

## CONSUMER DEFENSE GROUP ACTION

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GRAHAM & MARTIN, LLP  
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Costa Mesa, CA 92626  
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### 60 Day Notice of Intent to Sue Ricoh Corporation and All of Its Operating Affiliates Under Health & Safety Code Sections 25249.6

Consumer Defense Group Action, a California corporation (hereinafter "CDG" or the "Noticing Party") hereby gives Notice of Intent to Sue Under Health & Safety Code Section 25249.5, *et seq* (the "Notice") to Susumu Ochioka, the President and CEO of Ricoh Corporation and all of its operating affiliates (hereinafter referred to collectively as "RICOH"), as well as the governmental entities on the attached proof of service. The Noticing Party must be contacted through its counsel, Anthony G. Graham, of the law firm of Graham & Martin, LLP, at the above address and phone number.

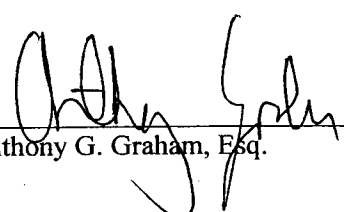
This Notice is intended to inform RICOH that it is in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with Health & Safety Code Section 25249.5) (hereinafter "Proposition 65"), specifically Section 25249.6. Proposition 65 states that when a party, such as RICOH, an entity with more than ten employees, has been or is knowingly and intentionally exposing its customers and users of its products 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). RICOH manufactures, distributes, sells and markets copiers and printers, and the re-fill toners for these copiers and printers ("the Consumer Products") in California through retail outlets and through its internet website ([www.ricoh-usa.com](http://www.ricoh-usa.com)), which when operated or used emit detectable levels of Designated Chemicals. The Consumer Products relevant to this Notice are identified on Exhibit A hereto. RICOH however has not placed on the any of the Consumer Products, its packaging or marketing materials, nor anywhere on its internet website a clear and reasonable warning that use of any such Consumer Products will expose the user to a Designated Chemical. RICOH is therefore violating Health & Safety Code Section 25249.6.

In the ordinary course of its business, RICOH manufactures, distributes and offers for sale, both through retail outlets and through its internet website ([www.ricoh-usa.com](http://www.ricoh-usa.com)) in California the copiers, printers and toners identified on Exhibit A hereto. It has been doing so for at least one year prior to the date of this Notice. These copiers, printers and toners, when used to print or create copies of documents, emit vapors, gases and particles containing Designated Chemicals. Each of the Consumer Products identified on Exhibit A hereto emit, when in operation or use, the following Designated Chemicals: benzene, a chemical known to the State of California to cause cancer and reproductive toxicity; styrene oxide, a chemical known to the State of California to cause cancer; carbon black (airborne, unbound particles of respirable size), a chemical known to the State of California to cause cancer; ethylbenzene, a chemical known to the State of California to cause cancer; naphthalene, a chemical known to the State of California to cause cancer; toluene, a chemical known to the State of California to cause reproductive toxicity; and, 1,1,2,2, tetrachlorethane, a chemical known to the State of California to cause cancer. Persons using the products identified on Exhibit A will be exposed to these Designated Chemicals primarily by inhalation. None of the products identified on Exhibit A hereto have a clear and reasonable warning, as required under Proposition 65, informing persons either purchasing or using the products that use of such products will result in exposures to the identified Designated Chemicals.

Proposition 65 requires that notice and intent to sue be given to RICOH sixty days before a suit is filed. With this letter, CDG gives notice of the alleged violations to RICOH and the appropriate governmental authorities. This notice covers all violations of Proposition 65 that are currently known to CDG from information now available to it. CDG reserves the right to amend this Notice to inform RICOH of other violations and/or exposures as it gathers further information. With the copy of this amended notice submitted to RICOH, a copy is provided of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."

Dated: April 22, 2005

By:

  
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Anthony G. Graham, Esq.

**RICOH CORPORATION:**

**Corporate Office:**

Ricoh Corporation.  
10 Bloomfield Avenue  
Pine Brook, NJ 07058  
Ceo/President Susumu Ichioka

**COPIER/PRINTERS**

RICOH

ALL RICOH, AND RICOH COMPATIBLE,  
REPLACEMENT TONER/INK CARTRIDGES

Aficio Series

1013/ 1013F/ 1515/ 1515F/ 1515MF/ 2015/ 2018/ 2018D/ 2022/ 2022SP/ 1224/ 1224C/  
2027/ 2228/ 1232C/ 1232CSP/ 2232C/ 2035e/ 2035e/2035Esp/ 2035/ 2035SP/ 2045Esp/  
2238C/ 2045e/ 2045/ 2045SP/ 2051/ 2051SP/ 1055/ 1060/ 2060/ 2060SP/ 1075/ 2075/  
2075SP/ 2090/ 2105

AP Series

400/ 400N/ 2610/ 410/ 410N/ 3200/ 600N/ 610N/ 3850C/ 4510/

AC Series

104/ 204

CL Series

1000N / 2000/ 2000N/ 3000/ 3000e/ 4000DN/ 7000/ 7000CMF/ 7100/ 5000/

**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.

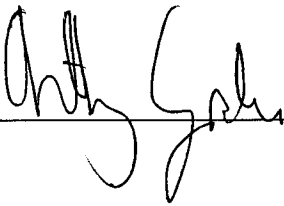
2. I am member of the State Bar of California, a partner of the law firm of Graham & Martin, LLP, and attorney for noticing party Consumer Defense Group Action.

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 Costa Mesa, California on April 21, 2005.



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**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 950 South Coast Drive, Suite 220, Costa Mesa, California 92626.

I SERVED THE FOLLOWING:

- 1.) 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 (supporting papers sent to Attorney General only)

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: April 22, 2005

Place of Mailing: Costa Mesa, California

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

Ricoh Corporation. 10 Bloomfield Avenue Pine Brook, NJ 07058 Ceo/President Susumu Ichioka	California Attorney General (Proposition 65 Enforcement Division) 1515 Clay Street, 20th Floor Oakland, CA
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And all entities on the attachment hereto

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

Dated: April 22, 2005

