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AMENDED NOTICE BY CONSUMER DEFENSE GROUP OF INTENT TO SUE PURSUANT TO HEALTH & SAFETY CODE § 25249.6

This legal notice constitutes notification that Choice Hotels International and the persons and entities identified on Exhibit A hereto (hereinafter referred to collectively as the "Violator") have violated Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (Cal. Health and Safety Code § 252495 et seq.) at the properties identified on Exhibit A hereto (hereinafter referred to collectively as "the property"). This notice is given by Consumer Defense Group which must be contacted through its legal representative Graham & Martin LLP, attn. Anthony G. Graham, at the above address and telephone number.

Proposition 65 requires that a notice of violation and intent to sue be given to the Violator sixty (60) days prior to commencing a private enforcement proceeding pursuant to Health & Safety Code § 25249.7(d). With this letter, Consumer Defense Group, an association acting in the public interest, gives notice of the alleged violations to the Violator and to the Attorney General and District Attorney and City Attorney of cities with a population of over 750,000, in each county and city in which the violations are alleged to have occurred. This notice covers all violations of Proposition 65 that are currently known to Consumer Defense Group from information now available to it. Attached to this notice submitted to the Violator is a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."

I. SUMMARY OF VIOLATIONS:

Proposition 65 requires that when a party, such as the Violator, has been or is knowingly and intentionally exposing its customers, the public and/or its employees to a detectable level of any chemical designated by the State of California to cause cancer or reproductive toxicity (the "Designated Chemicals") it has violated the statute unless, prior to such exposure, it provides clear and reasonable warning of that exposure to the potentially exposed persons (Health & Safety Code § 25249.6). The Violator has chosen to allow its customers, visitors, guests and employees at the Property noted above (hereinafter, the "Property") to be exposed to Designated Chemicals associated with its operations. The Violator, in the ordinary course of business, knows, controls and intends much of the conduct and actions of its customers, visitors, guests and employees at the Property. The activities of the Violator including its employees and contractors, and the facilities and amenities provided at the Property as set forth in detail below expose customers, visitors, guests, business invitees and employees to Designated Chemicals.

Therefore, the Violator has knowingly and intentionally exposed its customers, visitors, guests and employees at the Property to Designated Chemicals. Exposures to Designated Chemicals occur at the Violator's Property in a variety of ways as described in detail below, including inhalation (breathing of designated chemicals in gaseous, vapor or particulate form), dermal contact and absorption from skin and/or clothing and ingestion directly with respect to consumables but also indirectly due to touching of contaminated surfaces and subsequent hand-to-mouth contact. Despite knowledge of such exposures, the Violator has failed to provide clear and reasonable warnings as required by Proposition 65, so that its customers, visitors, guests and employees, who may not wish to be exposed, are warned prior to exposure that they may be exposed to Designated Chemicals.

A. Environmental Exposures

While in the course of doing business, at the locations in the attached Exhibit A, from June 1, 2000 through the current date, the Violator has been and is knowingly and intentionally exposing customers, visitors, guests and employees to Designated Chemicals listed below and known to the State of California to cause cancer, birth defects or reproductive toxicity without first giving clear and reasonable warning of that fact to the exposed persons (Health & Safety Code Section 25249.6). The locations of the exposures are at and around the Property and due to the facility activities (e.g. maintenance) and the amenities provided at the Property.

B. Occupational Exposures

While in the course of doing business from June 1, 2000 through the current date, the Violator has been and is knowingly and intentionally exposing employees to Designated Chemicals listed below and designated by the State of California to cause cancer, birth defects or reproductive toxicity without first giving clear and reasonable warning of that fact to the exposed person (Health & Safety Code Section 25249.6). Employees include the property's bartenders, cashiers, hosts, waiters, waitresses, chefs, cooks, kitchen personnel, engineering staff, janitors, maids, housekeepers, concierge, bell staff, valets, security personnel, maintenance workers, service personnel, administrative personnel, and professional personnel and business invitees and contractors who are employees of others, in and around the Property and its facilities and amenities.

C. Product Exposures

While in the course of doing business from June 1, 2000 through the current date, the Violator has been and is knowingly and intentionally exposing customers, visitors, guests and employees to products containing Designated Chemicals listed below and designated by the State of California to cause cancer, birth defects or reproductive toxicity without first giving clear and reasonable warning of that fact to the exposed person (Health & Safety Code Section 25249.6). The product exposures include products which are commonly in use at Property's and lodging

establishments. The customers, visitors, guests and employees who are exposed to such products, and the locations of such exposures, are more fully described in this notice below.

II. DETAILS OF VIOLATIONS:

After appropriate due diligence and investigation of Violators, including review and verification of detailed information regarding exposure to customers, visitors, guests and employees, and consultations with experts on such matters, such unlawful exposures occur in the following ways at the Property.

A. Specific Violations

1. Alcoholic Beverages (bars, mini bars)

Short description: Alcoholic beverages are sold and consumed on the Property at bars, lounges, eating establishments and minibars. Consumption of alcoholic beverages causes exposures to Designated Chemicals.

Route(s) of exposures: Ingestion.

General location or occupation of persons exposed: Bartenders, guests and visitors.

Location of the source of exposure: bars, lounges, eating establishments guest rooms and recreational facilities.

Names of Proposition 65-listed chemicals involved and reason for listing: Ethyl alcohol in alcoholic beverages (developmental toxicity).

2. Swimming Pool/Hot Tubs

Short description: Swimming pools and hot tubs located on the Property use disinfectants containing chlorine and bromine which react with waterborne organisms to form carcinogen compounds. The use of swimming pools and hot tubs by guests, visitors and lifeguards causes exposures to Designated Chemicals.

Route(s) of exposure: Ingestion and dermal.

General location or occupation of person(s) exposed: Guest, visitors, lifeguards and pool and hot tub maintenance personnel.

Location of the source of exposure: Pool and hot tub areas.

Names of Proposition 65-listed chemicals involved: Chloroform (cancer) and bromoform (cancer) formed by disinfecting water with chlorine or bromine and their compounds.

3. Food and Beverage Operations

Short description: Restaurants located on the Property serving a variety of foods, water, and other beverages, which are consumed on the Property, as well as the glassware and tableware on which the food is served on the Property, and brass faucets or leaded plumbing fixtures from which water is served on the Property, contain chemicals known to be harmful. Consumption of food, water, and other beverages causes exposures to Designated Chemicals.

Route(s) of exposure: Ingestion.

General location or occupation of person(s) exposed: Guests, visitors and employees (including kitchen staff, waiters, busboys, and other service, administrative, and professional staff).

Location of the source of exposure: Restaurants, cafes, room service and other locations where food and beverages are found and consumed.

Names of Proposition 65-listed chemicals involved and reasons for listing: Food ingredients, including but not limited to meat, fish and produce, as acquired by lodging facilities may contain detectable levels of designated chemicals. Meats contain anabolic steroids (female, male reproductive toxicity), testosterone and its esters (cancer), streptomycin sulfate (developmental toxicity), and other chemicals (cancer and developmental and male/female reproductive toxicity). Fish and shellfish contain mercury and its compounds (developmental toxicity), methyl mercury (developmental toxicity), methyl mercury compounds (cancer), DDT and its isomers (cancer, developmental and male/female reproductive toxicity), and polychlorinated biphenyls (cancer and developmental toxicity) and other chemicals (cancer and developmental and male/female reproductive toxicity). Produce contains chloroform (cancer) due to processing water disinfection and pesticide and fertilizer residues that contain designated chemicals (cancer and developmental and male/female reproductive toxicity). Certain grains, cereals, nuts and peanut butter contain aflatoxins (cancer) as a naturally-occurring fungal toxin. Prepared food, in particular, pan fried and grilled meats and fish contain benzo(a)pyrene (cancer) and other related polycyclic aromatic organic compounds (cancer). Baking and frying high-carbohydrate foods forms acrylamide (cancer).

4. Automobile Parking Facilities

Short description: The Property has and operates automobile parking facilities which expose Property guests, visitors and employees to automobile emissions which are known to be harmful.

Route(s) of exposure: Inhalation.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff).

Location of the source of exposure: Parking facilities.

Names of Proposition 65-listed chemicals involved and reason for listing: Like all vehicle parking facilities, those at the Property contain benzene (cancer), toluene (developmental toxicity) and other designated chemicals (cancer and developmental and male/female reproductive toxicity).

5. Equipment Maintenance

Short description: Equipment located on the Property is maintained by employees on-site, including oil changes, carburetor cleaning, brake lining replacement, touch-up painting, battery replacement, and coolant flushing and replacement. Equipment maintenance causes employees to be exposed to Designated Chemicals.

Route(s) of exposure: Dermal, inhalation and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Employees

Location of the source of exposure: Maintenance facilities and areas around such facilities and activities.

Names of Proposition 65-listed chemicals involved and reason for listing: Equipment maintenance involves exposure to a wide variety of materials and designated chemicals contained in all commonly used fuels, lubricants, solvents, paints, brakes and batteries, as well as tools, solder and welding emissions. Gasoline and diesel vehicle fuels contain benzene (cancer), toluene (developmental toxicity) and other designated chemicals (cancer and developmental and male/female reproductive toxicity). Solvents used in vehicle maintenance at the Property include carburetor and brake cleaners and parts cleaners that contain methylene chloride (cancer), tetrachloroethylene (cancer) and benzene (cancer), and paint strippers which contain methyl chloride (cancer) and toluene (developmental toxicity). Brake and clutch surfaces contain asbestos (cancer). Batteries contain lead (cancer and developmental and male/female reproductive toxicity).

6. Property Transportation Vehicles

Short description: Transportation shuttles and limousines (for hire and courtesy) are used on and off the Property to shuttle guests and baggage to and from the Property. Smoking is permitted in these vehicles and cleaners and air fresheners may be also be used in these vehicles. The use of Property shuttles and limousines causes exposures to Designated Chemicals.

Route(s) of exposure: Inhalation and dermal.

General location or occupation of person(s) exposed: Employees, Guests and Visitors

Location of the source of exposure: In and around vehicles.

Names of Proposition 65-listed chemicals involved and reason for listing: Transportation vehicles used at the Property emit diesel engine exhaust (cancer) or gasoline engine exhaust (cancer) and other chemicals (cancer, developmental and male/female reproductive toxicity). Gasoline and diesel vehicle fuels contain benzene (cancer), toluene (developmental toxicity) and other designated chemicals (cancer and developmental and male/female reproductive toxicity).

Second hand exposure to smoking contains tobacco smoke (cancer), carbon monoxide (developmental toxicity) and other designated chemicals (cancer and developmental and male/female reproductive toxicity).

7. Kitchen

Short description: In order to clean, sanitize, and maintain kitchens located on the Property, utensils, dishware and silverware, products such as floor strippers, polishes, drain cleaners, and dishwasher detergents are used on the Property to enhance the health, safety and welfare of guests, visitors and employees (including service, administrative, and professional staff). Property employees working in the Property's kitchens are exposed to Designated Chemicals.

Route(s) of exposure: Inhalation, dermal and ingestion.

General location or occupation of person(s) exposed: Kitchen employees and guests exposed to residues of cleaning compounds on dishes, silverware, and utensils.

Location of the source of exposure: Kitchen areas.

Names of Proposition 65-listed chemicals involved and reason for listing: Chemicals used are generally the same as cleaning supplies/ janitorial in Paragraph A.2. Dishwashing detergents used at the Property contain arsenic compounds including arsenic oxide (cancer and developmental toxicity) and lead (cancer and developmental and male/female reproductive toxicity).

8. Fireplaces and Patio Heaters

Short description: Fireplaces located on the Property are a source of exposures to gas and wood combustion by-products. Guests and employees who are present when fire places are in operation are exposed to gas emissions and by-products which contain Designated Chemicals.

Route(s) of exposure: Inhalation and dermal contact.

General location or occupation of person(s) exposed: Guests and employees in areas with fireplaces or in vicinity of fireplace chimneys, and cleaning of fireplaces.

Location of the source of exposure: Areas near fireplaces and fireplace vents.

Names of Proposition 65-listed chemicals involved and reason for listing: Natural gas or fuel gas operated fireplaces in used at the Property emit carbon monoxide (developmental toxicity), formaldehyde (cancer), soots and tars (cancer) and other chemicals (cancer, developmental and male/female reproductive toxicity). Wood burning fireplaces at the Property use wood fuel which emits carbon monoxide (developmental toxicity), soots and tar (cancer), benzene (cancer), creosotes (cancer) and other chemicals (cancer and developmental, and male/female reproductive toxicity).

9. Valet (shoeshine and dry cleaning delivery)

Short description: This Property provides shoe shining services to guests. Polishes and cleaners contain designated chemicals. Valets also carry dry cleaning. Guests and employees coming into contact with shoe polishes and cleaners are exposed to Designated Chemicals.

Route(s) of exposure: Dermal, inhalation and ingestion.

General location or occupation of person(s) exposed: Valet employees and guests.

Location of the source of exposure: In areas where the shoe shining occurs and freshly shined shoes and contact with freshly dry-cleaned garments.

Names of Proposition 65-listed chemicals involved and reason for listing: All shoe polish contains lead and lead compounds (cancer and developmental and male/female reproductive toxicity), toluene (developmental toxicity) and soots, tars and mineral oils (cancer). Dry cleaned clothing contains chemicals listed in Paragraph 10, especially tetrachloroethylene (cancer) and benzene (cancer).

B. General Violations

1. Second-hand Tobacco Smoke and Smokeless Tobacco Products

Short description: Tobacco smoke and its by-products contain many chemicals that may be harmful if inhaled. Smoking is allowed at areas designated by the property manager including designated rooms and some outdoor areas at this Property. Property guests and employees are being exposed to tobacco smoke.

Route(s) of exposure: Breathing second-hand smoke and contact with skin and clothing.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff), which enter designated smoking areas.

Location of the source of exposure: Various designated smoking areas, including guest rooms, open areas, pool areas and parking lots.

Names of Proposition 65-listed chemicals involved and reason for listing: Tobacco smoke (cancer) and associated chemicals including but not limited to nicotine (developmental toxicity) and carbon monoxide (developmental toxicity).

2. Cleaning Supplies/Janitorial

Short description: In order to clean, sanitize, and maintain the Property, products such as floor strippers, polishes, drain cleaners, waxes, silica, glass wool fibers, cleaners and sanitizers, are used to enhance the health, safety and welfare of guests, visitors and employees (including maintenance service, administrative, and professional staff). The Property's cleaning and maintenance operations exposes guests and employees to Designated Chemicals.

Route(s) of exposure: Dermal, inhalation and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including maintenance, maids, janitorial, cooks and kitchen personnel, as well as other personnel using cleaning supplies service, administrative, and professional staff).

Location of the source of exposure: All fixtures and surfaces which require the use of cleaning/janitorial supplies to be maintained and Property vehicles.

Names of Proposition 65-listed chemicals involved and reason for listing: Floor polishing compounds in use at the Property contain and surfaces polished generate crystalline silica (cancer). Metal polishing compounds in use at the Property contain crystalline silica (cancer) and ceramic fibers (cancer) and generates aerosol and surface contamination from metals polished; for example, brass which contains lead (cancer, developmental and male/female reproductive toxicity). Wood polish and refinishing materials in use at the Property contain toluene (developmental toxicity) and petroleum distillates and xylenes that contain benzene (cancer). Spot removers used on carpets and furniture in use at the Property, and chewing gum removers contain solvents, including methylene chloride (cancer), tetrachloroethylene (cancer), toluene (developmental toxicity) and benzene (cancer). General purpose cleaners contain ethylene glycol monoethyl and monoethyl ether and ether acetate (developmental and male reproductive toxicity). Disinfectants and bleaches in use at the Property containing chlorine compounds generate chloroform (cancer) when in contact with organic compounds.

3. Maintenance/Power Tools

Short description: In order to maintain finishes and shape surfaces, power tools are periodically used on the Property which creates dust. Guests and employees exposed to dust from power tools are being exposed to Designated Chemicals.

Route(s) of exposure: Dermal, inhalation and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including maintenance, handymen, janitorial, craftsmen, engineering staff, and other service, administrative, and professional staff).

Location of the source of exposure: Any locations, including public and employee only areas, where power tools may be used.

Names of Proposition 65-listed chemicals involved and reason for listing: Dust generated by maintenance and power tools contain the Designated Chemical(s) contained on or in the construction material, surface coating and paints being shaped or sanded or from any abrasive material used. The most common Designated Chemicals are: crystalline silica (cancer), lead (cancer, developmental and male/female reproductive toxicity), cadmium (cancer), asbestos (cancer and developmental and male reproductive toxicity), arsenic and its inorganic oxides (cancer and developmental toxicity), hexavalent chromium compounds (cancer), and cobalt and cobalt oxide (cancer) and nickel and certain nickel compounds (cancer).

4. Furniture/Furnishings/Window Treatments

Short description: The Property contains furniture, furnishings and window treatments in common areas, guest rooms, and administrative offices. Construction materials, including foams, metals, treated wood, carpets and carpet padding, fabrics, coatings, rubber parts and plastics and vinyl are used to construct such furniture and contain Designated Chemicals. Guests and employees who come into contact with the Property's furniture, furnishings and window treatments are being exposed to Designated Chemicals.

Route(s) of exposure: Inhalation, dermal and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff).

Location of the source of exposure: All locations where furniture, furnishings and window treatments are located including guest rooms, common areas and employee only areas.

Names of Proposition 65-listed chemicals involved and reason for listing: Organic compounds emitted or present on the surface of furnishings include: Foams used in couches, seat cushions, carpet pads contain and emit methylene chloride (cancer), urethane (cancer and developmental toxicity), toluene diisocyanate (cancer), and soots, tars and mineral oils (cancer). Metal fixtures and furniture hardware including brass and zinc, chrome, or cadmium-plated metal contain lead (cancer, developmental and male/female reproductive toxicity), cadmium (cancer), and hexavalent chromium compounds (cancer) and nickel and certain nickel compounds (cancer). Plastic and rubber components of furniture and fixtures contain: 1,3 butadiene (cancer), Di(2-ethylhexyl) phthalate (cancer), vinyl chloride (cancer), lead and lead

compounds (cancer, developmental and male/female reproductive toxicity), cadmium (cancer), and hexavalent chromium compounds (cancer). Window treatments, including window blinds and painted trim that contain lead and lead compounds (cancer, developmental and male/female reproductive toxicity).

5. Public and Guest Bathrooms

Short description: In addition to cleaners and sanitizes, bathrooms located on the Property contain odor cakes, air fresheners, soaps, shampoos, conditioners, mouthwash and paper products which contain Designated Chemicals. Guest and employees are being exposed to these Designated Chemicals.

Route(s) of exposure: Inhalation, ingestion and dermal.

General location or occupation of person(s) exposed: Guests, visitors and employees.

Location of the source of exposure: Guest bathrooms and public restrooms.

Names of Proposition 65-listed chemicals involved and reason for listing: Cleaners and sanitizes used in public and guest bathrooms at the Property contain the same Designated Chemicals identified in Paragraph 2 with respect to cleaning and janitorial supplies. Public restroom odor cakes and air fresheners contain p-dichlorobenzene (cancer) and formaldehyde (cancer). Mouthwash contains sodium saccharine (cancer) and ethyl alcohol (developmental toxicity). Soaps, shampoos and conditioners contain soots, tars, and mineral oils (cancer). Paper products contain detectable amounts of lead and lead compounds (cancer, developmental and male/female reproductive toxicity).

6. Medical/First Aid Supplies

Short description: This Property uses first aid kits and medical supplies, such as aspirin, anti-bacterial ointments and creams, spray treatments, and other medicines as may be required by worker safety laws and regulations. These medical and first aid supplies contain Designated Chemicals. Guests and employees in need of first aid are being exposed to Designated Chemicals.

Route(s) of exposure: Dermal, ingestion and inhalation.

General location or occupation of person(s) exposed: Guests, visitors and employees who are in need of first-aid (including service, administrative, and professional staff).

Location of the source of exposure: At treatment location

Names of Proposition 65-listed chemicals involved and reason for listing: Analgesic aspirin contains aspirin (developmental and female reproductive toxicity). Antiseptic solutions

contain ethyl alcohol (developmental toxicity). Ointments contain soots, tars, and mineral oils (cancer) and plastic wound dressings like bandages contain di (2-ethylhexyl) phthalate (cancer) and ethylene oxide (cancer and female reproductive toxicity). Neosporin ointments contain neomycin sulfate (developmental toxicity).

7. Internal Combustion ("IC") Engines, Boilers and other Gas Burning Devices, and Fireplaces

Short description: IC engines, boilers, gas burning engines, and fireplaces producing emissions are used in and around this Property for a variety of purposes including emergency generators, fire fighting equipment, gardening equipment, vehicles used for transportation, heating and water heaters. The emissions from IC engines, boilers and other gas burning devices contain Designated Chemicals. Property guests and employees are being exposed to these Designated Chemicals.

Route(s) of exposure: Inhalation.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, gardening, landscaping, chauffeurs, administrative, and professional staff) who are exposed to emissions.

Location of the source of exposure: Boiler rooms, guest rooms and common areas where fireplaces are located and recreation and maintenance areas where IC engines (stationary and mobile or portable) are used.

Names of Proposition 65-listed chemicals involved and reason for listing: Internal combustion engines used in emergency generators; vehicles; powered mowers, weed-eaters and other landscaping equipment emit diesel engine exhaust (cancer) or gasoline engine exhaust (cancer) and other chemicals (cancer, developmental and male/female reproductive toxicity). Natural gas or fuel gas burning boilers, water heaters, space heaters, kitchen appliances and gas-operated fireplaces emit carbon monoxide (developmental toxicity), formaldehyde (cancer), soots and tars (cancer) and other chemicals (cancer, developmental and male/female reproductive toxicity). Fireplaces which use wood fuel emit carbon monoxide (developmental toxicity), soots and tar (cancer), benzene (cancer), creosotes (cancer) and other chemicals (cancer and developmental, and male/female reproductive toxicity).

8. Electronic Equipment, Electric Equipment and Associated Cables Wires and Batteries

Short description: Electronic equipment, electric equipment and cables, and batteries are located throughout this Property, the touching of which exposes persons to Designated Chemicals. Guests and employees who touch this equipment are being exposed to Designated Chemicals.

Route(s) of exposure: Dermal and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, engineers, administrative, and professional staff).

Location of the source of exposure: Universal

Names of Proposition 65-listed chemicals involved and reason for listing: Electronic equipment, including computer housings, keyboards, mouse devices, connecting cables, and insulated electrical wires are made from pigmented, plasticized polyvinyl chloride which contains vinyl chloride (cancer), lead (cancer, developmental and male/female reproductive toxicity), di(2-ethylhexyl) phthalate (cancer), and other chemicals (cancer, developmental and male/female reproductive toxicity). Batteries used to power security lights and other back-up power systems and light bulbs, fluorescent lamps and other lighting devices, have lead terminals or soldered terminals or wires which contains lead (cancer, developmental and male/female reproductive toxicity).

9. Office Supplies and Office Equipment

Short description: Office supplies and equipment used on the Property, including carbonless paper, marking pens, correction fluids, copier machine chemicals contain Designated Chemicals. Guests and Employees who use the Property's office supplies and equipment are being exposed to Designated Chemicals.

Route(s) of exposure: Dermal, inhalation and ingestion.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff).

Location of the source of exposure: In and around the Property, its facilities and amenities.

Names of Proposition 65-listed chemicals involved and reason for listing: Carbonless copy paper is used at the Property and contains formaldehyde (cancer), benzene (cancer), toluene diisocyanate (cancer), and toluene (developmental toxicity). Marking pens used at the Property contain toluene (developmental toxicity), creosote (cancer), and ethylene glycol monoethyl ether (developmental and male reproductive toxicity). Correction fluids used at the Property are known to have contained trichloroethylene (cancer) and contain toluene (developmental toxicity) and benzene (cancer). Copier machine toner used at the Property contains carbon black (carbon black extracts cause cancer).

10. Hand Tools, Hardware and Brass Keys

Short description: Hand tools, hardware and brass keys located at this Property contain Designated Chemicals. Guests and employees who come into contact with tools, hardware and brass keys are being exposed to Designated Chemicals.

Route(s) of exposure: Dermal and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff).

Location of the source of exposure: In and around the Property, its facilities and amenities.

Names of Proposition 65-listed chemicals involved and reason for listing: Hand tools contain metals or are plated with metals which contain lead (cancer, developmental and male/female reproductive toxicity), hexavalent chromium (cancer), nickel and certain nickel compounds (cancer), cadmium and cadmium compounds (cancer, developmental and male reproductive toxicity). Hand tools that have plastic handles are made with pigmented, plasticized PVC which contains: di(2-ethylhexyl) phthalate (cancer), vinyl chloride (cancer), lead and lead compounds (cancer, developmental and male/female reproductive toxicity), cadmium (cancer) and hexavalent chromium compounds (cancer).

11. Fertilizers, Soil Amendments, Pesticides and Herbicides

Short description: Fertilizers and soil amendments are used frequently in both outdoor and indoor plantings and other vegetative areas located on the Property to promote growth and appearance. Pesticides and herbicides which contain Designated Chemicals are used to eradicate pests in occupied areas and maintain plants and landscaping areas from infestation. Guests and employees who come into contact with fertilizers, pesticides and herbicides are being exposed to Designated Chemicals.

Route(s) of exposure: Inhalation, dermal and ingestion through hand-to-mouth contact.

General location or occupation of person(s) exposed: Guests, visitors and employees (including service, administrative, and professional staff).

Location of the source of exposure: In landscaped areas, plants, baseboards, and any potentially infested areas.

Names of Proposition 65-listed chemicals involved and reason for listing: Mineral-based fertilizers and soil amendments used at the Property contain sewage sludge, lead (cancer and developmental, and male/female reproductive toxicity), cadmium and cadmium compounds (cancer, developmental and male reproductive toxicity), arsenic and its inorganic oxides (cancer

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and developmental toxicity), hexavalent chromium compounds (cancer) and other chemicals (cancer and developmental, and male/female reproductive toxicity). Pesticides used at the Property include arsenicals which contain inorganic arsenic compounds, including arsenic oxide (cancer and developmental toxicity), benomyl fungicide (developmental and male reproductive toxicity), captan (cancer), metham sodium (cancer), methyl bromide (developmental toxicity), and warfarin (developmental toxicity) and other chemicals (cancer, developmental and male/female reproductive toxicity).

LAW OFFICES OF GRAHAM & MARTIN LLP

Dated: June 10, 2004

By: _ _

EXHIBIT A

OWNER/O PERATOR	ADDRESS OF OWNER/OPERATOR	ADDRESS OF HOTEL PROPERTY
CHANG, PARTNERSHI HIGH SUN YIH-RUEY P	2806 Lloyd St. San Diego CA 92117	RODEWAY 778 BROADWAY ChulaVista 91910-5329 QUALITY INN & SUITES
HUI, Multi Hotel Investments, PETER LTD BHAKTA, C/O ECONO MUKUND LODGE BHAKTA, 439 WEST PRAVIN MANCHESTE M. R BLVD	Suite 13950 Cerritos Corporate Driv A Cerritos CA 90703 777 North Vine St. Hollywood CA 90038 439 WEST MANCHESTE R BLVD Inglewood CA 90301	Executive SUITES 1621 N. H St. Lompoc 93436 ECONO 777 N. Vine St. Hollywood 90038 ECONO 439 West Lodge Manchest er Blvd Inglewood 90301 CLARION CARRIAGE 720 HOUSE Camino Del Mar 92014
HOLLOW DEL MAR INN AY, W ASSOCIATES	720 Camino Del Mar Del Mar CA 92067	118 N. COMFORT Cherokee Ln. Lodi 95240 3201 E. Pacific Coast Long Beac 90755
KIM, MARGAR 118 NORTH ET CHEROKEE HELEN LANE KIM-HAHN SIGNAL HILL	Lodi CA 95240 3201 E. PCH Long Beach CA 90804	COMFORT COMFORT COMFORT COMFORT
KIM, JAE GENERAL HAN PARTNE GOVINDJ EE, 1751 Montara NAVNIT Ave. DAHAYA, 168 NAREND WOODBRIDG RA E CIRCLE	C/O Comfort Inn 1751 Montara Ave. Sacramento CA 95835 168 San Mateo CA 94403	QUALITY 818 15th Street Sacramento 95814 4342 COMFORT Salida Salida 95368
PANWAL A, SAN K. Comfort Inn	16225 Condit Road Morgan Hill CA 95037	COMFORT 16225 Condit Rd Morgan Hill 95037

KIM, JOONG- KI (JAY)	140 Reservation Raod ROHIT		Marina	CA	93933	COMFORT INN	n Rd 1280	Marina	93933
SHAH, BHARAT KIM,	CORPORATI ON	1071 East El Camino Real	Sunnyvale	CA	94087	QUALITY INN	Persian Dr.	Sunnyvale	94089
MARGAR ET HELEN PANCHAL	MARGARET KIM	118 North Cherokee Lane	Lodi	CA	95240	MAINSTAY SUITES	835 West A St.	Hayward	94541
NATWAR LAL	President Inn	3200 Monterey Road	San Jose	CA	95111	CLARION INN	Monterey Rd. 501 W.	San Jose	95111
PORCHIA , A. KEITH VAGHAS HIA, GOVIND	810 PUMA CANYON LA 2943 OLNEY PL		Glendora	CA	91740	COMFORT SUITES	Bonita Ave. 984 W.	San Dimas	91773
PATEL, RAMAN GRABOW SKI, PATRICK	229 Kings Court LA PAZ PETROLEUM CORP	12018 Central Ave	Burbank	CA	91504	COMFORT INN	Ventura Blvd. 110	Camarillo	93010
MISTRY, R. V.	MISTRY AND PANCHAL GENERAL PARTNERS	55 FAIRCHILD DR	San Carlos	CA	94070	COMFORT INN	Plymouth St. 4122 S.	Santa Cruz	95060
PATEL, AMRAT PANCHAL	Amrat & Ramila Patel	2625 Constitution Drive	Chino	CA	91710	COMFORT INN Towne Ave.	Western	L.A.	90062
NATWAR LAL	Sun Rest Inn	8292 Murray Avenue	Mountain Vie	CA	94043	COMFORT INN	66 S. Main St. 2625	Milpitas	95035
			Livermore	CA	94551	COMFORT INN	Constitutio n Dr.	Livermore	94551
			Gilroy	CA	95020	COMFORT INN	8292 Murray Ave.	Gilroy	95020

PATEL, PRAVIN K.	RP&M First Hotel Investors, LLC	1645 E. Plaza Blvd.	National City CA	91950	COMFORT INN Southbay	1645 East Plaza Blvd 595 N.	National Ci 91950
KUMMAR, VIMAL MORGAN	Avenue Hotel, L.L.C.	14100 Taos Drive	Saratoga CA	95070	COMFORT INN	Mathilda Ave.	Sunnyvale 94085
DEBORAH	YSL Family Ltd. Partnership	3540 Rosedale Hwy	Bakersfield CA	93308	CLARION HOTEL	3540 Rosedale Hwy 2419 Castro	Bakersfield 93308
GOVIND, DARSHAN	Govind Hospitality Group, Inc.	8820 Brentwood Blvd.	Brentwood CA	94513	COMFORT VALLEY SUITES	COMFORT Valley Blvd 2000	Castro Vall 94546
LIN, SHIH S.	University Inn of America, Inc.	2000 Ostrem's Way	San Bernard CA	92407	QUALITY INN	Ostrem's Way	San Bernar 92407
DHUGGE, BALDEV S.	Redding Hotel, LLC	2059 Hilltop Drive	Redding CA	96002	COMFORT INN	2059 Hilltop Dr.	Redding 96002
CHUNG, YEH JUI	Yeh Jui Chung	2300 W. Colorado Blvd.	Los Angeles CA	90041	COMFORT INN Eagle	2300 West Colorado Blvd. 102 E.	Los Angele 90041
TANEJA, NAREND ER	Narender Taneja & Amita Taneja	5016 Union Mine Drive	Antioch CA	94509	COMFORT SUITES	Herndon Ave.	Fresno 93720
PATEL, NARESH	610 Geary Street		San Francisco CA	94102	COMFORT INN	1561 W. El Camino Real	Mountain V 94040
PATEL, ILA	Vimco Investment Group, Inc.	727 South Beach Blvd.	Anaheim CA	92804	COMFORT INN & SUITES West	727 South Beach Blvd	Anaheim 92804

PATEL, NARESH	Roshan Investments, LLC	610 Geary Street		San Francisco CA	94102	QUALITY INN	610 Geary Street 25380 N.	San Francisco	94102
FLAGG, JAMES M. LLC	Ocean Park Hotels-SCV,	28005 N. Smyth Drive	Suite 121	Valencia CA	91355	COMFORT SUITES QUALITY HOTEL	The Old Road 5249 W. Century	Stevenson	91381
HANLEY, KEVIN	Comfort California, Inc.	10770 Columbia Pike		Silver Spring MD	20901	COMFORT Airport	Bvd.	Los Angeles	90045
HANLEY, KEVIN	Comfort California, Inc.	10770 Columbia Pike		Silver Spring MD	20901	COMFORT INN By the Bay	2775 Van Ness Ave.	San Francisco	94109-1497
PATEL, HIRA N. et. al.	Hira N. Patel	1084 The Alameda	c/o Flamin go Motel	San Jose CA	95126	COMFORT SUITES	121 E. Grand Ave.	San Francisco	94080-4812
VOERTM AN SR., KENNETH H W.	The Voertman Family Trust	1617 S. Pacific St.		Oceanside CA	92054	QUALITY INN & SUITES	1250 El Cajon	El Cajon	92020
SINGH, SURAT	Khalsa Resorts, Inc. Surya	P.O. Box 568		Mammoth Le CA	93546	ECONO LODGE	Grossmont Blvd.		
PANCHAL, DHAVAL L.L.C.	Panchal Management, L.L.C.	134 Sweetberry Court		San Jose CA	95126	WILDWOOD INN	PO Box 568 875 N.	Mammoth	93546
PATEL, NAVIN	NDPC Corporation	2691 W. La Palma Avenue		Anaheim CA	92801	COMFORT INN	13th Street	San Jose	95112
						ECONO LODGE	2691 West La Palma Avenue	Anaheim	92801

DAHYA, NAREND RA	Vanmali Inc.	251 El Camino Real	San Carlos	CA	94070	San Carlos South	COMFORT INN & SUITES Airport Real	251 El Camino Real	San Carlos 94070
SALIM, SABRI	Grand Host, Inc.	1290 West Valley Pkwy	Escondido	CA	92029	COMFORT Valley Inn	COMFORT Valley Pkwy. 852 W. El	Escondido 92029	
PATEL, ROGER	Chirag Investment Company	610 Geary Street	San Francisco	CA	94102	QUALITY Inn	QUALITY Camino Real	Sunnyvale 94087	
DASS, RESHAM	Applewood Lane		Hilton	NY	14468	ECONO Lodge	ECONO 1630 Fourth St.	Eureka 95501	
BILLS, CHRIS	c/o The Summit Group	5100 South Tennis Lane #200	Sioux Falls	SD	57106	COMFORT Suites	COMFORT 2351 Otay Center Ct.	San Diego 92154-7614	
PATEL, AMRUTL AL	A.J.P. Inc.	5761 E. LaPalma #256	Anaheim	CA	92807	ECONO Lodge	ECONO Valley Bvd.	Fontana 92335	
WANG, CHIANGS UN	May Garden & Associates, LLC	2200 South Harbor Blvd	Anaheim	CA	92802	QUALITY Inn at the Park	QUALITY 2200 S. Harbor Bvd.	Anaheim 92802	
PATEL, SANJAY N.	1116 W. Sunset Blvd.		Los Angeles	CA	90012	COMFORT Inn	COMFORT 2717 West Sunset Bvd.	LA 90026	

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.7(d)

I, Anthony G. Graham, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

2. I am member of the State Bar of California, a partner of the law firm of Graham & Martin, LLP, and attorney for noticing parties Consumer Defense Group and The McKenzie Group.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged exposures to the listed chemicals that are 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.

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 June 10, 2004.

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.) Amended 60-Day Notice of Intent to Sue Under Health & Safety Code Section 24249.6;
- 2.) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary (only sent to violators);
- 3.) Supporting Documentation (only served on AG).
- 4.) Certificate of Merit.

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: June 10, 2004
Place of Mailing: Irvine, California

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

Counsel for Violator Alan Bick, Esq. Gibson Dunn & Crutcher Jamboree Center 4 Park Plaza, Ste. 1400 Irvine, CA 92614	California Attorney General (Proposition 65 Enforcement Division) 1515 Clay Street, 20th Floor P.O. Box 70550 Oakland, CA 94612-0550
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And all persons and entities listed on Attachment to Proof of Service.

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

Dated: June 10, 2004

ATTACHMENT TO PROOF OF SERVICE

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

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

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

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

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

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

Contra Costa County DA
727 Court Street
Martinez, CA 94553

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

Kern County DA
2100 College Avenue
Bakersfield, CA 93305

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

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

Monterey County DA
240 Church Street, #101
Salinas, CA 93901

Fresno County DA
2220 Tulare Street, #1000
Fresno, CA 93721

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

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

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

Alameda County DA
1225 Fallon Street
Oakland, CA 94612

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

Humboldt County DA
825 5th Street
Eureka, CA 95501

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

Fresno County DA
2220 Tulare Street, #1000
Fresno, CA 93721

Stanislaus County DA
300 Starr Avenue
Turlock, CA 95380

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

Dated: June 10, 2004
