NOTICE OF VIOLATION

California Safe Drinking Water
and Toxic Enforcement Act

Light Fixtures - Consumer Exposures

December 19, 2005

This Notice of Violation is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act (Proposition 65), see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice of Violation is provided by Michael Ruggie. Mr. Ruggie is a resident of the State of California and is acting in the public interest pursuant to California Health and Safety Code Section 25249.7(d).

Description of Violation:

- The names and addresses of the violators are attached hereto as Exhibit 1.
- The violations have been occurring since at least February 27, 1988 and are continuing to this day.
- This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- The names of the listed chemicals involved in these violations are lead and lead compounds ("Lead"). Exposures to Lead occur from use of the products identified in this Notice.
- The category of products causing these violations is light fixtures. These light fixtures are made with and contain Lead. A non-exclusive list of examples of these products is attached hereto as Exhibit 2.
- Description of Exposures: The light fixtures that are the subject of this Notice contain Lead. Lead is used in various components of the light fixtures. One non-exclusive example of such Lead containing components is un-coated solder used to hold metal parts of the light fixtures together. Use of these light fixtures results in consumer exposures to Lead. The route of exposure for the violations is ingestion via hand to mouth contact, dermal absorption directly through the skin, and inhalation of dust containing Lead. These exposures take place when consumers use, install, service or otherwise touch or handle the products. These exposures occur in homes, schools, workplaces and everywhere else in California where these products are used. No clear and reasonable warning is provided with these products regarding the carcinogenic or reproductive hazards of Lead.

Please direct any inquiries regarding this notice to counsel for the Center for Environmental Health: Eric S. Somers, Lexington Law Group, LLP, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

EXHIBIT 1: List of Violators

Hinkley Lighting, Inc.
12600 Berea Road
Cleveland, OH 44111

Quoizel, Inc.
6 Corporate Parkway
Goose Creek, SC 29445

Westinghouse Lighting Corporation
12401 McNulty Road
Philadelphia, PA 19154

Leadco Products, Inc.
18901 Euclid Avenue
Cleveland, OH 44117

Royce Industries, Inc.
125 Rose Feiss Blvd.
Bronx, NY 10454

L.D. Kichler Company
7711 E. Pleasant Valley Road
Cleveland, OH 44131

EXHIBIT 2: Non-Exclusive Examples of the Products

Non-Exclusive Examples of the Products	Package SKU #	Noticed Parties
San Clemente Olde Iron Wallmount Light, Model #2440 01	4066524402	Hinkley Lighting, Inc.
Newbury Light Fixture, Model #NY8315V		Quoizel, Inc.
Polished Brass Finish Clear Beveled Glass Panels Ceiling Fixture, Model #66475	2403466475	Westinghouse Lighting Corporation
Ceiling Fixture, Item No. 51219	6108309641	Leadco Products, Inc.
Outdoor Wall Lantern Farol Mural Exterior, Item No. 79759	1481712219	Royce Industries, inc.
Two Light Outdoor Wallmount, Model #39053	3799539053	L.D. Kichler Company

CERTIFICATE OF MERIT

Health & Safety Code §25249.7(d)

I, Eric S. Somers, hereby declare:

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

2. I am an attorney with the Lexington Law Group, LLP, and I represent the noticing party, Michael Ruggie.

3. Members of my firm and 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 exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on 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 plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the 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 & Safety Code §25249.7(h)(2), *i.e.:* (1) the identity of the persons consulted

with and relied on by the certifier; and (2) the facts, studies or other data reviewed by those persons.

Dated: December 19, 2005

Eric S. Somers
Attorney for Michael Ruggie

PROOF OF SERVICE BY MAIL

I declare that:

I am employed in San Francisco County, California. I am over the age of 18 years and not a party to the within cause; my business address is 1627 Irving Street, San Francisco, California 94122.

On December 19, 2005, I served true copies of the following documents:

NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT;

CERTIFICATE OF MERIT; and

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those on service list marked with an asterisks).

I placed a true copy of this paper in an envelope addressed to:

See Attached Service List.

I am readily familiar with my firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit, that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I placed the envelope containing the above-mentioned documents for collection and mailing on December 19, 2005, following the ordinary business practice.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on December 19, 2005, at San Francisco, California.

Signed: _____
Baine Kerr

SERVICE LIST

District Attorney of Alameda County
1225 Fallon Street, Room 900
Oakland, CA 94612

District Attorney of Colusa County
547 Market Street
Colusa, CA 95932

District Attorney of Contra Costa County
725 Court Street, Room 402
Martinez, CA 94553

District Attorney of Alpine County
P.O. Box 248
Markleeville, CA 96120

District Attorney of Del Norte County
450 H Street, Ste 171
Crescent City, CA 95531

District Attorney of Amador County
708 Court Street, #202
Jackson, CA 95642

District Attorney of Butte County
25 County Center Drive
Oroville, CA 95965

District Attorney of El Dorado County
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District Attorney of Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney of Fresno County
2220 Tulare Street, #1000
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825 5th Street
Eureka, CA 95501

District Attorney of Imperial County
939 Main Street
El Centro, CA 92243

District Attorney of Lassen County
220 S. Lassen St., Ste 8
Susanville, CA 96130

District Attorney of Inyo County
P.O. Drawer D
Independence, CA 93526

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210 W. Temple Street, Room 345
Los Angeles, CA 90012

District Attorney of Madera County
209 West Yosemite Avenue
Madera, CA 93637

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1215 Truxtun Avenue
Bakersfield, CA 93301

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3501 Civic Center Dr., Room 183
San Rafael, CA 94903

District Attorney of Mono County
P.O. Box 617
Bridgeport, CA 93517

District Attorney of Mariposa County
P.O. Box 730
Mariposa, CA 95338

District Attorney of Monterey County
PO Box 1131
Salinas, CA 93901

District Attorney of Mendocino County
P.O. Box 1000
Ukiah, CA 95482

District Attorney of Napa County
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Napa, CA 94559

District Attorney of Merced County
2222 "M" Street
Merced, CA 95340

District Attorney of Nevada County
201 Church St., Suite 8
Nevada City, CA 95959

District Attorney of Orange County
401 Civic Ctr Drive West
Santa Ana, CA 92701

District Attorney of Modoc County
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Alturas, CA 96101-4020

District Attorney of Placer County
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Auburn, CA 95603

District Attorney of San Bernardino County
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San Bernardino, CA 92415-0004

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Riverside, CA 92501

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880 Bryant Street, Rm 325
San Francisco, CA 94103

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Sacramento, CA 95814

District Attorney of San Joaquin County
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Stockton, CA 95201

District Attorney of San Luis Obispo County
1050 Monterey St, Room 450
San Luis Obispo, CA 93408

District Attorney of San Benito County
419 Fourth Street, 2nd Floor
Hollister, CA 95023

District Attorney of San Mateo County
400 County Ctr, 3rd Fl
Redwood City, CA 94063

District Attorney of Sierra County
Courthouse, P.O. Box 457
Downieville, CA 95936

District Attorney of Santa Barbara County
1105 Santa Barbara Street
Santa Barbara, CA 93101

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Yreka, CA 96097

District Attorney of Solano County
600 Union Avenue
Fairfield, CA 94533

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Santa Cruz, CA 95061

District Attorney of Sonoma County
600 Administration Drive, Room 212J
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District Attorney of Shasta County
1525 Court Street, Third Floor
Redding, CA 96001-1632

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Modesto, CA 95353

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446 Second Street
Yuba City, CA 95991

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800 South Victoria Ave
Ventura, CA 93009

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Red Bluff, CA 96080

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215 Fifth Street
Marysville, CA 95901

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221 S. Mooney Ave, Room 224
Visalia, CA 93291

District Attorney of Tuolumne County
2 South Green
Sonora, CA 95370

San Jose City Attorney's Office
151 West Mission Street
San Jose, CA 95110

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Room 1800, City Hall East
200 N. Main Street
Los Angeles, CA 90012

San Diego City Attorney's Office
1200 3rd Avenue, 12th Floor
San Diego, CA 92101

San Francisco City Attorney's Office
City Hall, Room 234
San Francisco, CA 94102

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California Attorney General's Office
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