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**THIRD AMENDED NOTICE BY THE MCKENZIE GROUP AND CONSUMER DEFENSE GROUP OF INTENT TO SUE PURSUANT TO HEALTH & SAFETY CODE § 25249.6**

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| Management Company/Violator: | Woodmont Real Estate Services |
| Names of Properties: | *See* Exhibit A |
| Addresses of Properties: | *See* Exhibit A |
| Details of Specific Violations at Each Property: | *See* Exhibit B |

This legal notice constitutes notification that Woodmont Real Estate Services identified in Exhibit A (hereinafter referred to as the "Violator") have violated Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (Cal. Health and Safety Code § 252495 et seq.). This notice is given by the McKenzie Group and Consumer Defense Group, which must be contacted through their 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, The McKenzie Group and Consumer Defense Group, associations acting in the public interest, give 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 violation is alleged to have occurred. This notice covers all violations of Proposition 65 that are currently known to The McKenzie Group and Consumer Defense Group from information now available to them. Attached to this notice submitted to the Violator is a copy of "The Safety Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."

## SUMMARY OF VIOLATIONS

Proposition 65 states 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 the exposure to the potentially exposed persons (Health & Safety Code § 25249.6).

The Violator has chosen to allow its tenants, visitors, guests, invitees, contractors and employees at each of its facilities to be exposed to Designated Chemicals associated with its operations without such warnings and in doing so has violated the statute. The Violator, in the ordinary course of business, knows, controls and intends much of the conduct and actions of its tenants, visitors, guests, invitees, contractors and employees at each of the Properties listed in

Exhibit A (hereinafter, "the Properties"). The activities of the Violator including its employees and contractors, and the facilities and amenities provided at the Properties, expose tenants, visitors, guests, invitees, contractors and employees to Designated Chemicals.

Therefore, the Violator has knowingly and intentionally exposed its tenants, visitors, guests, invitees, contractors and employees at each of the Properties to Designated Chemicals. Exposures to Designated Chemicals occur at the Violator's Properties in a variety of ways as described in the (i) DETAILS OF GENERAL VIOLATIONS, e.g., those exposures occurring at each Property identified in Exhibit A (*see* "DETAILS OF GENERAL VIOLATIONS," below), and (ii) DETAILS OF SPECIFIC VIOLATIONS, e.g., those exposures occurring only at a specific Property (*see* "DETAILS OF SPECIFIC VIOLATIONS," Exhibit B hereto), including inhalation (breathing of designated chemicals in gaseous, vapor or aerosol 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 tenants, visitors, guests, invitees, contractors and employees who may not wish to be exposed, are not warned prior to exposure that they may be exposed to Designated Chemicals.

**1. Environmental Exposures**

While in the course of doing business, at the locations in the attached Exhibit A, from March 1, 2000 through the date of this notice, the Violator has been and is knowingly and intentionally exposing tenants, visitors, guests, invitees and contractors, and employees to Designated Chemicals listed in the "DETAILS OF GENERAL VIOLATIONS," see below, and "DETAILS OF SPECIFIC VIOLATIONS," see Exhibit B hereto, and known to the State of California to cause cancer, developmental toxicity or other reproductive harm without first giving clear and reasonable warning of that fact to the exposed persons (Health & Safety Code § 25249.6). The locations of the exposures are the environment in and around the Properties due to Violator's activities and the amenities associated with the Properties as set forth in the "DETAILS OF GENERAL VIOLATIONS," below, and "DETAILS OF SPECIFIC VIOLATIONS," Exhibit B hereto.

**2. Occupational Exposures**

While in the course of doing business from March 1, 2000 through the date of this notice, the Violator has been and is knowingly and intentionally exposing employees, contractors and contractor's employees to Designated Chemicals listed in the "DETAILS OF GENERAL VIOLATIONS," see below, and "DETAILS OF SPECIFIC VIOLATIONS," see Exhibit B hereto, and designated by the State of California to cause cancer, developmental toxicity or other reproductive harm without first giving clear and reasonable warning of that fact to the exposed person (Health & Safety Code § 25249.6). Such employees include, and are not limited to: the Properties' engineering staff, janitors, maids, housekeepers, concierge, bell staff, valets, security personnel, maintenance workers, service personnel, food service employees, administrative personnel, including leasing agents and property managers, and professional personnel and

invitees and contractors working in and around the Violator's Properties and its facilities and amenities.

### 3. Product Exposures

While in the course of doing business from March 1, 2000 through the date of this notice, Violator has been and is knowingly and intentionally exposing tenants, visitors, guests, invitees, contractors and employees to products and materials containing Designated Chemicals designated by the State of California to cause cancer, developmental toxicity or other reproductive harm without first giving clear and reasonable warning of that fact to the exposed person (Health & Safety Code § 25249.6). The product and material exposures include products and materials commonly in use at apartment properties. How tenants, visitors, guests, invitees, contractors and employees are exposed to such products and materials, and the locations of such exposures, are set forth in the "DETAILS OF GENERAL VIOLATIONS," see below, and "DETAILS OF SPECIFIC VIOLATIONS," see Exhibit B hereto.

## DETAILS OF GENERAL VIOLATIONS

After appropriate due diligence and investigation of Violator's Properties and activities, including review and verification of detailed information regarding exposures to tenants, visitors, guests, invitees, contractors and employees, and consultations with experts on such matters, such unlawful exposures occur in the following ways at the Violator's Properties.

### 1. Second-hand Tobacco Smoke and Smokeless Tobacco Products

Short description: Tobacco smoke and its by-products, and smokeless tobacco products contain many chemicals that may be harmful if inhaled or ingested. Smoking is generally allowed in outdoor common areas and other areas designated by the Properties' manager, including individual apartments, resulting in exposures to tobacco smoke.

Route(s) of exposure: Breathing second-hand smoke and its contact with skin and clothing, or oral exposure an ingestion of smokeless tobacco products.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff) who enter apartments, common areas and areas near where smoking is allowed.

Location of the source of exposure: Apartments, common areas and various areas around the Properties where smoking is authorized or not prohibited.

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

**2. Combustion Products and Materials**

Short description: Certain products and materials when used as intended generate Designated Chemicals in the combustion process to which tenants, visitors, guests, invitees, contractors and employees are exposed.

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

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff), who are in and around an apartment or common area in which a tenant or other person is using combustibles.

Location of the source of exposure: At and around location where combustion occurs or combustible products or materials are used, including handling of such products or materials.

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Charcoal, artificial logs and fire starters (for example Duraflame products) and wood burning in barbecues, hibachis and fireplaces emit carbon monoxide (developmental toxicity), monoxide (developmental toxicity), soots and tar (cancer), benzene (cancer, developmental toxicity and other reproductive harm), creosotes (cancer) and other chemicals (cancer and developmental toxicity and other reproductive harm).
- Charcoal lighter fluid, and the burning of alcohol, kerosene and other liquid combustibles in stoves and lanterns emit carbon monoxide (developmental toxicity), soots and tar (cancer), benzene (cancer, developmental toxicity and other reproductive harm), acetaldehyde (cancer) and formaldehyde (cancer).
- Sterno Cooking Fuel including, but not limited to those manufactured by Candle Corporation of America, Colgate Palmolive, Western Family Foods, Ecolab and other makers contains ethyl alcohol and other chemical ingredients and when ignited emits soots, tars and mineral oils (cancer), acetaldehyde (cancer), benzene (cancer, developmental toxicity and other reproductive harm), carbon monoxide (developmental toxicity), and formaldehyde (cancer).
- Fireplaces, patio heaters, kitchen stoves and ovens, gas heaters and portable stoves and lanterns which use natural gas, compressed natural gas (CNG), liquefied natural gas (LNG), propane and other pressurized fuel gases emit carbon monoxide (developmental toxicity), formaldehyde (cancer), soots and tars (cancer), benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity), and radon (cancer) according to information disseminated by Pacific Gas and Electric (PG&E) and Coleman, Inc.

- Candle combustion generates soots (cancer) benzene (cancer, developmental toxicity and other reproductive harm), and formaldehyde (cancer). Certain candles have wicks which contain lead and emit lead and lead compounds (cancer and developmentally toxicity and other reproductive harm). Manufacturers of these candles include Pier 1 Imports, Inc., Midwestern Homes Products, Inc., and other specialty candle suppliers (wicks with lead), and S.C. Johnson & Sons, Inc., American Candle Company, General Wax & Candle Co., Bright Glow Candle Company, Candle Lamp Co. and others.
- Matches contain and their ignition emits arsenic and its compounds (cancer and developmental toxicity), lead and lead compounds (cancer, developmental toxicity and other reproductive harm), and carbon monoxide (developmental toxicity).

**3. Hobby-Related Products and Materials**

Short description: Certain products and materials used the Properties in pursuit of personal hobby interests expose tenants, visitors, guests, invitees, contractors and employees to Designated Chemicals.

Route(s) of exposure: Environmental and consumer exposures through inhalation of gaseous, vaporous or aerosol emissions and in some cases skin absorption and ingestion through hand-to-mouth contact with hobby-use products and materials that contain or emit Designated Chemicals.

General location or occupation of person(s) exposed: Tenants, visitors and guests, as well as invitees, contractors and employees (including service, maintenance, administrative, and professional staff), who are in and around common areas or an apartment occupied by a tenant or other person engaged in certain hobbies.

Location of the source of exposure: Individual apartments and common areas, including parking facilities.

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Arts and craft hobbies including painting, ceramics and sculpture cause exposure to Designated Chemicals. Ceramic glazes and clays made by Aardvark, Resco, American Art Clay and others contain crystalline silica (cancer). Ceramic glazes and paints made by Art Clay, Duncan Enterprises, Mayco, Gare and Laguna Clay and others, depending on color, contain lead and lead compounds (cancer and developmental toxicity and other reproductive harm), cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm), cobalt metal and cobalt oxide (cancer). Crayons contain asbestos (cancer) and ceramic fibers (cancer). Oil and solvent-based aerosol and non-aerosol paints, thinners and marking pens contain toluene (developmental toxicity) and

benzene (cancer, developmental toxicity and other reproductive harm). 3M Spray Adhesive contains toluene (birth defects). Acrylic paint made by Ultrech Manufacturing, Winsor and Newton, Binney & Smith, Golden Artist Colors, Creative Art Products and others contain cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm) and lead compounds (cancer, developmental toxicity and other reproductive harm). Bronze and brass contain lead (cancer, developmental toxicity and other reproductive harm). Plastic model glue and paints made by Testors, Inc. contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity).

- Glass blowing, tiffany lamp making and related glass-based arts and crafts cause exposure to combustion products of natural gas including carbon monoxide (developmental toxicity), formaldehyde (cancer), soots and tars (cancer), benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity) and radon (cancer) based on PG&E published warnings and consumer warnings included with billings, and warnings provided with compressed liquefied fuels provided by Coleman, Inc., Amerigas Propane L.P., and other warnings with such products. Leaded metal, solder and leaded glass and metallic colored pigments contain lead (cancer, birth defects and other reproductive harm). Colored metallic pigments contained or used in stained glass crafting also contain cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm), and cobalt and cobalt oxide (cancer).
- Automotive maintenance and parts cleaning involve use of solvents, cleaning products and touch-up paints, which contain volatile chemicals which persons nearby can inhale, and exposures to gasoline and diesel fuel vapors and gasoline and diesel engine exhausts. Gasoline and diesel vehicle fuels contain benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity) and other designated chemicals (cancer and developmental toxicity and other reproductive harm). Gasoline and diesel engines emit gasoline engine exhaust (condensates/extracts) and diesel engine exhaust (cancer). Solvents like Bowman Safety Solvent, Champion, ZEP products, National Auto Body Supply, Gunk, Chief Autoparts and others used in vehicle maintenance including carburetor, brake and parts cleaners contain methylene chloride (cancer), tetrachloroethylene (cancer) and benzene (cancer, developmental toxicity and other reproductive harm). Paint strippers made by KleenStrip, Jasco, Bix and other companies contain methyl chloride (cancer) and toluene (developmental toxicity). Brake and clutch surfaces contain asbestos (cancer). Batteries (all brands) contain lead (cancer and developmental toxicity and other reproductive harm).
- Personal grooming hobbies including manicures involve use of nail polish, other nail care products and nail polish remover which contain toluene (developmental toxicity) and formaldehyde (cancer).

**4. Apartment Properties Construction Materials**

Short description: Apartment construction materials contain Designated Chemicals and their presence results exposures to Designated Chemicals. Because the Properties range in age from relatively new to many decades old, a wide variety of construction materials have been used over the years. A wide variety of Designated Chemicals are present in each type of construction material depending on the date of manufacture and the regulatory requirements in effect at that time. Persons are exposed to Designated Chemicals.

Route(s) of exposure: Environmental and occupational exposures to construction materials through inhalation of gaseous, vaporous or aerosol emissions and skin absorption and/or ingestion through hand-to-mouth contact. Such exposures occur either through the continuance emission or leaching of Designated Chemicals as construction materials degrade or deteriorate; in other cases the construction materials cause an exposure to Designated Chemicals when either inadvertently or intentionally disturbed during repairs, maintenance or renovations.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees, who are in these Properties or who engage in work with and around construction materials which contain Designated Chemicals are exposed to Designated Chemicals.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Various types of roofing materials of various types when deteriorating or undergoing repair/replacement result in emissions of Designated Chemicals to which persons are exposed. (1) Built-up roofs contain asbestos (cancer) or fiberglass (ceramic fibers-cancer) felting and insulation that can be released through deterioration and/or cutting/disturbing; built-up roofs also contain coal tar or petroleum asphalt which contain the following designated chemicals that can be released from hot tar or asphalt during installation and repair or as vapor or particulate during removal/renovation: benz[a]anthracene, chrysene, toluene diisocyanate, formaldehyde (gas), 5-methylchrysene, nickel and nickel compounds, dichloromethane (methylene chloride), benzene, lead, benzo[b]flouranthene, bezo[k]flouranthene, benzo[a]pyrene, indeno[1,2,3-c, d-]pyrene, acetaldehyde, beryllium and beryllium compounds, arsenic (inorganic arsenic compounds), cadmium and cadmium compounds, chromium (hexavalent compounds), tetrachloroethylene (perchloroethylene), trichloroethylene, and dibenz[a,h]anthracene (all of the preceding Designated Chemicals cause cancer); and toluene, carbon disulfide, benzene, lead, mercury and mercury compounds, arsenic and cadmium (all of the preceding Designated Chemicals cause birth defects or reproductive harm). Built-up roof installation and repair uses sand and aggregate, which contain crystalline silica (cancer). (2) Shingles contain the same

chemicals as contained in built-up roofing set forth above and referenced herein, except they are pre-manufactured and installed as a construction product. Exposures result mainly from generation of particulates or dust containing Designated Chemicals. Shingles manufactured by Owens-Corning and GAF contain the Designated Chemicals listed in (1), above, and are incorporated by reference herein. (3) Membrane roofing systems are comprised of the membrane, polyvinyl chloride (PVC) membrane or sheet, usually with black pigmentation and with thermal stabilizing and plasticizing chemicals to inhibit degradation. Such PVC plastic contains the following designated chemicals: vinyl chloride monomer (cancer), lead and lead compounds (cancer, developmental toxicity and other reproductive harm) and diethylhexyl phthalate (cancer). Membrane roofing systems also use solvents and adhesives which contain benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity) and methylene chloride (cancer). (4) Wood Shake roofing systems utilize an underlying felting and/or membrane as insulation and a moisture barrier. Such materials include asbestos (cancer) and coal tar or petroleum asphalt which contains the Designated Chemicals listed in (1), above, and are incorporated by reference herein.

- Insulation and fireproofing materials used in apartments results in exposure of persons to Designated Chemicals due to emissions during normal degradation or deterioration of such insulation or when it is disturbed during repairs, maintenance or renovations. Insulation systems include, but are not limited to, the following: (1) Asbestos-containing insulation contains asbestos (cancer) and can be found in pre-1980 structures as thermal insulation on pipes, ducts, other equipment and structural applications. (2) Urea-formaldehyde rigid and flexible foam insulation installed or cured-in-place in wall systems contains and emits formaldehyde gas (cancer). (3) Fiberglass insulation which contains ceramic fibers (cancer).
- Structural construction materials used in walls, floors, ceilings and outside cladding contain Designated Chemicals which are released as gases or vapors during normal degradation or deterioration and as dust or particulate when disturbed during repairs, maintenance or renovation. Such materials include particle board, plywood and adhesives with urea formaldehyde resin which contains formaldehyde gas (cancer), vapor barriers, exterior plastic cladding, plastic window frames, facia boards and window sills, and plastic conduits and fittings for electrical systems and HV/AC duct work are made from polyvinyl chloride (PVC) which contains vinyl chloride monomer (cancer), diethylhexyl phthalate (cancer), and depending on color metallic pigments which contain lead (cancer, developmental toxicity and other reproductive harm) and cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm) and cobalt and cobalt oxide (cancer). Exterior stucco contains crystalline silica (cancer). Treated woods used for exterior and soil-contact applications contain arsenic and arsenic compounds, inorganic oxides (cancer, developmental toxicity and other reproductive harm), pentachlorophenol (cancer), and creosote (cancer).

**5. Potable Water Systems**

Short description: Availability of potable water including, but not limited to, conveyance and dispensing systems at these Properties utilize metallic components and other chemicals including, but not limited to lead, which leach into the water being consumed by tenants, visitors, guests, invitees, contractors and employees causing exposures.

Route(s) of exposure: Ingestion.

General location or occupation of person(s) exposed: Tenants, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff) who are in and around the Properties.

Location of the source of exposure: All locations where water is consumed.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Water and the conveyance and dispensing devices which contain and release lead and other chemicals (cancer, developmental toxicity and other reproductive harm) into drinking water include, but are not limited to: steel water pipes, water meters, solder used with copper plumbing, brass fittings, brass faucets, water purification processes and drinking fountains. Fixtures manufactured before 1998, including fixtures manufactured by American Standard, Inc., Meuller Corporation, James Jones Co., Bell Pipe & Supply, contain and release lead into drinking water.

**6. Paints, Finishes and Coatings**

Short description: Paints, coatings and associated solvents, additives and texturizers contain Designated Chemicals to which tenants, visitors, guests, invitees, contractors and employees are exposed.

Route(s) of exposure: Environmental and occupational exposures to construction materials through inhalation of gaseous, vaporous or aerosol emissions and in some cases skin absorption and/or ingestion through hand-to-mouth contact. Such exposures occur through the continuous emission or leaching of Designated Chemicals as construction materials degrade or deteriorate; in other cases the construction materials cause an exposure to Designated Chemicals when either inadvertently disturbed or intentionally disturbed during repairs, maintenance or renovations.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees, who are in the Properties or who engage in

work with and around construction materials which contain Designated Chemicals are exposed to Designated Chemicals.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Historical use and presence of interior and exterior paint containing lead (cancer, developmental toxicity and other reproductive harm). Currently used paints, stains and coatings include but are not limited to: Rustoleum Hard Hat Aerosol Primers and Top Coats which contain toluene (developmental toxicity), Rustoleum Enamels which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Rustoleum Painters Touch paint which contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Hammerite Rust Cap Aerosol and Paint which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Glidden Oil/Alkyd Gloss Interior/Exterior Paint which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Ralph Lauren Paints which contains crystalline silica (cancer); Behr Enamel Paints and Water-Based Primer which contains benzene (cancer, developmental toxicity and other reproductive harm); Thompson's Water Seal X-tra which contains benzene (cancer, developmental toxicity and other reproductive harm); Homax Paint Texturizer which contains crystalline silica (cancer); Miniwax Wood Stains which contain benzene (cancer, developmental toxicity and other reproductive harm) and Miniwax Wood Finish Aerosols which contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Deft Wood finishers which contain benzene (cancer, developmental toxicity and other reproductive harm); Flecto Varathane Aerosol which contains benzene (cancer, developmental toxicity and other reproductive harm); Parks ProFinish Polyurethane Coatings which contain benzene (cancer, developmental toxicity and other reproductive harm); Mohawk Lacquer Gloss and Satin Paints which contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity).

**7. Furniture, Furnishings and Window Treatments**

Short description: Furnished apartment and common area furnishings cause exposures to Designated Chemicals due to the materials used in their manufacture. Emissions from such furnishings or the presence of Designated Chemicals on the surface of such furnishings cause exposures.

Route(s) of exposure: Environmental and occupational exposures to furniture, furnishings and window treatments through inhalation of gaseous, vaporous or

aerosol emissions skin absorption and/or ingestion through hand-to-mouth contact. Such exposures occur either through the continuous emission or leaching of Designated Chemicals as these materials degrade or deteriorate; in other cases the construction materials cause an exposure to Designated Chemicals when either inadvertently disturbed or intentionally disturbed during repairs, maintenance or renovations.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff) who are in and around the Properties are exposed to Designated Chemicals.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing: Properties' furnishings include furniture, furnishings and window treatments in apartments, common areas, and administrative offices. Carpeting and furniture construction materials include foams, metals, treated wood, fabrics, coatings, rubber parts and plastics and vinyl which contain Designated Chemicals including, but not limited to the following: Foams used in couches, seat cushions, carpet pads contain and emit methylene chloride (cancer), toluene diisocyanate (cancer), and soots, tars and mineral oils (cancer). Metal fixtures and furniture hardware including brass and zinc, chrome, or nickel-plated metal contain lead (cancer, developmental toxicity and other reproductive harm), cadmium (cancer), 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 toxicity and other reproductive harm), cadmium (cancer), and hexavalent chromium compounds (cancer). Window treatments, including window blinds and painted trim that contains lead and lead compounds (cancer, developmental toxicity and other reproductive harm). Plastic flooring, tiles and rubber floor coverings and alternatives to linoleum made of poly-vinyl chloride contain vinyl chloride monomer (cancer), diethyl-hexyl phthalate (cancer), lead and lead compounds (cancer, developmental toxicity and other reproductive harm), cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm) and cobalt and cobalt oxide (cancer). Adhesives used to install furnishings contain Designated Chemicals including, but not limited to the following: 3M Fast Bond 30-NF Neutral Contact Adhesive which contains toluene (developmental toxicity); Mohawk Spray Adhesive which contains benzene (cancer, developmental toxicity and other reproductive harm); Mohawk Casein Urea Resin Glue which contains formaldehyde (cancer); Midway Sales and other Rubber Cements which contain toluene (developmental toxicity).

**8. Brass Hardware, Metal Surfaces, and Electrical Wiring/Fixtures**

Short description: Hardware installed at or in apartments and common areas at these Properties contain Designated Chemicals, and an ingestion exposure occur through their handling by tenants, visitors, guests, invitees, contractors and employees. Electrical wiring and lighting fixtures at these Properties also result in exposures to Designated Chemicals.

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

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff) who are handling or marinating brass hardware, metal surfaces, electrical wiring and lighting fixtures.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Brass keys, door knockers, door knobs and other entry way hardware, as well as decorative railings, fixtures, faucets, doors and furniture handles contain lead (cancer, developmental toxicity and other reproductive harm). Manufacturers of these products include, but are not limited to: Crown Brass Co., Western Brass Works, Ilco Unican Corp., Master Lock, the Eastern Co., Leigh Products, Franklin Brass, TEKNOR APEX Co., Liberty, and Stanley. Fencing components include galvanized steel hardware and fencing which contains lead (cancer, developmental toxicity and other reproductive harm). Fencing and other barrier hardware including safety railings and gates may be coated with colored polyvinyl chloride (PVC) which contains vinyl chloride monomer (cancer), diethyl hexyl phthalate (cancer), lead and lead compounds (cancer, developmental toxicity and other reproductive harm) cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm) and cobalt and cobalt oxide (cancer).
- Lighting fixtures including electrical wires associated with fixtures located in apartments and common areas result in exposures to Designated Chemical emissions from PVC insulated wiring. Such electrical wiring is manufactured by BICC General Cable Industries, Inc., Johnson Controls, Inc., Phillips North America, GE Wiring Specialty Products and others. Exposures due to handling such insulated wire which contains vinyl chloride monomer (cancer), diethyl ethylphthalate (cancer), lead and lead compounds (cancer, developmental toxicity and other reproductive harm), cobalt and cobalt oxide (cancer) and cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm). Electrical lighting devices including light bulbs, terminals, light sockets, fluorescent tubes and terminals, lamps, decorative lamps like tiffany lamps with lead glass shades, holiday lights and other electrical devices contain lead (cancer,

developmental toxicity and other reproductive harm) which results in exposure by ingestion after touching such devices. Such lighting fixtures are manufactured by General Electric Corp., Phillips, Inc., Atico International USA Inc., Sulvania, and Commercial Electric. Fluorescent tubes contain mercury and mercury compounds (developmental toxicity) and cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm) and if broken can cause an exposure to these Designated Chemicals through inhalation and/or ingestion. Such lighting fixtures are manufactured by General Electric Corp., Phillips, Inc., Atico International USA Inc., Sulvania, and Commercial Electric.

**9. Natural Gas, Liquid Fuel Gases and Fuel Oil Combustion**

Short description: Providing heating and hot water at the Properties, including in apartments, entails use of natural gas, other fuel gases and fuel oil to operate furnaces, boilers, hot water heaters, space heaters and patio heating equipment causes exposures of Designated Chemicals to tenants, visitors, guests, invitees, contractors and employees.

Route(s) of exposure: Dermal and inhalation.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff) who are in and around the Properties.

Location of the source of exposure: Areas where gaseous or liquid fuels are stored, vented and combusted including in apartments, common areas and in the general environment in and around the Properties.

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Natural Gas and other liquid fuel gases including, but not limited to Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG) and Liquefied Petroleum Gas (LPG) and Propane contain benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity), and radon (cancer); when such fuels are burned, combustion products are created and emitted which include, but are not limited to: carbon monoxide (developmental toxicity), formaldehyde (cancer), acetaldehyde (cancer) and soots (cancer) according to information disseminated by suppliers including Coleman, Inc. PG&E. PG&E published warnings and consumer warnings included with billings, and warnings provided with compressed liquefied fuels provided by Coleman, Inc., Amerigas Propane L.P., and other warnings with such products.
- Fuel Oil contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity) and when burned emits carbon monoxide (developmental toxicity), soots and tars (cancer), formaldehyde (cancer) and acetaldehyde (cancer).

**10. Automobile Parking Facilities, Designated Loading/Unloading Locations and Transportation Services**

Short description: These Properties have and operate automobile parking facilities, and designated bus and other public transportation and commercial vehicle loading/unloading areas which expose tenants, visitors, guests, invitees, contractors and employees to Designated Chemicals emitted from vehicle exhausts. These Properties also provide transportation services involving the operation of vans, limousines, automobiles, trucks and buses that are either gasoline and diesel engine-powered, which result in engine exhaust and fuel exposures to tenants and other persons. Tenants and other persons also are exposed to second-hand tobacco smoke within such vehicles.

Route(s) of exposure: Inhalation.

General Location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff), who enter parking facilities and when they are at or near designated vehicle pick-up or loading/unloading points, including in apartments near such areas.

Location of the source of exposure: Parking facilities, loading/unloading locations and nearby areas, in or around vehicles, and maintenance and fueling areas.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Diesel engines emit diesel engine exhaust (cancer). Gasoline engines emit gasoline engine exhaust (cancer). Diesel fuel and gasoline contain benzene (cancer, developmental toxicity and reproductive harm) and toluene (developmental toxicity). Second-hand exposure to smoking contains tobacco smoke (cancer), carbon monoxide (developmental toxicity), and other chemicals (cancer, developmental toxicity and other reproductive harm).

**11. Apartment Cleaning and Maintenance**

Short description: These Properties provide cleaning and maintenance services with respect to individual apartment units which expose tenants, visitors, guests, invitees, contractors and employees to Designated Chemicals.

Routes of exposure: Exposures to Designated Chemicals contained in cleaning and maintenance materials are through inhalation, skin absorption and skin contact followed by ingestion due to hand-to-mouth contact, especially by children.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative and professional staff, as well as other personnel using cleaning and maintenance supplies).

Location of the source of exposure: In individual apartments that have been cleaned or maintained.

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Adhesives, including, but not limited to: DAP, Inc., contact cement which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); MACCO Adhesive Liquid Nails products which contain benzene (cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity), and styrene oxide (cancer); Motsenbacker's Lift-Off No. 2 Aerosol Adhesive which contain tetrachloroethylene (cancer), benzene (cancer, developmental toxicity and other reproductive harm); 3M Fast Bond 30-NF Neutral Contact Adhesive which contains toluene (developmental toxicity); Mohawk Spray Adhesive which contains benzene (cancer, developmental toxicity and other reproductive harm); Mohawk Casein Urea Resin Glue which contains formaldehyde (cancer); Midway Sales, 3-M, GAF, DAP and other rubber cements which contain toluene (developmental toxicity).
- Specialty Cleaning Products such as carpet and floor cleaners, paint strippers and graffiti removers, including, but not limited to: ZEP Carpet Steam Cleaner 1291 which contains nitriloacetic acid (cancer); ZEP Aerosol Wax Stripper which contains ethylene oxide (cancer and reproductive harm); Johnson Diversey, Inc. UHS Floor Cleaner, J-Spray Cleaner and Odor Neutralizer; Horizon 420 Neutral Cleaner, Power-Foam Bravo, ProStrip and Bravo Extra contain ethylene oxide (cancer and reproductive harm); Guardsman Products Goof-Off Cleaner contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Contact Industries, Contact Vandal and Graffiti Remover contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity), and ethylene glycol monomethyl ether (developmental toxicity and other reproductive harm); Locktile Naval Jelly which contains, according to its manufacturer, an undisclosed chemical which causes cancer (cancer); Motsenbocker's Lift-Off No. 3 Pen, Ink and Marker Graffiti Remover which contains benzene (cancer, developmental toxicity and other reproductive harm); Motsenbocker's Grease, oily stain and tape remover which contains tetrachloroethylene (cancer), benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP products and ZEP-O-Brite Abrasive Cleaner 1038 which contains crystalline silica (cancer); Claire Manufacturing Stainless Steel Cleaner which contains N-methyl pyrrolidone (developmental toxicity); Vandalism Spray which contains dichloromethane (cancer), tetrachloroethylene (cancer) and toluene (developmental toxicity) and Spot Remover/Aerosol Spot Remover which

contains tetrachloroethylene (cancer); Lincoln Leather Cleaner and Spot Remover which contains tetrachloroethylene (cancer); Kleenstrip Graffiti Remover Aerosol which contains dichloromethane (cancer); JASCO and BIX Graffiti Remover (non-aerosol) which contain dichloromethane (cancer) and toluene (developmental toxicity). Paints and finishing materials also contain the Designated Chemicals identified in Paragraph 6 ("Paints, Finishes and Coatings") of these DETAILS OF GENERAL VIOLATIONS and are incorporated by reference herein.

- Pesticides including, but not limited to: Wilbur Ellis Black Leaf Wasp and Hornet Killer, Ortho Hornet and Wasp Spray and United Industries Hot Shot Ant and Roach Spray which contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Chacon Chemical Insecticide which contains p-dichloro benzene (cancer), Agri-Empire Corp. Insecticide which contains mancozeb (cancer) and nabam (cancer); Grants Kills Ants which contains arsenic trioxide, an inorganic arsenic oxide compound (cancer and developmental toxicity); MAKKI Term Out, and Termite Roach and Ant which contains resmethrin (developmental toxicity).
- General Purpose Cleaning and Sanitizing Products including, but not limited to: Proctor and Gamble Professional Comet Cleaner and Muriatic Acid; Johnson Diversey, Inc. Crew Bathroom Cleaners and Disinfectants (approximately 20 different products similarly formulated), Johnson Diversey, Inc. Endback Disinfectant Cleaner, ENVOY Foaming Disinfectant Cleaner, Spitfire Power Cleaner, ZEP Disinfectant-Deodorizer, and ZEP Chlorinated General Purpose Cleaner contain chlorine and chlorine compounds which create and emit in the presence of methane and other organic materials in soiled surfaces, chloroform (cancer); Johnson Diversey, Inc. Brite Stainless Steel Cleaner which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Johnson Diversey Expose II Cleaner Disinfectant Deodorant which contains o-phenyl phenol (cancer); ZEP General Purpose Aerosol Cleaner/Degreaser which contains benzene (cancer, developmental toxicity and other reproductive harm); ZEP Cold Cleaning Solvent which contains methylene chloride (cancer), benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP Heavy Duty Cleaner and Degreaser which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP Abrasive Cleaner which contains crystalline silica (cancer); Johnson Diversey Cong-R-Dust which contains benzene (cancer, developmental toxicity and other reproductive harm); Chemresearch New Improved Good Riddance Cleaner which contains ethylene oxide (cancer and reproductive toxicity), 1,4 dioxane (cancer), butylated hydroxyanisole (cancer) and DEOX Cleaner which ethylene oxide (cancer and reproductive toxicity), lead (cancer, developmental toxicity and other reproductive toxicity) and inorganic arsenic compounds (cancer); ZEP Quick Cleaner 1461 and MVP 0927 Cleaner which contains ethylene oxide (cancer and reproductive toxicity); Bowman Aerosol Safety Solvent which contains tetrachlorethylene (cancer); DOW Chloroethene XL Solvent which contains nitromethane (cancer); Soco-Lynch Solvent Stripper and Cleaner which contains benzene (cancer, developmental toxicity and other reproductive harm), dichloromethane (cancer)

and toluene (developmental toxicity); Greenstreet Floral Care and Cleaner which contains methylene chloride (cancer); and Slide Products Cleaner and Degreaser which contains trichloroethylene (cancer), ZEP Aerosol Furniture Cleaner and Polish which contains benzene (cancer, developmental toxicity and other reproductive harm).

- Polishes including, but not limited to: Sheila Shine Aerosol Polish which contains tetrachloroethylene (cancer); Smart and Final Cleaner and Polish which contains tetrachloroethylene (cancer); Mohawk Cleaners and Polishers which contain toluene (developmental toxicity) and lemon oil polish and Buffing Paste, Buff-it Black and Tan and Rubbing Compounds contain benzene (cancer, developmental toxicity and other reproductive harm).
- Other Cleaning and Janitorial Activities which result in Designated Chemical exposure including, but not limited to: Tile and other floor surface polishing generates dust containing crystalline silica (cancer) and ceramic fibers (cancer); polishing of metal surfaces especially brass generates dust containing lead (cancer, developmental toxicity and other reproductive harm).
- Maintenance Materials including, but not limited to, lubricants such as: WD-40, Gunk Liquid Wrench, Super Penetrant (liquid and aerosol), Gunk Liquid Wrench Super Lubricant, 3 in 1 Oil contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); and Contact Industries Contact Silicone – Quick Slip Aerosol which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity). Other maintenance materials containing Designated Chemicals include: DAP Durabond Webpatch which contains crystalline silica (cancer); and Sealmaster Pipe Joint Compound which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity).
- Paints and Coatings including, but not limited to: PDG Acrylic Latex Paint, Speedhide Flat White Base, Pittcryl Exterior Latex Flat White, Speedcraft Flat white/pastel and Ralph Lauren Paints which contains crystalline silica (cancer); Sherwyn Williams Krylon Industrial Maintenance and Touchup Spray Colors and 6971 Mil-S Appliance Touch-up Paint which contain benzene (cancer, developmental toxicity and other reproductive harm); Masterchem Industries Kilz Alkyl Resin Primer which contain benzene (cancer, developmental toxicity and other reproductive harm). In addition, in certain situations, any of the paints and finishing materials identified in Paragraph 6 ("Paints, Finishes and Coatings") of these DETAILS OF GENERAL VIOLATIONS and are incorporated by reference herein
- Hand Tools, Hardware and Brass Keys used by Violator's contractors and employees contain Designated Chemicals. All hand tools contain metals or are plated with metals which contain lead (cancer, developmental toxicity and other reproductive harm), hexavalent chromium (cancer), nickel and certain nickel compounds (cancer), cadmium and cadmium compounds (cancer, developmental toxicity and other reproductive harm). Hand tools that have plastic handles are made with pigmented, plasticized polyvinyl chloride (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). Manufacturers of such tools include but are not limited to Alltrade, APW Tools, Bond, KR Tools, Rubbermaid, Michigan Tools, Stanley and Test-Rite.

- Emissions of materials containing Designated Chemicals from Power Tools Use including, but not limited to, skill saws, circular saws, table saws, band saws, mitre saws, sabre saws and jig saws; sanders, buffers and polishers, drills, planers and routers can contain any Designated Chemical contained on or in the construction materials, surface coating and paints being shaped or sanded or from any abrasive material used. The most common designated chemicals include: crystalline silica (cancer), lead (cancer, developmental toxicity and other reproductive harm), cadmium (cancer), asbestos (cancer and developmental toxicity and other reproductive harm), arsenic and its inorganic oxides (cancer and developmental toxicity), hexavalent chromium compounds (cancer), colbalt oxide (cancer) and nickel and certain nickel compounds (cancer)

**12. Exterior and Common Area Maintenance and Cleaning**

Short description: Maintenance of the Properties' exterior and common areas cause emissions from the presence of various products, materials and activities which contain Designated Chemicals to which persons are exposed.

Routes of exposure: Exposures occur through inhalation of gases, vapors and aerosols emitted from the subject maintenance activities and via skin contact and/or ingestion due to the presence of Designated Chemicals on surfaces and other locations with which persons, in particular children, may come into contact through touching such surfaces.

Location or description of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative and professional staff, as well as other personnel using cleaning and maintenance supplies) are exposed when they are present during and after such maintenance activities around these Properties.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Materials used in apartment building construction, maintenance, cleaning and landscaping, as set forth in Paragraphs 4 through 8, 11 and 13 of these DETAILS OF GENERAL VIOLATIONS and incorporated herein by reference including, but not limited to roofing materials, insulation, structural construction materials and paints/coatings which contain Designated Chemicals which are emitted or present as described in those Paragraphs. In addition, products

commonly used by the Violator to repair roofing and pavement manufactured by the Henry Company, including Crack Filler, Driveway Resurfacer, Crack Repair, Wet Patch Roof Cement, Cold Asphalt Roof Cement, Asphalt Roof Tap Cement, Elastomeric Roof Cement, and Aluminum Roof Coating, contain Designated Chemicals including benzene (cancer, developmental toxicity and reproductive toxicity) and toluene (developmental toxicity).

- Emissions of materials containing Designated Chemicals from Power Tools Use including, but not limited to skill saws, circular saws, table saws, band saws, mitre saws, sabre saws and jig saws; sanders, buffers and polishers, drills, planers and routers can contain any Designated Chemical contained on or in the construction materials, surface coating and paints being shaped or sanded or from any abrasive material used. The most common designated chemicals include: crystalline silica (cancer), lead (cancer, developmental toxicity and other reproductive harm), cadmium (cancer), asbestos (cancer and developmental toxicity and other reproductive harm), arsenic and its inorganic oxides (cancer and developmental toxicity), hexavalent chromium compounds (cancer), colbalt oxide (cancer) and nickel and certain nickel compounds (cancer).
- Painting and painted or finished surface maintenance including the paints, finishers and other surface maintenance materials that contain designated materials set forth in Paragraph 6 ("Paint, Finishes and Coatings) of these DETAILS OF GENERAL VIOLATIONS" and incorporated herein by reference.
- Operation of Internal Combustion Engine Powered Landscaping Equipment including, but not limited to, lawn mowers, edgers, weed eaters and leaf blowers which emit gasoline engine exhaust (cancer).

**13. Landscaping Maintenance Activities and Pesticides**

Short description: These Properties engage in landscape maintenance, including the application of pesticides and fertilizers, and other maintenance activities. Fertilizers, pesticides and herbicides contain Designated Chemicals to which tenants and other persons are exposed.

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

General location or description of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative and professional staff, as well as other personnel engaged in landscaping maintenance and pesticide use) are exposed when they are present during and after such landscaping maintenance activities and pesticide activities occur around the Properties.

Location of the source of exposure: Individual apartments, common areas, landscaped areas, plants, baseboards, and any infested area.

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Fertilizers and soil amendments applied during landscaping and which may remain thereafter on surfaces or may be emitted into the air during application or thereafter. Such fertilizing materials include, but are not limited to, mineral-based fertilizers that contain lead acetate (cancer), lead (cancer and developmental toxicity and other reproductive harm), cadmium and cadmium compounds (cancer and developmental toxicity and other reproductive harm), arsenic and its inorganic oxides (cancer and developmental toxicity), hexavalent chromium compounds (cancer), and mercury and mercury compounds (developmental toxicity), 3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) (cancer and developmental toxicity), Cobalt[II]oxide (cancer), hexachlorodibenzodioxin (cancer), nickel and certain nickel compounds (cancer) polychlorinated biphenyls (cancer and developmental toxicity), polychlorinated dibenzofurans (cancer), radionuclides (cancer) and crystalline silica (cancer). Manufacturers of such fertilizers include but are not limited to J.R. Simplot, Loncala, Ashland, IMC-Apico, Freeport-McMoran, H.J. Baker, Cebrex, Jim Hicks, Actagro, Cero-Power, Gro More, John Pryor, John Taylor, Bandini, Wilbur-Ellis, Ironite, Lilly, Conagra and Stern's Miracle-Gro.

- Pesticides including, but not limited to: Wilbur Ellis Black Leaf Wasp and Hornet Killer, Ortho Hornet and Wasp Spray and United Industries Hot Shot Ant and Roach Spray which contain benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Chacon Chemical Insecticide which contains p-dichlorobenzene (cancer), Agri-Empire Corp. Insecticide which contains mancozeb (cancer) and nabam (cancer); Grants Kills Ants which contains arsenic trioxide, an inorganic arsenic oxide compound (cancer and developmental toxicity); Spectracide Plus Immunox Insect and Disease Control in Aerosol and Concentrate which contains myclobutanil (developmental toxicity and other reproductive harm); Ortho Funginex Rose and Shrub Disease Control and Orthenex Garden Insect and Disease Control which contain triforine (developmental toxicity); Ortho Outdoor Insect Fogger which contains resmethrin (developmental toxicity); MAKKI Term Out, Termite Roach and Ant which contains resmethrin (developmental toxicity); Greenlight Bermuda Grass Killer which contains fluazifopbutyl (developmental toxicity); Greenlight Fung-Away Systemic Fungicide which contains thiophanatemethyl (reproductive harm); Gordon's Trimec Plus which contains an inorganic arsenic compound (cancer); and Lilly Captan Fungicide which contains captan (cancer).

**14. Electronic and Electric Equipment and Associated Cables, Wires and Batteries**

Short description: Electronic and electric equipment and cables, wires and batteries are located throughout these Properties, the touching of which exposes persons to Designated Chemicals.

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

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative and professional staff).

Location of the source of exposure: Universal (numerous locations throughout the Properties).

Names of materials containing Proposition 65-listed chemicals and reason for listing: Electronic equipment, including computer housings such as IBM and Apple Macintosh, 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). Electrical equipment including, but not limited to hairdryers and vacuum cleaners contain lead (cancer, developmental and male/female reproductive toxicity). Manufacturers of such electrical equipment include: Black and Decker, Inc., SKIL Corp., SEARS Robuck & Co., The RIVAL Co., Dell Computer, COMPAC Computer/Hewlett Packard, Proctor-Silex, Inc., Bissel, Inc., LUCENT Technologies, SAMSUNG, and others.

**15. Office Supplies and Office Equipment**

Short description: Office supplies and equipment used on the Properties, including carbonless paper, marking pens, correction fluids, copier machine chemicals contain Designated Chemicals which cause exposures.

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

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative and professional staff) who use or handle office supplies or office equipment.

Location of the source of exposure: Universal (numerous locations throughout the Properties).

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

Copier machine toner used at the Properties contains carbon black (carbon black respirable sized aerosols and extracts cause cancer). Manufacturers of such office supplies include: Lexmark, Hewlett Packard, Nokia, Sharp, Epson (copier toners), Star Finishing Products, Inc., Newell, Faber-Castell, Sanford, and LA-Co Industries (markers) and Midland Paper Co., Adams Business Forms, Viking Office Products, and Mead Corporation (carbonless copy paper).

Dated: July 21, 2004

## EXHIBIT B

## DETAILS OF SPECIFIC VIOLATIONS

After appropriate due diligence and investigation of Violator's Properties and activities, including review and verification of detailed information regarding exposures to tenants, visitors, guests, invitees, contractors and employees, and consultations with experts on such matters, such specific unlawful exposures occur in addition to the General Violations in the following ways at the Violator's Properties.

1. **Swimming Pool/Jacuzzi/Hot Tub**

**Included Properties**: Del Prado, Country Wood, Greenwood, The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Woodmont, Oxford Manor, Clubview, Valley Green I, Tamarack, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sae Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Montoya Gardens, Oaks@Kawana Springs, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Adagio Apartments and Ashton Place Apartments

Short description: These Properties have swimming pools, Jacuzzis and/or hot tubs which use disinfectants containing chlorine and bromine, which react with waterborne organic compounds, like methane, to form carcinogen compounds. The use of swimming pools, Jacuzzis, hot tubs by tenants, visitors, guests, invitees, contractors and employees causes exposures to Designated Chemicals.

Route(s) of exposure: Inhalation and dermal.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including administrative, service, and pool/Jacuzzi/hot tub maintenance and other maintenance personnel, and professional staff).

Location of the source of exposure: Swimming pool, Jacuzzi and hot tub areas.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Swimming pools, Jacuzzis and/or hot tubs located on the Properties use disinfectants containing chlorine and bromine, which react with waterborne organic compounds, like methane, to form carcinogen compounds including: Chloroform (cancer), bromoform (cancer) and bromodichloro methane (cancer) formed during disinfection of water. All commercial pool/hot tub disinfection systems utilize chlorine and/or bromine chemistry to react with organic contaminants. Commercial product lines like Ecolab, HASA, Nalco, Taylor Technologies, All Pure, All Chem, Applied Bio Chemists, Aqua Clear, Olin, Leisure Time, Alliance, Sierra Chemical and others with similar chemistry are used at the Properties. Filtering systems use diatomaceous earth with contains crystalline silica (cancer). Certain clarifier chemicals and biocides are based on amine chemistry including, but not limited to Applied Biochemists products containing ethylene oxide (cancer and reproductive harm).

2. **Exercise Facilities**

**Included Properties**: Del Prado, Country Wood, The Pointe, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Valley Green I, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sea Pointe, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Valley Green II, Seacliff, Fair Oaks West, Monte Diablo, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Adagio Apartments and Ashton Place Apartments

Short description: Exercise facilitates located on these Properties contain exercise and gym equipment which contain Designated Chemicals. Tenants, visitors, guests, invitees, contractors and employees are exposed to Designated Chemicals by handling of exercise hand weights and metal/plastic/rubber grips on exercise equipment and then ingesting Designated Chemicals through hand-to-mouth contact. Such equipment is manufactured by Keys Fitness Products, York Barbell Company, Bollinger Industries, Cap Barbell and other makers and contains lead and lead compounds (cancer, developmental toxicity and other reproductive harm), and vinyl chloride (cancer).

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

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff).

Location of the source of exposure: Exercise facility or gym and exercise equipment.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Exercise equipment, including hand weights and metal/plastic/rubber grips on exercise equipment, including such equipment manufactured by Keys Fitness Products, York Barbell Company, Bollinger Industries, Cap Barbell, contains lead and lead compounds (cancer, developmental toxicity and other reproductive harm), and vinyl chloride (cancer).

3. **Indoor Clubhouse, Meeting Room or Other Indoor Common Areas, Laundry Rooms and Public Restroom Facilities**

**Included Properties**: Del Prado, Greenwood, Country Wood, The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Woodmont, Oxford Manor, Clubview, Valley Green I, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sea Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Montoya Gardens, Tamarack, Adagio Apartments and Ashton Place Apartments

Short description: These Properties have a clubhouse, meeting room, or other indoor common areas, laundry rooms and public restroom, which, in addition to containing and using cleaners and sanitizers, use odor cakes, air fresheners, soaps, and paper products which expose tenants, visitors, guests, invitees, contractors and employees to Designated Chemicals

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

General location or occupation of person(s) exposed: Exposures to Designated Chemicals occur during use and maintenance of a public restroom facilities at these Properties. Persons exposed include tenants, visitors, guests, invitees, contractors and employees (including service, maintenance, administrative, and professional staff).

Location of the source of exposure: Indoor common areas and public restrooms

Names of materials containing Proposition 65-listed chemicals and reason for listing:

- Public restroom odor cakes and air fresheners which contain p-dichlorobenzene (cancer) and formaldehyde (cancer).
- Specialty Cleaning Products like carpet and floor cleaners, and Paint Strippers and Graffiti Removers including, but not limited to: ZEP Carpet Steam Cleaner 1291 which contains nitriloacetic acid (cancer), ZEP Aerosol Wax Stripper which contains ethylene oxide (cancer and reproductive harm); Johnson Diversey, Inc. UHS Floor Cleaner, J-Spray Cleaner and Odor Neutralizer, Horizon 420 Neutral Cleaner, Power-Foam Bravo, ProStrip and Bravo Extra contain

ethylene oxide (cancer and reproductive harm); Guardsman Products Goof-Off Cleaner contains benzene cancer, developmental toxicity and other reproductive harm), toluene (developmental toxicity); Contact Industries, Contact Vandal and Graffiti Remover contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity), and ethylene glycol monomethyl ether (developmental toxicity and other reproductive harm); Locktile Naval Jelly which contains, according to its manufacturer, an undisclosed chemical which causes cancer (cancer); Motsenbocker's Lift-Off No. 3 Pen, Ink and Marker Graffiti Remover which contains benzene (cancer, developmental toxicity and other reproductive harm); Motsenbocker's Grease, oily stain and tape remover which contains tetrachloroethylene (cancer), benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP products and ZEP-O-Brite Abrasive Cleaner 1038 which contains crystalline silica (cancer); Claire Manufacturing Stainless Steel Cleaner which contains N-methyl pyrrolidone (developmental toxicity); Vandalism Spray which contains dichloromethane (cancer), tetrachloroethylene (cancer) and toluene (developmental toxicity) and Spot Remover/Aerosol Spot Remover which contains tetrachloroethylene (cancer); Lincoln Leather Cleaner and Spot Remover which contains tetrachloroethylene (cancer); Kleenstrip Graffiti Remover Aerosol which contains dichloromethane (cancer); JASCO and BIX Graffiti Remover (non-aerosol) which contain dichloromethane (cancer) and toluene (developmental toxicity).

- Paint and finishing materials including, but not limited to, Behr Enamel Paints and Water-Based Primer which contains benzene (cancer, developmental toxicity and other reproductive harm); Thompson's Water Seal X-tra which contain benzene (cancer, developmental toxicity and other reproductive harm); Homax Paint Texturizer which contains crystalline silica (cancer); Miniwax Wood Stains which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Deft Woodfinishers which contain benzene (cancer, developmental toxicity and other reproductive harm); Flecto Varathane Aerosol which contain benzene (cancer, developmental toxicity and other reproductive harm); Parks ProFinish Polyurethane Coatings which contain benzene (cancer, developmental toxicity and other reproductive harm); Mohawk Lacquer Gloss and Satin Paints which contain benzene (cancer, developmental toxicity and other reproductive harm). Paints and finishing materials also contain the Designated Chemicals identified in Paragraph 6 ("Paint, Finishes and Coatings") of these DETAILS OF GENERAL VIOLATIONS and incorporated by reference herein.
- General Purpose Cleaning and Sanitizing Products including, but not limited, to: Proctor and Gamble Professional Comet Cleaner and Muriatic Acid, Johnson Diversey, Inc. Crew Bathroom Cleaners and Disinfectants (approximately 20 different products similarly formulated), Johnson Diversey, Inc. Endback Disinfectant Cleaner, ENVOY Foaming Disinfectant Cleaner, Spitfire Power Cleaner, ZEP Disinfectant-Deodorizer, and ZEP Chlorinated General Purpose Cleaner contain chlorine and chlorine compounds which create and emit in the presence of methane and other organic materials in soiled surfaces, chloroform (cancer); Tide, Comet, Ivory, Cherry and other laundry detergents which contain detectable amounts of lead (cancer, developmental toxicity and other reproductive toxicity) and mercury and mercury compounds (developmental toxicity), Chlorox and other brands of laundry bleach and pre-wash products which contain chlorine or hypochlorite compounds which react with organic compounds in soiled laundry to form chloroform (cancer).
- Other Cleaning and Janitorial Activities which result in Designated Chemical exposure including, but not limited to: Johnson Diversey, Inc. Brite Stainless Steel Cleaner which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); Johnson Diversey Expose II Cleaner Disinfectant Deodorant which contains o-phenyl phenol (cancer); ZEP General Purpose Aerosol Cleaner/Degreaser which contains benzene (cancer, developmental toxicity and other reproductive harm); ZEP Cold Cleaning Solvent which contains methylene chloride (cancer), benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP Heavy Duty Cleaner and Degreaser which contains benzene (cancer, developmental toxicity and other reproductive harm) and toluene (developmental toxicity); ZEP Abrasive Cleaner which contains crystalline silica (cancer); Johnson Diversey Conq-R-Dust which contains benzene (cancer, developmental toxicity and other reproductive harm); Chemresearch New Improved Good Riddance Cleaner which contains ethylene oxide (cancer and reproductive toxicity), 1,4 dioxane (cancer), butylated hydroxyanisole

(cancer) and DEOX Cleaner which ethylene oxide (cancer and reproductive toxicity), lead (cancer, developmental toxicity and other reproductive toxicity) and inorganic arsenic compounds (cancer); ZEP Quick Cleaner 1461 and MVP 0927 Cleaner which contains ethylene oxide (cancer and reproductive toxicity); Bowman Aerosol Safety Solvent which contains tetrachlorethylene (cancer); DOW Chloroethene XL Solvent which contains nitromethane (cancer); Soco-Lynch Solvent Stripper and Cleaner which contains benzene (cancer, developmental toxicity and other reproductive harm), dichloromethane (cancer) and toluene (developmental toxicity); Greenstreet Floral Care and Cleaner which contains methylene chloride (cancer); Slide Products Cleaner and Degreaser which contains trichloroethylene (cancer), ZEP Aerosol Furniture Cleaner and Polish which contains benzene (cancer, developmental toxicity and other reproductive harm); and tile and other floor surface polishing generates dust containing crystalline silica (cancer) and ceramic fibers (cancer); polishing of metal surfaces especially brass generates dust containing lead (cancer, developmental toxicity and other reproductive harm).

**4. Food and Beverage Service Operations**

**Included Properties**: The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Oxford Manor, Clubview, Country Wood, Valley Green I, Tamarack, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sae Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Montoya Gardens, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Woodmont, Adagio Apartments and Ashton Place Apartments

Short description: These Properties provide and/or permit food and beverage services in common areas. 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 Properties cause exposures to Designated Chemicals.

Route of exposure: Ingestion.

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

Location of the source of exposure: Common areas where food and beverages are served and consumed.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Food ingredients including, but not limited to, meat, fish and produce may contain detectable levels of Designated Chemicals. Meats contain anabolic steroids (reproductive toxicity), testosterone and its esters (cancer), streptomycin sulfate (developmental toxicity), and other chemicals (cancer and developmental toxicity and other reproductive harm). Fish, including but not limited to, shark, swordfish, mackerel, especially canned tuna fish and shellfish contain mercury and its compounds (developmental toxicity), methyl mercury (developmental toxicity), methyl mercury compounds (cancer); certain fish, especially farmed or pen-raised salmon, contain DDT and its isomers (cancer, developmental toxicity and other reproductive harm), 2,3,7,8-tetrachloro dibenzo-p-dioxin (TCDD) (cancer and developmental toxicity), poly-chlorinated biphenyls (cancer and developmental toxicity) and other chemicals (cancer and developmental toxicity and other reproductive harm). Produce contains chloroform (cancer) due to processing water that contained chlorine disinfectant and pesticide and fertilizer residues that contain designated chemicals (cancer and developmental toxicity and other reproductive harm). Certain grains, cereals, nuts and peanut butter contain alfatoxins (cancer) as a naturally-occurring fungal toxin. Prepared foods, in particular, pan fried, broiled and grilled meats and fish contain benzo(a)pyrene (cancer) and other related polycyclic aromatic organic compounds (cancer). Fried food, in particular french fried

potatoes, contains acrylamide (cancer). Certain processed foods including cereals and baked goods, and potato chips and other snack foods contain acrylamide (cancer).

5. **Alcoholic Beverages**

**Included Properties**: Del Prado, Country Wood, Greenwood, The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Woodmont, Oxford Manor, Clubview, Valley Green I, Tamarack, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sea Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Brewster, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Montoya Gardens, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Adagio Apartments and Ashton Place Apartments

Short description: These Properties serve alcoholic beverages and/or allow tenants and other persons to serve/consume alcoholic beverages in common areas. Consumption of alcoholic beverages by tenants and other persons causes exposures to Designated Chemicals.

Route of exposure: Ingestion.

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

Location of the source of exposure: Common areas where alcoholic beverages are served and consumed.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Ethyl Alcohol in alcoholic beverages (developmental toxicity)

6. **Salon**

**Included Properties**: Country Wood

Short description: These Properties have a salon where manicure, pedicure, cosmetic treatments, massages and other personal body treatments are available. The salon utilizes many products containing a variety of Designated Chemicals. Patrons of the salon and salon employees are exposed to Designated Chemicals.

Route(s) of exposure: Dermal and inhalation.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees (including salon, service, administrative, and professional staff).

Location of the source of exposure: Specific salon treatment areas.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Hair dyes in use at the salon contain lead acetate (cancer). Nail polish and its removers in use at the salon contain toluene (developmental toxicity) and benzene (cancer). Lotions and other skin treatments in use at the salon contain progesterone (cancer) and mineral oils (cancer). Cosmetics in use at the salon contain lead and lead compounds (cancer and developmental and male/female reproductive toxicity) and mineral oils (cancer).

7. **Emergency Generators**

**Included Properties**: Del Prado, Country Wood, Greenwood, The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Woodmont, Oxford Manor, Clubview,

Valley Green I, Tamarack, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sea Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Brewster, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Montoya Gardens, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Adagio Apartments

Short description: These Properties have and operate emergency generators in the event of an interruption in utility-provided electricity, and periodically operating such generators for maintenance and testing and in the event of a power outage results in diesel and/or gasoline engine exhaust and fuel vapors to which tenants, guests, visitors, invitees, contractors and employees are exposed.

Route(s) of exposure: Inhalation.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors, employees (including service, maintenance, administrative, and professional staff).

Location of the source of exposure: Exposures to engine exhaust from emergency generators occur in common area locations at and around the emergency generators.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Diesel emergency generator engines emit diesel engine exhaust (cancer). Gasoline emergency generator engines emit gasoline engine exhaust (cancer). Diesel fuel and gasoline contain benzene (cancer, developmental toxicity and reproductive harm) and toluene (developmental toxicity).

8. **Maintenance Shop or Area**

**Included Properties**: Del Prado, Country Wood, Greenwood, The Pointe, Shadow Oaks, Woodland Villas, Beach Cove, Sand Cove, Shadow Cove, Woodmont, Oxford Manor, Clubview, Valley Green I, Tamarack, Stanford Villa, Lincoln Glen, Green Pointe, Cypress Pointe, Sae Pointe, El Prado, Vintage Ridge, The Village, Madera Valley, Shadow Creek, Cherry Hill, Colonial Gardens, Birchwood, Valley Green II, Beach Park, Brewster, Seacliff, Fair Oaks West, Monte Diablo, Edgewater Isle, Montoya Gardens, Oaks@Kawana Springs, Foxdale Manor, Hillcrest, West Park, West Wind, One Pearl Place, The Overlook at Fountain Grove and Pacific Shores, Adagio Apartments and Ashton Place Apartments

Short description: In furtherance of maintenance activities, these Properties operate a maintenance area or shop. Power tools are periodically used in this area which creates dust containing Designated Chemicals to which tenants, visitors, guests, invitees, contractors and employees are exposed

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

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

Location of the source of exposure: Maintenance area or shop.

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). In addition, materials

used in apartment building construction, maintenance, cleaning and landscaping, as set forth in Paragraphs 4 through 8, and 11through 13 of DETAILS OF GENERAL VIOLATIONS, and incorporated herein by reference including, but not limited to structural construction materials, paints/coatings, cleaning materials and pesticides which contain Designated Chemicals, are emitted or present as described in Paragraphs 4 through 8, and 11 through 13 of DETAILS OF GENERAL VIOLATIONS.

9. **Dry-Cleaning Facilities**

**Included Properties**: None

Short description: These Properties operate on-site dry-cleaning facilities. Dry-cleaning activities use solvents as cleaning agents that are emitted from the facilities and clothing that has been cleaned. Spotting compounds are also used. Dry-cleaning operations at the Properties results exposes tenants and other persons to Designated Chemicals.

Route(s) of exposure: Dermal and inhalation.

General location or occupation of person(s) exposed: Tenants, visitors, guests, invitees, contractors and employees in the immediate area and who receive dry-cleaned clothing.

Location of the source of exposure: Around on-site dry-cleaning facilities and recently cleaned clothing.

Names of materials containing Proposition 65-listed chemicals and reason for listing: Dry cleaning solvents containing tetrachloroethylene (cancer) or petroleum distillates which contain benzene (cancer). Spotting compounds contain trichloroethylene (cancer), toluene (developmental toxicity) and benzene (cancer).

# EXHIBIT A

## WOODMONT REAL ESTATE SERVICES
**1050 Ralston Avenue**
**Belmont, CA 94002**

| NAME OF PROPERTY | ADDRESS |
|---|---|
| Del Prado | 5196 Golden Road<br>Pleasanton, CA 94566 |
| Countrywood | 4555 Thornton Avenue<br>Fremont, CA 94536 |
| Greenwood | 7323 Starwood Drive<br>Dublin, CA 94568 |
| The Pointe | 2550 Hilborn Road<br>Fairfield, CA 94534 |
| Shadow Oaks | 530-A N. Civic Drive<br>Walnut Creek, CA 94597 |
| Woodland Villas | 4320 Valley Avenue<br>Pleasanton, CA 94566 |
| Beach Cove | 703 Catamaran<br>Foster City, CA 94404 |
| Sand Cove | 777 Shell Blvd.<br>Foster City, CA 94044 |
| Shadow Cove | 1055 Foster City Blvd.<br>Foster City, CA 94404 |
| Woodmont | 1050 Ralston Avenue<br>Belmont, CA 94002 |
| Oxford Manor | 301-321 Oxford Way<br>Belmont, CA 94002 |
| Clubview | 849 W. Orange Ave.<br>S. San Francisco, CA 94080 |
| Valley Green 1 | 20875 Valley Green Drive<br>Cupertino, CA 95014 |
| Tamarack | 1255 Lincoln Street #38<br>Santa Clara, CA 95050 |
| Stanford Villa | 3375 Alma St.<br>Palo Alto, CA 94306 |
| Lincoln Glen | 150 E. Remington<br>Sunnyvale, CA 94087 |
| GreenPoint | 1599 War Burton Avenue<br>Santa Clara, CA 94002 |
| Cypress Pointe | 2580 Francisco Blvd.<br>Pacifica, CA 94044 |
| Sea Pointe | 77 Paloma Ave.<br>Pacifica, CA 94044 |
| El Prado | 666 S. El Monte Dr.<br>Los Altos, CA 94022 |

| NAME OF PROPERTY | ADDRESS |
|---|---|
| Vintage Ridge | 2705 Range Avenue<br>Santa Rosa, CA 95403 |
| The Villages | 2980 Bay Village Circle<br>Santa Rosa, CA 95403 |
| Madera Valley | 1495 Casa Buena Dr.<br>Corte Madera, CA 94925 |
| Shadow Creek | 4145 Shadow Lane<br>Santa Rosa, CA 95405 |
| Cherryhill | 902 W. Remington Dr.<br>Sunnyvale, CA 94087 |
| Colonial Gardens | 41777 Grimmer Blvd.<br>Fremont, CA 94538 |
| Birchwood | 1230 Hendersen Ave.<br>Sunnyvale, CA 94086 |
| Valley Green II | 20875 Valley Green Drive<br>Cupertino, CA 95014 |
| Beach Park | 1999 Beach Park Blvd.<br>Foster City, CA 94404 |
| Brewster | 600 Brewster<br>Redwood City, CA 94063 |
| Seacliff | 300 Palmetto Avenue<br>Pacifica, CA 94044 |
| Fair Oaks West | 65550 Fair Oaks Ave.<br>Sunnyvale, CA 94086 |
| Monte Diablo | 1201 Monte Diablo Ave.<br>San Mateo |
| Edgewater Isle | 1510 Marina Vista<br>Foster City, CA 94404 |
| Montoya Gardens | 5005 Montoya<br>San Pablo, CA 94805 |
| Oaks at Kawana Springs | 2111 Kawana Springs Rd.<br>Santa Rosa, CA 95404 |
| Foxdale Manor | 1250 Foxdale Loop<br>San Jose, CA 95122 |
| Hillcrest | 26970 Hayward Blvd<br>Hayward, CA 94544 |
| Westpark | 3200 Payne Ave.<br>San Jose, CA 95117 |
| Westwind | 5639 Jacquiline Way<br>Livermore, CA 94550 |
| One Pearl Place | 5230 Terner Way<br>San Jose, CA 95118 |
| The Overlook at Fountain Grave | 200 Bicentennial Way<br>Santa Rosa, CA 95403 |
| Pacific Shores | 1240 Shaffer Rd.<br>Santa Cruz, CA 95060 |

| NAME OF PROPERTY | ADDRESS |
|---|---|
| Adagio Apartments | 2800 Grassland Drive<br>Sacramento, CA 95833 |
| Ashton Place Apartments | 885 Halidon Way<br>Folsom, CA 95630 |

**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 July 21, 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.) Third 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.) Certificate of Merit

4.) Supporting documents *(sent only to Office of Attorney General)*

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: July 21 , 2004
Place of Mailing: Irvine, California

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

Ed Weil, Deputy Attorney General
Office of Proposition 65 Enforcement
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

Ron Granville
Woodmont Real Estate Services
1050 Ralston Avenue
Belmont, CA 94002

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

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

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

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

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

Contra Costa County DA
727 Court Street
Martinez, CA 94553

Napa County DA
931 Parkway Mall
Napa, CA 94559

Santa Clara DA
2645 Zanker Rd
San Jose CA 95134

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

Solano County DA
321 Tuolomne Street
Vallejo, CA 94590

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

Alameda County DA
1225 Fallon Street
Oakland, CA 94612

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

Santa Rosa D.A.
111 N Pythian Rd
Santa Rosa CA 95409

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

Dated: July 21, 2004