

April 28, 2006

To Whom It May Concern:

This letter serves as the sixty (60) day notice requirement on behalf of the Physicians Committee for Responsible Medicine's intent to sue Outback for violations of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, California Health & Safety Code § 25249.6 (1986). Outback has failed to warn consumers that it is exposing them to compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLMIDAZO[4,5-*b*]PYRIDINE.

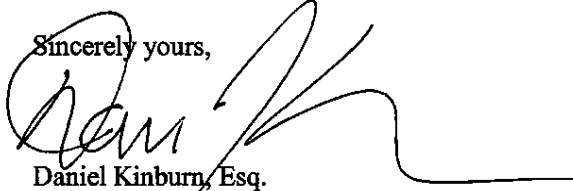
For the last several months, Outback has been exposing its customers to consumer product exposure of PhIP by ingestion. PhIP is listed on the Governor's List of chemicals that are known to the State of California to cause cancer, or birth defects or other reproductive harm, and Outback is therefore required to warn customers of a risk of exposure. The following products on your menu have been laboratory tested and proven to contain high levels of PhIP:

Location	Product Sampled	Ng/g
Outback Burbank 1761 N. Victory Place Burbank, CA 91504	Chicken on the Barbie	1.71
Outback Torrance 21880 Hawthorne Blvd. Torrance, CA 90503	Chicken on the Barbie	14.7
Outback Buena Park 7575 Beach Blvd. Buena Park, CA 90622	Chicken on the Barbie	10.2
Outback Vacaville 521 Davis St. Vacaville, CA 95688	Chicken on the Barbie	6.14
Outback Howe Avenue 1340 Howe Ave. Sacramento, CA 95825	Chicken on the Barbie	1.17
Outback Oceanside 2485 Vista Way Oceanside, CA 92054	Chicken on the Barbie	3.05
Outback Oceanside 2485 Vista Way Oceanside, CA 92054	Chicken on the Barbie	5.73
Outback Fremont 5525 Stevenson Blvd. Fremont, CA 94538	Chicken on the Barbie	6.04
Outback Almaden 694 Blossom Hill Rd. San Jose, CA 95123	Chicken on the Barbie	10.8

Outback Milpitas 124 Great Mall Dr. Milpitas, CA 95035	Chicken on the Barbie	5.61
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In accordance with California Code of Regulations, Title 22, section 12903, I am enclosing a Certificate of Merit outlining the basis of our complaint and a Summary of Proposition 65.

Sincerely yours,



Daniel Kinburn, Esq.

DK:jk

cc: Office of the Attorney General of the State of California
Offices of the District Attorneys of the Counties of the State of California
Office of the District Attorney of the City of San Diego
Office of the District Attorney of the City of San Francisco
Office of the District Attorney of the City of Los Angeles
Office of the District Attorney of the City of San Jose

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

I, Daniel Kinburn, 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.

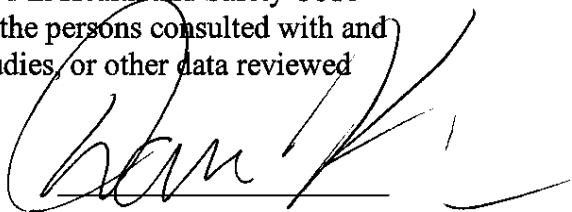
(2) I am the attorney for the noticing party.

(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 exposure to the listed chemical that is the subject of the action.

(4) Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute.

(5) The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: April 27, 2006



(Signature)