

May 16, 2007

**Via Certified Mail**

Debra Fine, CEO  
Small World Kids, Inc.  
5711 Buckingham Pkwy.  
Culver City, California 90230

Small World Kids, Inc.  
c/o David Ficksman  
Agent for Service of Process  
1801 Century Park East, Suite 1600  
Los Angeles, California 90067

**60-DAY NOTICE OF INTENT TO SUE  
FOR VIOLATIONS OF PROPOSITION 65**

Dear Ms. Fine:

This letter constitutes notice that **Small World Kids, Inc.** has violated and continues to violate California's Safe Drinking Water and Toxic Enforcement Act of 1986 (Health & Safety Code § 25249.5 *et seq.*, commonly known as Proposition 65).

**(1) General Information.**

For general information regarding Proposition 65, please see the attached Appendix A, entitled, "The California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary," which was prepared by the Office of Environmental Health Hazard Assessment of the California Environmental Protection Agency. (A copy is not provided to the public enforcement agencies which receive copies of this notice.) 22 California Code of Regulations § 12903(b)(1).

**(2) Description of Violations.**



**Figure 1.**

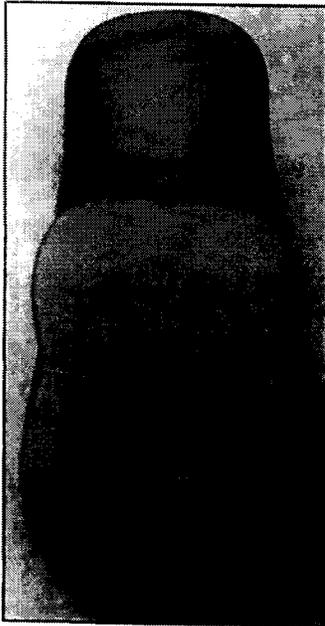
**Alleged Violator:** Small World Kids, Inc.

**Consumer Product:** IQ Baby Just Animals! (See Figure 1.)

**Listed Chemicals Involved in Alleged Violations:** Di(2-ethylhexyl)phthalate (DEHP), CAS No. 117-81-7, and Di-*n*-butyl phthalate (DBP), CAS No. 84-74-2.

**Time Period of Violations:** With respect to DEHP, from at least October 25, 2004 to the present day. For DBP, from December 3, 2006 to the present day.

**Route of Exposure:** Ingestion and dermal contact.



**Figure 2.**

**Nature of Alleged Violations:** IQ Baby is a proprietary brand name of Small World Kids, Inc. On its website Small World Kids, Inc. describes the IQ Baby brand as "Infant toys that invite exploration, encourage discovery and reward development in the critical years from birth through toddlerhood... [f]or ages 0-36 months."

IQ Baby Just Animals! is a collection of soft plastic toy animals, including a hippo, elephant, pig, lion and other animals. Small World Kids, Inc. suggests on its website: "Fill the tub with animals! All are soft, vanilla-scented, washable, squeezable and squeakable." Printed on the bottom of the animal toys are the words: "No Phthalate." (See Figure 2.)

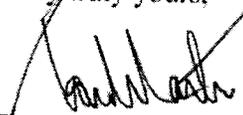
Without receiving clear and reasonable warnings (as required by Proposition 65), California consumers purchase IQ Baby Just Animals! for their children, who, in turn, by mouthing, touching, and playing with the toys, ingest and come into skin contact with DEHP and DBP, chemicals known to the State of California to cause cancer and/or reproductive toxicity.

**Noticing Individual:** This Notice is provided by Robyn McCool-Lord, who is a California citizen and mother and who has an interest in protecting the public, especially children, from health hazards posed by toxic chemicals. All inquiries about this Notice can be directed to Ms. McCool-Lord at the following address and telephone number:

Robyn McCool-Lord  
c/o Thomas G. Martin, Esq.  
Law Office of Thomas Glenn Martin  
One World Trade Center, Suite 800  
Long Beach, California 90831  
Telephone: (562) 208-9088  
Facsimile: (562) 684-0882

Pursuant to Health and Safety Code § 25249.7(d), the Noticing Individual intends to bring suit in the public interest against the Alleged Violator sixty (60) days hereafter to correct the violations occasioned by the failure to warn of exposures to listed chemicals.

Very truly yours,

  
Thomas G. Martin

Enclosures

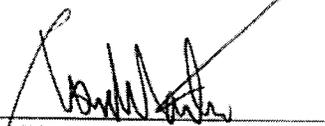
## CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

I, Thomas G. Martin, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice 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 an 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 plaintiff's 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: May 16, 2007

  
Thomas G. Martin

**CERTIFICATE OF SERVICE**

I, Thomas G. Martin, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am over the age of eighteen years and not a party to this action. My business address is: One World Trade Center, Suite 800, Long Beach, CA 90831.

On May 16, 2007, I served the following documents:

**60-DAY NOTICE OF INTENT TO SUE FOR VIOLATIONS OF PROPOSITION 65;**

**APPENDIX A. THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (NOT SERVED ON PUBLIC ENFORCERS);**

**CERTIFICATE OF MERIT; AND**

**CERTIFICATE OF MERIT ATTACHMENTS (SERVED ONLY ON THE ATTORNEY GENERAL)**

on the alleged violator listed below via First Class Certified Mail by placing a true copy thereof, addressed as set forth below, enclosed in a sealed envelope with postage fully prepaid and providing such to a United States Postal Service Representative:

Debra Fine, CEO  
Small World Kids, Inc.  
5711 Buckingham Pkwy.  
Culver City, California 90230

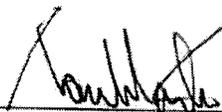
Small World Kids, Inc.  
c/o David Ficksman  
Agent for Service of Process  
1801 Century Park East, Suite 1600  
Los Angeles, California 90067

as well as providing copies of the notice to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to each party listed below, and served as follows:

<i>Via Priority Mail by providing such envelope, postage fully prepaid to a U.S Postal Service Representative:</i>	The Attorney General of the State of California
<i>Via First Class Mail by providing each envelope, postage fully prepaid to a U.S Postal Service Representative:</i>	The District Attorney for each of the 58 counties in the State of California, and  The City Attorney for Los Angeles, San Diego, San Jose, San Francisco and Sacramento.

*A service list of addresses for each of these public enforcer recipients is attached.*

Executed on May 16, 2007 in Long Beach, California.

  
\_\_\_\_\_  
Thomas G. Martin

## SERVICE LIST

The Honorable Tom Orloff  
Alameda County District Attorney  
1225 Fallon Street, Room 900  
Oakland, CA 94612

The Honorable William Richmond  
Alpine County District Attorney  
270 Laramie Street, PO BOX 248  
Markleeville, CA 96120

The Honorable Todd Riebe  
Amador County District Attorney  
708 Court Street, #202  
Jackson CA 95642

The Honorable Michael Rarnsey  
Butte County District Attorney  
25 County Center Drive,  
Administration Building  
Orville, CA 95965

The Honorable Jeffrey Tuttle  
Calaveras County District Attorney  
891 Mountain Ranch Road  
San Andreas CA 95249

The Honorable John R. Poyner  
Colusa County District Attorney  
547 Market Street  
Colusa, CA 95932

The Honorable Robert J. Kochly  
Contra Costa County District Attorney  
725 Court Street, 4th Floor, Rm. 402  
Martinez, CA 94553

The Honorable Michael Riese  
Del Norte County District Attorney  
450 H Street  
Crescent City, CA 95531

The Honorable Gary Lacy  
El Dorado County District Attorney  
515 Main Street  
Placerville, CA 95667

The Honorable Elizabeth Egan  
Fresno County District Attorney  
2220 Tulare Street, #1000  
Fresno, CA 93721

The Honorable Robert Holzapfel  
Glenn County District Attorney  
540 West Sycamore  
Willows, CA 95988

The Honorable Paul Gallegos  
Humboldt County District Attorney  
825 5th Street  
Eureka, CA 95501

The Honorable Gilbert Otero  
Imperial County District Attorney  
939 West Main Street  
El Centro, CA 92243

The Honorable Arthur Maillet  
Inyo County District Attorney  
PO Drawer D  
Independence, CA 93526

The Honorable Edward R. Jagels  
Kern County District Attorney  
1215 Truxtun Avenue  
Bakersfield, CA 93301

The Honorable Ronald Calhoun  
Kings County District Attorney  
1400 West Lacey Boulevard  
Hanford, CA 93230

The Honorable Gerhard Luck  
Lake County District Attorney  
255 North Forbes Street  
Lakeport, CA 95453

The Honorable Robert Burns  
Lassen County District Attorney  
220 S. Lassen Street, Ste. 8  
Susanville, CA 96130

The Honorable Steve Cooley  
Los Angeles County District Attorney  
210 West Temple Street  
Los Angeles, CA 90012

The Honorable Ernest LiCalsi  
Madera County District Attorney  
209 West Yosemite Avenue  
Madera, CA 93637

The Honorable Edward Berberian  
Marin County District Attorney  
3501 Civic Center Drive, Room 130  
San Rafael, CA 94903

The Honorable Robert Brown  
Mariposa County District Attorney  
5101 Jones Street, P.O. Box 730  
Mariposa, CA 95338

The Honorable Norman Vroman  
Mendocino County District Attorney  
100 North State Street, G-10  
Ukiah, CA 95482

The Honorable Gordon Spencer  
Merced County District Attorney  
2222 M Street  
Merced, CA 95340

The Honorable Jordan Funk  
Modoc County District Attorney  
204 S. Court Street, Room 202  
Alturas, CA 96101

The Honorable George Booth  
Mono County District Attorney  
Old Court House, Main Street  
Bridgeport, CA 93517

The Honorable Dean Flippo  
Monterey County District Attorney  
240 Church Street, #101  
Salinas, CA 93901

The Honorable Gary Lieberstein  
Napa County District Attorney  
931 Parkway Mall  
Napa, CA 94559

The Honorable Michael Ferguson  
Nevada County District Attorney  
201 Church Street, Suite 8  
Nevada City, CA 95959

The Honorable Tony Rackauckas  
Orange County District Attorney  
401 Civic Center Drive West  
Santa Ana, CA 92701

The Honorable Bradford Fenocchio  
Placer County District Attorney  
11562 B Avenue  
Auburn, CA 95603

The Honorable Jeff Cunan  
Plumas County District Attorney  
520 Main Street, Room 404  
Quincy, CA 95971

The Honorable Grover Trask II  
Riverside County District Attorney  
4075 Main Street  
Riverside, CA 92501

The Honorable Jan Scully  
Sacramento County District Attorney  
901 G Street  
Sacramento, CA 95814

The Honorable John Sarsfield  
San Benito County District Attorney  
419 4th Street, Second Floor  
Hollister, CA 95203

The Honorable Michael Ramos  
San Bernardino County District Attorney  
316 N. Mountain View Avenue  
San Bernardino, CA 92415

The Honorable Bonnie Dumanis  
San Diego County District Attorney  
330 W. Broadway Street, Suite 1320  
San Diego, CA 92101

The Honorable Kamala Harris  
San Francisco County District Attorney  
850 Bryant Street, Room 325  
San Francisco, CA 94103

The Honorable James Willett  
San Joaquin County District Attorney  
222 E. Weber Avenue  
2<sup>nd</sup> Floor, Room 202  
Stockton, CA 95201

The Honorable Gerald Shea  
San Luis Obispo County District Attorney  
1050 Monterey Street, Room 450  
San Luis Obispo, CA 93408

The Honorable James Fox  
San Mateo County District Attorney  
400 County Center, Third Floor  
Redwood City, CA 94063

The Honorable Thomas Sneddon, Jr.  
Santa Barbara County District Attorney  
1112 Santa Barbara Street  
Santa Barbara, CA 93101

The Honorable George Kennedy  
Santa Clara County District Attorney  
70 West Hedding Street, West Wing  
San Jose, CA 95110

The Honorable Bob Lee  
Santa Cruz County District Attorney  
701 Ocean Street, Room 200  
Santa Cruz, CA 95060

The Honorable Gerald Benito  
Shasta County District Attorney  
1525 Court Street, Third Floor  
Redding, CA 96001

The Honorable Lawrence Allen  
Sierra County District Attorney  
100 Courthouse Square, Second Floor  
Downieville, CA 95936

The Honorable James Andrus  
Siskiyou County District Attorney  
311 4th Street  
Yreka, CA 96097

The Honorable David Paulson  
Solano County District Attorney  
675 Texas Street, Suite 4500  
Fairfield, CA 94533

The Honorable Stephan Passalacqua  
Sonoma County District Attorney  
600 Administration Drive, Room 212J  
Santa Rosa, CA 95403

The Honorable Carol Shipley  
Stanislaus County District Attorney  
800 11th Street, Room 200  
Modesto, CA 95353

The Honorable Carl Adams  
Sutter County District Attorney  
446 Second Street  
Yuba City, CA 95991

The Honorable Gregg Cohen  
Tehama County District Attorney  
PO Box 519  
Red Bluff, CA 96080

The Honorable Michael B. Harper  
Trinity County District Attorney  
PO Box 310  
Weaverville, CA 96093

The Honorable Phillip Cline  
Tulare County District Attorney  
221 South Mooney Boulevard, Suite 224  
Visalia, CA 93291

The Honorable Donald Segerstrom, Jr.  
Tuolumne County District Attorney  
2 South Green Street  
Sonora, CA 95370

The Honorable Gregory Totten  
Ventura County District Attorney  
800 South Victoria Avenue  
Ventura, CA 93009

The Honorable David C. Henderson  
Yolo County District Attorney  
301 Second Street  
Woodland, CA 95695

The Honorable Patrick McGrath  
Yuba County District Attorney  
215 Fifth Street  
Marysville, CA 95901

The Honorable Rockard Delgadillo  
City Attorney, Los Angeles  
200 North Main Street  
Los Angeles, CA 90012

The Honorable Michael Aguirre  
City Attorney, San Diego  
1200 Third Avenue, Suite 1620  
San Diego, CA 92101

The Honorable Samuel Jackson  
City Attorney, Sacramento  
915 I Street, 4th Floor  
Sacramento, CA 95814

The Honorable Dennis J. Herrera  
City Attorney, San Francisco  
City Hall, Room 234  
San Francisco, CA 94102

The Honorable Richard Doyle  
City Attorney, San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

Office of the California Attorney General  
Proposition 65 Enforcement Reporting  
ATTN: Prop 65 Coordinator  
1515 Clay Street, Suite 2000  
Oakland, CA 94612-0550