happer Campbell	California Roof Co	1595 s 10 th St	San Jose	95112-2595	CA
Tim Blue	Blue's Roofing Co	1181 Campbell Ave	San Jose	95126-1060	CA
Mario Dominguez	Alpine Construction	1728 e Market St	Stockton	95205-5535	CA
Gary Loftin	Great West Roofing	1625 Culpepper Ave	Modesto	95351-1138	CA
Vern Smith	Handyman Express	PO Box 1521	Turlock	95381-1521	CA
Gabriel Diaz	Creative Roofing-Northern Ca	3715 Santa Rosa Ave # A8	Santa Rosa	95407-8231	CA
James Cline	All Trades	PO Box 39	Fulton	95439-0039	CA
Janet Rose	Rose Roofing & Supply Inc	146 Teamtrack Rd	Auburn	95603-7339	CA
James Green	J P Roofing & Construction	3560 33 rd Ave	Sacramento	95824	CA
Calvin H. Holcomb	Curtis Roofing Inc.	7475 14 th Ave	Sacramento	95820-3599	CA
Theresa Dennis	Century Homestead Inc	4580 Power Inn Rd	Sacramento	95824-1104	CA
Guy Stowe	Alid Enterprises Inc	8788 Elder Creek Rd	Sacramento	95828-1804	CA
	Petersen & Dean Inc	20 Light Sky Ct	Sacramento	95828-1016	CA

Puala Cross	Zumwalt & Assoc Inc	4887 Pasadena Ave	Sacramento	95841-4239	CA
Randall Tomlinson	RV Tomlinson Construction Inc	657 Lincoln Rd	Yuba City	95991-6694	CA

**NAME AND ADDRESS OF EACH PUBLIC PROSECUTOR TO WHOM DOCUMENTS WERE
MAILED:**

Alameda County District Attorney 1225 Fallon St, Room 900 Oakland, CA 94612	Los Angeles County District Attorney 210 W Temple St, 18th Floor Los Angeles, CA 90012	San Jose City Attorney 151 W. Mission St. San Jose, CA 95110
Tulare County District Attorney County Civic Center, Rm 224 Visalia, CA 93291	Monterey County District Attorney PO Box 1131 Salinas, CA 93902	San Joaquin County District Attorney PO Box 990 Stockton, CA 95201 -0990
San Diego City Attorney City Center Plaza 1200 3rd Ave # 1100 San Diego, CA 92101	Stanislaus County District Attorney PO Box 442 Modesto, CA 95353	San Francisco County District Attorney 850 Bryant St, Rm 322 San Francisco, CA 94103
Santa Cruz County District Attorney PO Box 1159 Santa Cruz, CA 95061	Marin County District Attorney 3501 Civic Center Drive, #130 San Rafael, CA 94903	San Diego County District Attorney 330 W. Broadway, Ste 1300 San Diego, CA 92101-3803
Santa Clara County District Attorney 70 W Hedding St. San Jose, CA 95110	Kern County District Attorney 1215 Truxtun Ave. Bakersfield, CA 93301	San Bernardino County District Attorney 316 N Mountain View Ave San Bernardino, CA 92415-0004
Office of the Attorney General P.O. Box 70550 Oakland, CA 94612-0550	Los Angeles City Attorney 200 N Main St Ste 1800 Los Angeles CA 90012	San Francisco City Attorney # 1 Dr. Carlton B. Goodlett Place, Suite 234 San Francisco, CA 94102
Riverside County District Attorney 4075 Main St Riverside, CA 92501	Fresno County District Attorney 2220 Tulare St, Ste. 1000 Fresno, CA 93721	Sacramento County District Attorney 901 G Street Sacramento, CA 95814
Contra Costa County District Attorney 725 Court St., Room 402 Martinez, CA 94553	Orange County District Attorney PO Box 808 Santa Ana, CA 92702	Sonoma County District Attorney 600 Administration Dr., Rm 212-J Santa Rosa, CA 95403
San Mateo County District Attorney 400 County Center Redwood City, CA 94063	Solano County District Attorney 600 Union Ave Fairfield, CA 94533	

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

Dated: 5/11/04

By: _____

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

I, Reuben Yeroushalmi, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the party(s) identified in the notice(s) has violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.
2. I am the attorney for the noticing party.
3. I have consulted with at least one person with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action.
4. 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.
5. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: May 11 / 04