



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

June 28, 2007

DANIEL KINBURN

Associate General Counsel

Direct Number: (202) 686-2210 ext. 308

Direct Fax: (202) 686-2155

E-Mail: DKinburn@pcrm.org

Attorney General
Proposition 65 Enforcement Reporting
Attention: Prop. 65 Coordinator
1515 Clay Street, Suite 2000
Oakland, California 94612

Re: Notice of Violations of Proposition 65

This letter serves as a sixty day notice by the Physicians Committee for Responsible Medicine (PCRM) of its intent to sue Applebee's International, Inc. (Applebee's); Burger King Corporation (Burger King); Brinker International, Inc., owners of Chili's Grill & Bar (Chili's); Chick-fil-A, Inc. (Chick-fil-A); McDonald's Corporation (McDonald's); OSI Restaurant Partners, Inc., owners of Outback Steakhouse (Outback); and TGI Friday's, Inc. (TGI Friday's), a wholly owned subsidiary of Carlson Restaurants Worldwide, Inc., for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Cal. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. Ca. Health & Safety Code § 25249.7; 22 CCR § 12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Applebee's, Burger King, Chick-fil-A, Chili's, McDonald's, Outback, and TGI Friday's (collectively "Defendants") have knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLIMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from Defendants' food service establishments without Defendants first giving clear and reasonable warning to consumers of the significant health risk they face. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity. The Defendants were required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. See Ca. Health & Safety Code § 25249.8, and s25249.10.

From the time each of the Defendants began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Defendants have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which the specifically named grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment. The products in Attachment A represent a random sampling of grilled chicken products offered by Defendants at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Defendants at all California locations. All Defendants received this information with respect to their particular restaurant chains. **Any information regarding PhIP levels at restaurant chains other than those of a particular Defendant should not be released by your office to that Defendant, except in the course of litigation brought by your office.** All California District Attorneys and Attorneys for towns of over 750,000 each received the information regarding all Defendants.

In accordance with Ca. Health & Safety Code § 25249.7, a Certificate of Merit, Attachment B, was provided to all Defendants and all other public prosecutors. Factual information sufficient to establish the basis of the certificate of merit is separately filed in a sealed envelope that is confidential. PCRMC has not served this information to any potential Defendant or any of the other public prosecutors. **This supporting information is considered confidential and should not be disclosed to any Defendant, posted on any Web site or link of the Attorney General, nor publicly provided in any form, except in strict accordance with CA HLTH & S 25249.7(h).** The information may be provided to any other public prosecutor upon request, in accordance with the requirements of Ca. Health & Safety Code §25249.7(i).

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors. Attached to the Certificate of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant.

Attached to the Proof of Service at 2 is a list of all public prosecutors other than the Attorney General, who were served, along with a sample copy of the letter they received. All public prosecutors identified in attachment 2 received the same letter, and the enclosed attachments. A copy of this letter is attached to the copies of the Proof of Service for Defendants and other public prosecutors as their attachment 3.

No summary of Proposition 65 is being served on any public prosecutor as 22CCR § 12903 provides that such service is unnecessary.

Sincerely yours,



Daniel Kinburn, Esq.
Attachments

ATTACHMENT “A”

Attachment A

Location	Product Sampled	Ng/g
Applebee's Alhambra store 21 E. Main St. Alhambra, CA 91801	Grilled Italian Chicken Caesar Salad	9.03
Applebee's Alhambra store 21 E. Main St. Alhambra, CA 91801	Honey Grilled Chicken	10.0
Applebee's Montebello store 1493 N. Montebello Blvd. Montebello, CA 90640	Grilled Italian Chicken Caesar Salad	10.4
Applebee's Montebello store 1493 N. Montebello Blvd. Montebello, CA 90640	Honey Grilled Chicken	6.96
Applebee's Natomas store 3601 Truxel Rd. Sacramento, CA 95833	Grilled Italian Chicken Caesar Salad	3.04
Applebee's Natomas store 3601 Truxel Rd. Sacramento, CA 95833	Honey Grilled Chicken	4.42
Applebee's Roseville store 6700 Stanford Ranch Road Sacramento, CA 95678	Grilled Italian Chicken Caesar Salad	11.6
Applebee's Roseville store 6700 Stanford Ranch Road Sacramento, CA 95678	Honey Grilled Chicken	20.0
Applebee's San Marcos store 573 Grand Ave. San Marcos, CA 92069	Grilled Italian Chicken Caesar Salad	0.73
Applebee's San Marcos store 573 Grand Ave. San Marcos, CA 92069	Honey Grilled Chicken	17.7
Applebee's Oceanside store 2146 Vista Way Oceanside, CA 92054	Grilled Italian Chicken Caesar Salad	2.06
Applebee's Oceanside store 2146 Vista Way Oceanside, CA 92054	Honey Grilled Chicken	5.84
Applebee's Union City store 30980 Dyer St. Union City, CA 95487	Grilled Italian Chicken Caesar Salad	0.27
Applebee's Union City store 30980 Dyer St. Union City, CA 95487	Honey Grilled Chicken	0.31
Applebee's Fremont store 39139 Farwell Dr.	Grilled Italian Chicken Caesar Salad	10.3

Location	Product Sampled	Ng/g
Fremont, CA 94538		
Applebee's Fremont store 39139 Farwell Dr. Fremont, CA 94538	Honey Grilled Chicken	10.9
Applebee's Milpitas store 84 Ranch Drive Milpitas, CA 95035	Grilled Italian Chicken Caesar Salad	7.23
Applebee's Milpitas store 84 Ranch Drive Milpitas, CA 95035	Honey Grilled Chicken	5.07
Applebee's Saratoga store 555 Saratoga Ave. San Jose, CA 95129	Grilled Italian Chicken Caesar Salad	10.8
Applebee's Saratoga store 555 Saratoga Ave. San Jose, CA 95129	Honey Grilled Chicken	5.77

Location	Product Sampled	Ng/g
Burger King 9772 13221 Jamboree Tustin, CA 92782	Tendergrill Chicken Sandwich	0.32
Burger King 5596 7079 Sunset Blvd. Hollywood, CA 92782	Tendergrill Chicken Sandwich	0.14
Burger King 9218 1742 S. La Cienega Los Angeles, CA 90035	Tendergrill Chicken Sandwich	0.20
Burger King 7469 2714 El Centro Road Sacramento, CA 95833	Tendergrill Chicken Sandwich	0.49
Burger King 11790 6000 J Street, Student Union Building, CSUS Sacramento, CA 95819	Tendergrill Chicken Sandwich	0.43
Burger King 11790 6000 J Street, Student Union Building, CSUS Sacramento, CA 95819	Tendergrill Chicken Sandwich	0.15
Burger King 5245 5245 Mowry Ave. Fremont, CA 94538	Tendergrill Chicken Sandwich	0.17
Burger King 3788 1801 Decoto R. Union City, CA 94587	Tendergrill Chicken Sandwich	0.39
Burger King 5147 39156 Paseo Padre Pkwy. Fremont, CA 94538	Tendergrill Chicken Sandwich	0.09
Burger King 3546 261 Race Street San Jose, CA 95126	Tendergrill Chicken Sandwich	0.15

Location	Product Sampled	Ng/g
Chick-fil-A South Bay Galleria 1815 Hawthorne Boulevard Redondo Beach, CA 90278	Chargrilled Sandwich	0.63
Chick-fil-a Los Cerritos Center 123 Los Cerritos Center Cerritos, CA 90703	Chargrilled Sandwich	0.28
Chick-fil-a Del Amo Fashion Center 3 Del Amo Fashion Center Torrance, CA 90503	Chargrilled Sandwich	1.10
Chick-fil-a Chino Hills FSU 3640 Grand Avenue Chino Hills, CA 91709	Chargrilled Sandwich	0.16
Chick-fil-a Bristol & MacArthur 3601 S. Bristol Street Santa Ana, CA 92704	Chargrilled Sandwich	0.22
Chick-fil-a The Market Place FSU 13490 Jamboree Road Irvine, CA 92602	Chargrilled Sandwich	0.48
Chick-fil-a Pleasant Grove FSU 912 Pleasant Grove Blvd. Roseville, CA 95678	Chargrilled Sandwich	0.15
Chick-fil-a Westfield Shoppingtown Solano 1350 Travis Blvd. Fairfield, CA 94533	Chargrilled Sandwich	0.18
Chick-fil-a Eastlake Terraces FSU 2089 Olympic Parkway Chula Vista, CA 91915	Chargrilled Sandwich	0.3
Chick-fil-a Quarry Creek FSU 3475 Marron Road Oceanside, CA 92056	Chargrilled Sandwich	0.09

Location	Product Sampled	Ng/g
Chili's Chino Hills 3670 Grand Ave. Chino Hills, CA 91709	Grilled Caribbean Chicken Salad	1.31
Chili's Chino Hills 3670 Grand Ave. Chino Hills, CA 91709	Guiltless Chicken Platter	0.75
Chili's Torrance 21835 Hawthorne Blvd. Torrance, CA 90503	Grilled Caribbean Chicken Salad	0.29
Chili's Torrance 21835 Hawthorne Blvd. Torrance, CA 90503	Guiltless Chicken Platter	0.87
Chili's Sacramento 2100 Ardenway, Ste. 185 Sacramento, CA 95825	Grilled Caribbean Chicken Salad	0.90
Chili's Sacramento 2100 Ardenway, Ste. 185 Sacramento, CA 95825	Guiltless Chicken Platter	1.20
Chili's Sacramento 2100 Ardenway, Ste. 185 Sacramento, CA 95825	Grilled Caribbean Chicken Salad	0.77
Chili's Sacramento 2100 Ardenway, Ste. 185 Sacramento, CA 95825	Guiltless Chicken Platter	0.70
Chili's Encinitas 1004 N. El Camino Real Encinitas, CA 92024	Grilled Caribbean Chicken Salad	0.24
Chili's Encinitas 1004 N. El Camino Real Encinitas, CA 92024	Guiltless Chicken Platter	0.73
Chili's Oceanside 2627 Vista Way Oceanside, CA 92054	Grilled Caribbean Chicken Salad	8.83
Chili's Oceanside 2627 Vista Way Oceanside, CA 92054	Guiltless Chicken Platter	2.30
Chili's Union City 32120 Dyer St. Union City, CA 94587	Grilled Caribbean Chicken Salad	0.13
Chili's Union City 32120 Dyer St. Union City, CA 94587	Guiltless Chicken Platter	2.86
Chili's Fremont 39131 Fremont Blvd. Fremont, CA 94538	Grilled Caribbean Chicken Salad	0.24
Chili's Fremont	Guiltless Chicken Platter	0.72

Location	Product Sampled	Ng/g
39131 Fremont Blvd. Fremont, CA 94538		
Chili's Blossom Hill 5650 Almaden Expwy. San Jose, CA 91558	Grilled Caribbean Chicken Salad	7.01
Chili's Blossom Hill 5650 Almaden Expwy. San Jose, CA 91558	Guiltless Chicken Platter	0.52
Chili's Santa Clara 3591 El Camino Real Santa Clara, CA 95051	Grilled Caribbean Chicken Salad	0.54
Chili's Santa Clara 3591 El Camino Real Santa Clara, CA 95051	Guiltless Chicken Platter	0.20

Location	Product Sampled	Ng/g
McDonald's Burbank 1127 North San Fernando Blvd Burbank, CA 91504	Caesar Salad with Grilled Chicken	0.31
McDonald's Los Angeles 6345 Wilshire Blvd Los Angeles, CA 90048	Caesar Salad with Grilled Chicken	0.36
McDonald's Montebello 2020 West Beverly Blvd Montebello, CA 90640	Caesar Salad with Grilled Chicken	0.34
McDonald's Sacramento 200 Richards Blvd. Sacramento, CA 95814	Caesar Salad with Grilled Chicken	0.32
McDonald's Vacaville 541 Davis St Vacaville, CA 95688	Caesar Salad with Grilled Chicken	0.12
McDonald's Encinitas 1064 N. El Camino Real Encinitas, CA 92024	Caesar Salad with Grilled Chicken	1.23
McDonald's Encinitas 1271 Encinitas Blvd. Encinitas, CA 92024	Caesar Salad with Grilled Chicken	0.08
McDonald's Fremont 38860 Fremont Blvd. Fremont, CA 94536	Caesar Salad with Grilled Chicken	0.50
McDonald's Fremont 4318 Thornton Ave. Fremont, CA 94536	Caesar Salad with Grilled Chicken	0.40
McDonald's San Jose 2040 N 1 st St San Jose, CA 95131	Caesar Salad with Grilled Chicken	0.14

Location	Product Sampled	Ng/g
Outback Burbank 1761 N. Victory Place Burbank, CA 91504	Chicken on the Barbie	1.71
Outback Torrence 21880 Hawthorne Blvd. Torrence, 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

Location	Product Sampled	Ng/g
TGI Friday's Knott's Berry Farm 8039 Beach Blvd Buena Park, CA 90620	Cobb Salad with Grilled Chicken	30.6
TGI Friday's Knott's Berry Farm 8039 Beach Blvd Buena Park, CA 90620	Grilled Chicken Flavor Shots	17.5
TGI Friday's Cerritos 12721 Towne Center Dr. Cerritos, CA 90703	Cobb Salad with Grilled Chicken	43.2
TGI Friday's Cerritos 12721 Towne Center Dr. Cerritos, CA 90703	Grilled Chicken Flavor Shots	11.3
TGI Friday's Torrance 23420 Hawthorne Blvd. Torrance, CA 90505	Cobb Salad with Grilled Chicken	19.2
TGI Friday's Torrance 23420 Hawthorne Blvd. Torrance, CA 90505	Grilled Chicken Flavor Shots	3.65
TGI Friday's Sacramento 1229 Howe Ave. Sacramento, CA 95825	Cobb Salad with Grilled Chicken	12.0
TGI Friday's Sacramento 1229 Howe Ave. Sacramento, CA 95825	Grilled Chicken Flavor Shots	8.58
TGI Friday's Roseville 1168 Galleria Blvd. Roseville, CA 95678	Cobb Salad with Grilled Chicken	5.69
TGI Friday's Roseville 1168 Galleria Blvd. Roseville, CA 95678	Grilled Chicken Flavor Shots	9.38
TGI Friday's San Diego Gaslamp 403 Camino Del Rio San Diego, CA 92010	Cobb Salad with Grilled Chicken	3.77
TGI Friday's San Diego Gaslamp 403 Camino Del Rio San Diego, CA 92010	Grilled Chicken Flavor Shots	19.9
TGI Friday's Carlsbad 890 Palomar Airport Rd. Carlsbad, CA 92008	Cobb Salad with Grilled Chicken	9.93
TGI Friday's Carlsbad 890 Palomar Airport Rd. Carlsbad, CA 92008	Grilled Chicken Flavor Shots	15.2
TGI Friday's Pleasanton 3999 Santa Rita Rd. Pleasanton, CA 94588	Cobb Salad with Grilled Chicken	41.5
TGI Friday's Pleasanton	Grilled Chicken Flavor Shots	16.1

Location	Product Sampled	Ng/g
3999 Santa Rita Rd. Pleasanton, CA 94588		
TGI Friday's Union City 31900 Dyer St. Union City, CA 94587	Cobb Salad with Grilled Chicken	10.5
TGI Friday's Union City 31900 Dyer St. Union City, CA 94587	Grilled Chicken Flavor Shots	16.1
TGI Friday's Cupertino 10343 N. Wolfe Rd. Cupertino, CA 95014	Cobb Salad with Grilled Chicken	6.75
TGI Friday's Cupertino 10343 N. Wolfe Rd. Cupertino, CA 95014	Grilled Chicken Flavor Shots	1.15

ATTACHMENT “B”

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: June 28, 2007



1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **LETTER DATED JUNE 28, 2007 RE: NOTICE OF VIOLATION OF**
6 **PROPOSITION 65**

7 [] by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 [X] by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

15 [] by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 [] by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 [] by causing personal delivery by First Legal Support Services, 1511 West Beverly
21 Boulevard, Los Angeles, California 90026 of the document(s) listed above to the
person(s) at the address(es) set forth below.

22 Attorney General
23 Proposition 65 Enforcement Reporting
24 Attention: Prop. 65 Coordinator
1515 Clay Street, Suite 2000
Oakland, California 94612

25 I declare under penalty of perjury under the laws of the State of California that the above
is true and correct. Executed on June 28, 2007.

26 
27 LINDA POMATTO
28

ATTACHMENT “1”

Intended Defendants - Notice Supplement

COMPANY	TITLE	NAME	FIRST NAME	LAST NAME	STREET ADDRESS1	CITY	STATE	ZIP	PHONE
McDonald's Corporation	President, North America	Ralph Alvarez	Ralph	Alvarez	2111 McDonald's Dr	Oak Brook	IL	60523	800-244-6227
McDonald's Corporation	General Counsel, Corporate Secretary	Gloria Santona	Gloria	Santona	2111 McDonald's Dr	Oak Brook	IL	60523	800-244-6227
The Prentice-Hall Corporation System, Inc.	California Agent for McDonald's Corporation				PO Box 526036	Sacramento	CA	95852	
Burger King Corporation	CEO	John W. Chidsey	John	Chidsey	5505 Blue Lagoon Drive	Miami	FL	33126	305-378-3000
Burger King Corporation	General Counsel and Corporate Secretary	Anne Chwat	Anne	Chwat	5505 Blue Lagoon Drive	Miami	FL	33126	305-378-3000
CT Corporation System	Chairman of the Board, Chief Executive Officer and President	Douglas H. Brooks	Douglas	Brooks	818 West Seventh Street	Los Angeles		90017	
Chili's Grill & Bar / Brinker International, Inc.	Executive Vice President and President and President, Chili's Grill & Bar	Todd E. Diener	Todd	Diener	6820 LBJ Freeway	Dallas	TX	75240	(972) 980-9917
Chili's Grill & Bar / Brinker International, Inc.	Executive Vice President, Chief Administrative Officer, General Counsel and Secretary	Roger F. Thomson	Roger	Thomson	6820 LBJ Freeway	Dallas	TX	75240	(972) 980-9917
The Prentice-Hall Corporation System, Inc.	California Agent for Chili's Grill & Bar				PO BOX 526036	Sacramento	CA	95852	
Outback Steakhouse / OSI Restaurant Partners, Inc.	Chief Executive Officer	A. William Allen, III	William	Allen	2202 N. West Shore Blvd Suite 500	Tampa	FL	33607	(813) 282-1224
Outback Steakhouse / OSI Restaurant Partners, Inc.	President, Outback Steakhouse	Jeff Smith	Jeff	Smith	2202 N. West Shore Blvd Suite 500	Tampa	FL	33607	(813) 282-1224
Outback Steakhouse / OSI Restaurant Partners, Inc.	Executive Vice President, Chief Officer - Legal and Corporate Affairs	Joseph T. Kadow	Joseph	Kadow	2202 N. West Shore Blvd Suite 500	Tampa	FL	33607	(813) 282-1224
CT Corporation System	California Agent for OSI Restaurant Partners, Inc.				818 West Seventh Street	Los Angeles	CA	90017	
TGI FRIDAY'S Inc. / Carlson Restaurants Worldwide, Inc.	President and Chief Executive Officer, Carlson Restaurants Worldwide	Richard T. Sneed	Richard	Sneed	701 Carlson Parkway	Minnetonka	MN	55305	972-662-5400
TGI FRIDAY'S Inc. / Carlson Restaurants Worldwide, Inc.	Executive Vice President and COO, T.G.I. Friday's U.S.A	Mike Archer	Mike	Archer	4201 Marsh Lane	Carrollton	TX	75007	972-662-5400
TGI FRIDAY'S Inc. / Carlson Restaurants Worldwide, Inc.	Senior Vice President, Corporate Secretary and General Counsel, Carlson Restaurants Worldwide	Leslie Sharman	Leslie	Sharman	701 Carlson Parkway	Minnetonka	MN	55305	972-662-5400
CSC Lawyers Incorporating Service	California Agent for TGI Friday's, Inc.				PO BOX 526036	Sacramento	CA	95852	
Chick-fil-A, Inc.	President and Chief Operating Officer	Dan T. Cathy	Dan	Cathy	5200 Buffington Road	Atlanta	GA	30349	972-980-9917
Chick-fil-A, Inc.	Senior Vice President, Real Estate and General Counsel	Bureon E. Ledbetter, Jr.	Bureon	Ledbetter	5200 Buffington Road	Atlanta	GA	30349	972-980-9917
CT Corporation System	California Agent for Chick-fil-A, Inc.				818 West Seventh Street	Los Angeles	CA	90017	
Applebee's International, Inc.	President and Chief Operating Officer	David Goebel	David	Goebel	4551 W. 107th Street	Overland Park	KS	66207	888-592-7753
Applebee's International, Inc.	Vice President, General Counsel and Secretary	Rebecca Tilden	Rebecca	Tilden	4551 W. 107th Street	Overland Park	KS	66207	888-592-7753



P H Y S I C I A N S
C O M M I T T E E
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DANIEL KINBURN
General Counsel
Direct Number: (202) 686-2210 ext. 308
Fax: (202) 686-2155
E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. Ralph Alvarez
President and Chief Operating Officer
McDonald's Corporation
One McDonald's Plaza
Oak Brook, IL 60523

Re: Notice of Violation of Proposition 65 to McDonald's Corporation

Dear Mr. Alvarez:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue McDonald's Corporation ("McDonald's") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because McDonald's has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and McDonald's was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. See CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that McDonald's began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, McDonald's establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which McDonald's grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all McDonald's locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by McDonald's at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by McDonald's at all California locations. McDonald's is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to McDonald's and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

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PROOF OF SERVICE

I, Linda Pomatto, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Richards, Watson & Gershon, 355 South Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

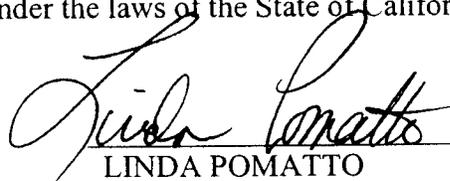
**NOTICE OF VIOLATION OF PROPOSITION 65 TO
McDONALD'S CORPORATION**

- by causing facsimile transmission of the document(s) listed above from (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this date before 5:00 P.M. This transmission was reported as complete and without error. A copy of the transmission report(s), which was properly issued by the transmitting facsimile machine, is attached. Service by facsimile has been made pursuant to a prior written agreement between the parties.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as set forth below. I am readily familiar with the firm's practice for collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing contained in this affidavit.
- by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery, or deposited in a box or other facility regularly maintained by , in an envelope or package designated by the express service carrier, with delivery fees paid or provided for, addressed to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Mr. Ralph Alvarez
President and Chief Operating Officer
McDonald's Corporation
One McDonald's Plaza
Oak Brook, IL 60523

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

Executed on June 28, 2007.


LINDA POMATTO

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN
General Counsel
Direct Number: (202) 686-2210 ext. 308
Fax: (202) 686-2155
E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. John W. Chidsey
Chief Executive Officer
Burger King Corporation
5505 Blue Lagoon Drive
Miami, FL 33126

Re: Notice of Violation of Proposition 65 to Burger King Corporation

Dear Mr. Chidsey:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue Burger King Corporation ("Burger King") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Burger King has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLIMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Burger King was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. *See* CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Burger King began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Burger King establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Burger King grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Burger King locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Burger King at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Burger King at all California locations. Burger King is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Burger King and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **NOTICE OF VIOLATION OF PROPOSITION 65 TO**
6 **BURGER KING CORPORATION**

7 [] by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 [X] by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

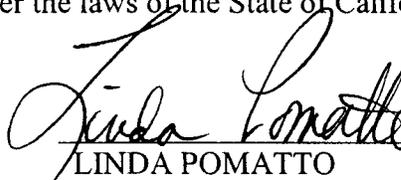
15 [] by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 [] by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Mr. John W. Chidsey
21 Chief Executive Officer
22 Burger King Corporation
5505 Blue Lagoon Drive
Miami, FL 33126

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

25 Executed on June 28, 2007.

26 
LINDA POMATTO

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN

General Counsel

Direct Number: (202) 686-2210 ext. 308

Fax: (202) 686-2155

E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. Douglas H. Brooks
Chairman of the Board,
Chief Executive Officer and President
Chili's Grill & Bar/Brinker International, Inc.
6820 LBJ Freeway
Dallas, TX 75240

Re: Notice of Violation of Proposition 65 to Chili's Grill & Bar/Brinker International, Inc.

Dear Mr. Brooks:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue Chili's Grill & Bar/Brinker International, Inc. ("Chili's") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Chili's has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Chili's was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. See CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Chili's began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Chili's establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Chili's grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Chili's locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Chili's at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Chili's at all California locations. Chili's is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Chili's and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

PROOF OF SERVICE

I, Linda Pomatto, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Richards, Watson & Gershon, 355 South Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

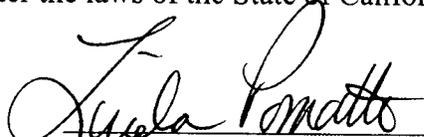
**NOTICE OF VIOLATION OF PROPOSITION 65 TO
CHILI'S GRILL & BAR/BRINKER INTERNATIONAL, INC.**

- by causing facsimile transmission of the document(s) listed above from (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this date before 5:00 P.M. This transmission was reported as complete and without error. A copy of the transmission report(s), which was properly issued by the transmitting facsimile machine, is attached. Service by facsimile has been made pursuant to a prior written agreement between the parties.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as set forth below. I am readily familiar with the firm's practice for collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing contained in this affidavit.
- by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery, or deposited in a box or other facility regularly maintained by , in an envelope or package designated by the express service carrier, with delivery fees paid or provided for, addressed to the person(s) at the address(es) set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Mr. Douglas H. Brooks
Chairman of the Board,
Chief Executive Officer and President
Chili's Grill & Bar/Brinker International, Inc.
6820 LBJ Freeway
Dallas, TX 75240

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

Executed on June 28, 2007.


LINDA POMATTO

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN

General Counsel

Direct Number: (202) 686-2210 ext. 308

Fax: (202) 686-2155

E-Mail: DKinburn@pcrm.org

June 23, 2007

Mr. A. William Allen, III
Chief Executive Officer
Outback Steakhouse/OSI Restaurant Partners, Inc.
2202 North West Shore Boulevard, Suite 500
Tampa, FL 33607

Re: Notice of Violation of Proposition 65 to Outback Steakhouse/OSI Restaurant Partners, Inc.

Dear Mr. Allen:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue Outback Steakhouse/OSI Restaurant Partners, Inc. ("Outback") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Outback has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLIMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Outback was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. *See* CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Outback began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Outback establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Outback grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Outback locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Outback at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Outback at all California locations. Outback is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Outback and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,

A handwritten signature in black ink, appearing to read "Daniel Kinburn".

Daniel Kinburn, Esq.

Attachments

1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **NOTICE OF VIOLATION OF PROPOSITION 65 TO**
6 **OUTBACK STEAKHOUSE/OSI RESTAURANT PARTNERS, INC.**

7 [] by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 [X] by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

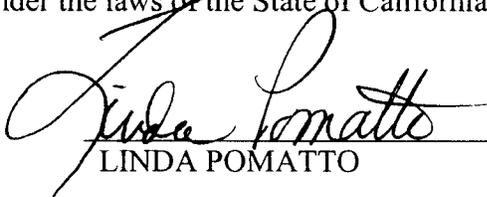
15 [] by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 [] by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Mr. A. William Allen, III
21 Chief Executive Officer
22 Outback Steakhouse/OSI Restaurant Partners, Inc.
2202 North West Shore Boulevard, Suite 500
Tampa, FL 33607

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

25 Executed on June 28, 2007.

26 
27 LINDA POMATTO
28

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN

General Counsel

Direct Number: (202) 686-2210 ext. 308

Fax: (202) 686-2155

E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. Richard T. Snead
President and Chief Executive Officer
TGI Friday's Inc./Carlson Restaurants Worldwide, Inc.
701 Carlson Parkway
Minnetonka, MN 55305

Re: Notice of Violation of Proposition 65 to TGI Friday's Inc./Carlson Restaurants Worldwide, Inc.

Dear Mr. Snead:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue TGI Friday's Inc./Carlson Restaurants Worldwide, Inc. ("Friday's") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Friday's has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Friday's was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. *See* CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Friday's began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Friday's establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Friday's grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Friday's locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Friday's at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Friday's at all California locations. Friday's is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Friday's and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **NOTICE OF VIOLATION OF PROPOSITION 65 TO**
6 **TGI FRIDAY'S INC./CARLSON RESTAURANTS WORLDWIDE, INC.**

7 [] by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 [X] by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

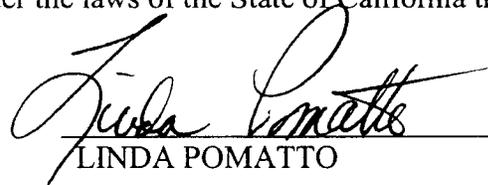
15 [] by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 [] by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Mr. Richard T. Snead
21 President and Chief Executive Officer
22 TGI Friday's Inc./Carlson Restaurants Worldwide, Inc.
701 Carlson Parkway
Minnetonka, MN 55305

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

25 Executed on June 28, 2007.

26 
LINDA POMATTO

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN
General Counsel
Direct Number: (202) 686-2210 ext. 308
Fax: (202) 686-2155
E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. Dan T. Cathy
President and Chief Operating Officer
Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349

Re: Notice of Violation of Proposition 65 to Chick-fil-A, Inc.

Dear Mr. Cathy:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue Chick-fil-A, Inc. ("Chick-fil-A") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Chick-fil-A has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Chick-fil-A was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. See CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Chick-fil-A began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Chick-fil-A establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Chick-fil-A grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Chick-fil-A locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Chick-fil-A at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Chick-fil-A at all California locations. Chick-fil-A is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Chick-fil-A and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **NOTICE OF VIOLATION OF PROPOSITION 65 TO**
6 **CHICK-FIL-A, INC.**

7 [] by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 [X] by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

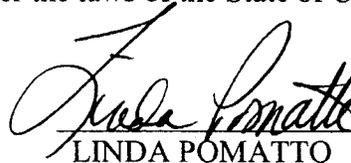
15 [] by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 [] by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Mr. Dan T. Cathy
21 President and Chief Operating Officer
22 Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349

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

25 Executed on June 28, 2007.

26 
27 LINDA POMATTO
28

**ATTACHMENTS AVAILABLE UPON
REQUEST**



P H Y S I C I A N S
C O M M I T T E E
F O R
R E S P O N S I B L E
M E D I C I N E

5100 WISCONSIN AVENUE, N.W., SUITE 400
WASHINGTON, DC 20016
T: (202) 686-2210 F: (202) 686-2216
PCRM@PCRM.ORG WWW.PCRM.ORG

DANIEL KINBURN

General Counsel

Direct Number: (202) 686-2210 ext. 308

Fax: (202) 686-2155

E-Mail: DKinburn@pcrm.org

June 28, 2007

Mr. David Goebel
President and Chief Executive Officer
Applebee's International, Inc.
4551 West 107th Street
Overland Park, KS 66207

Re: Notice of Violation of Proposition 65 to Applebee's International, Inc.

Dear Mr. Goebel:

The Physicians Committee for Responsible Medicine (PCRM) hereby gives notice of its intent to sue Applebee's International, Inc. ("Applebee's") for violations of Proposition 65, the California Safe Drinking Water and Toxic Enforcement Act of 1986, Ca. Health & Safety Code § 25249.6. This letter is sent in accordance with the notice requirements of that statute and implementing regulations. CA Health & Safety Code §25249.7; 22 CCR §12903.

I, Daniel Kinburn, am the responsible individual within the Physicians Committee for Responsible Medicine (PCRM), for purposes of this notice and the intended lawsuit. My contact information is set forth above. In addition, PCRM has retained California counsel in this matter. Mr. Norman A. Dupont, Esq., of Richards Watson Gershon, may be contacted at 355 South Grand Avenue, Los Angeles, CA 90071-3101, (213) 626-8484.

This sixty day notice is being served because Applebee's has knowingly and intentionally failed to warn consumers that they are being exposed to the chemical compound "PhIP," or 2-AMINO-1-METHYL-6-PHENYLIMIDAZO[4,5-*b*]PYRIDINE through ingestion of grilled chicken consumed from their food service establishments without first giving clear and reasonable warning to consumers of the significant risk they faced. On October 1, 1994, PhIP was added to the list of chemicals known to the State of California to cause cancer or reproductive toxicity, and Applebee's was required to provide a warning of the dangers of PhIP beginning on October 1, 1995, with respect to any grilled chicken served or sold after that date. See CA Health & Safety Code §§ 25249.8 and 25249.10.

From the time that Applebee's began offering menu items containing grilled chicken after October 1, 1995, through the present, and ongoing, Applebee's establishments have been placing consumers of their products at all of their California locations to exposure of PhIP by ingestion, at a significant risk to those consumers, without providing clear and reasonable warnings to these consumers of the risk.

Attachment A lists the products and restaurant locations from which Applebee's grilled chicken consumer product was purchased. The grilled chicken consumer product was then subjected to an ELAP-qualified laboratory that tested for the presence of PhIP. All tested products at all Applebee's locations were proven to contain significant measurable levels of PhIP, also detailed in the attachment.

The products in Attachment A represent a random sampling of grilled chicken products offered by Applebee's at locations throughout the state of California. Based on the results of this extensive and random testing, the chemical PhIP is present in all grilled chicken products sold by Applebee's at all California locations. Applebee's is not providing adequate warnings to consumers about their exposure to PhIP from these items.

In accordance with Ca. Health & Safety Code § 25249.7, I am providing as Attachment B a Certificate of Merit. I am also including as Attachment C the summary of Proposition 65 required by 22 CCR § 12903.

The Proof of Service that accompanies this notice letter lists the time, place and manner of service on each of the intended parties to this lawsuit and on all public prosecutors including the Attorney General.

Attached to the Proof of Service at 1 is a list of all Defendants who were served the notice letter, along with copies of the letters sent to each Defendant. Each of the Defendants received information regarding their specific retail outlets from which the grilled chicken was purchased and also the specific level of PhIP in each of the samples of their grilled chicken tested for that chemical compound. The individual Defendants were not provided with this information with respect to their co-Defendant restaurant chains, nor is such information required to be provided to any Defendant. 22 CCR § 12903.

Attached to the Proof of Service at 2 is a list of all public prosecutors, except the Attorney General who were served, along with a sample copy of the letter sent to them. All public prosecutors identified in attachment 2 received the same letter. All public prosecutors also received a list of each of the Defendants' restaurants where grilled chicken was tested for PhIP along with the PhIP levels for each of the tested products. This information is not included with a copy of the sample letter, as it is not required by the notice regulations. Public prosecutors, including the Attorney General did not receive a copy of the summary of Proposition 65, as 22 CCR § 12903 expressly provides that such service is unnecessary.

Attached to the Proof of Service at 3 is a copy of the notice letter sent to the Attorney General. The Attorney General also received a list of each of the Defendants' restaurants where PhIP was found in the grilled chicken being sold, along with the PhIP levels in each sampled product. In addition, the Attorney General received a copy of Plaintiff's certificate of merit along with factual information sufficient to establish the basis of that certificate. These documents are not required to be provided to Chick-fil-A and are not attached.

All of the Defendants, all District Attorneys, all City Attorneys representing cities with populations of over 750,000, and the Attorney General were served on the same date, and in accordance with the provisions of 22 CCR § 12903 (4)(E)(c)(1).

Sincerely yours,



Daniel Kinburn, Esq.

Attachments

1 **PROOF OF SERVICE**

2 I, Linda Pomatto, declare:

3 I am a resident of the State of California and over the age of eighteen years, and not a
4 party to the within action; my business address is Richards, Watson & Gershon, 355 South
Grand, 40th Floor, Los Angeles, California. On June 28, 2007, I served the within documents:

5 **NOTICE OF VIOLATION OF PROPOSITION 65 TO**
6 **APPLEBEE'S INTERNATIONAL, INC.**

7 by causing facsimile transmission of the document(s) listed above from
8 (213) 626-8484 to the person(s) and facsimile number(s) set forth below on this
9 date before 5:00 P.M. This transmission was reported as complete and without
error. A copy of the transmission report(s), which was properly issued by the
transmitting facsimile machine, is attached. Service by facsimile has been made
pursuant to a prior written agreement between the parties.

10 by placing the document(s) listed above in a sealed envelope with postage thereon
11 fully prepaid, in the United States mail at Los Angeles, California, addressed as
12 set forth below. I am readily familiar with the firm's practice for collection and
13 processing correspondence for mailing with the United States Postal Service.
14 Under that practice, it would be deposited with the U.S. Postal Service on that
same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit
for mailing contained in this affidavit.

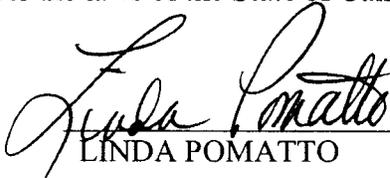
15 by placing the document(s) listed above in a sealed envelope and affixing a pre-
16 paid air bill, and causing the envelope to be delivered to a agent for delivery, or
17 deposited in a box or other facility regularly maintained by , in an envelope or
package designated by the express service carrier, with delivery fees paid or
provided for, addressed to the person(s) at the address(es) set forth below.

18 by personally delivering the document(s) listed above to the person(s) at the
19 address(es) set forth below.

20 Mr. Dave Goebel
21 President and Chief Executive Officer
22 Applebee's International, Inc.
4551 West 107th Street
Overland Park, KS 66207

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

25 Executed on June 28, 2007.

26 
LINDA POMATTO

**ATTACHMENTS AVAILABLE UPON
REQUEST**

ATTACHMENT “2”

California District Attorneys - Notice Supplement

COUNTY	TITLE	NAME	STREET ADDRESS1	STREET ADDRESS2	CITY	STATE	ZIP	PHONE
Alameda County	District Attorney	Tom Orloff	1225 Fallon Street	Room 900	Oakland	CA	94612	(510) 272-6222
Alpine County	District Attorney	William A. Richmond	270 Laramie Street	P.O. Box 248	Markleeville	CA	96120	(530) 694-2971
Amador County	District Attorney	Todd Riebe	708 Court Street		Jackson	CA	95642	(209) 223-6444
Butte County	District Attorney	Michael L. Ramsey	County Administration Building	25 County Center Drive	Oroville	CA	95965	(530) 538-7411
Calaveras County	District Attorney	Jeffrey Tuttle	891 Mountain Ranch Road	Calaveras County District Attorney	San Andreas	CA	95249	(209) 754-6330
Contra Costa County	District Attorney	Robert Kochly	P.O. Box 2276		Martinez	CA	94553	(925) 646-2761
Del Norte County	District Attorney	Mike Reese	450 H Street	Suite 171	Crescent City	CA	95531	(707) 464-7210
El Dorado County	District Attorney	Vern Pierson	515 Main Street		Placerville	CA	95667	(530) 621-6472
Fresno County	District Attorney	Elizabeth Egan	Fresno County Plaza	2220 Tulare Street, Suite 1000	Fresno	CA	93721	(559) 488-3141
Glenn County	District Attorney	Robert Holzapfel	P.O. Box 430		Willows	CA	95988	(530) 934-6525
Humboldt County	District Attorney	Paul Gallegos	825 5th Street		Eureka	CA	95501	(707) 445-7411
Imperial County	District Attorney	Gilbert G. Otero	939 W. Main Street	2nd Floor	EI Centro	CA	92243	(760) 482-4331
Kern County	District Attorney	Edward Jagels	1215 Truxtun Avenue		Bakersfield	CA	93301	(661) 868-2340
Kings County	District Attorney	Ronald Calhoun	1400 West Lacey Boulevard		Hanford	CA	93230	(559) 582-0326
Lassen County	District Attorney	Robert Burns	220 South Lassen St.	Ste. 8	Susanville	CA	96130	(530) 251-8283
Los Angeles County	District Attorney	Steve Cooley	210 West Temple Street	Suite 18000	Los Angeles	CA	90012	(213) 974-3512
Marin County	District Attorney	Edward Berberian	3501 Civic Center Drive	Room 130	San Rafael	CA	94903	(415) 499-6450
Mariposa County	District Attorney	Robert Brown	5101 Jones Street	Post Office Box 730	Mariposa	CA	95338	(209) 966-3626
Mendocino County	District Attorney	Meredith J. Lintott	P.O. Box 1000		Ukiah	CA	95482	(707) 463-4211
Merced County	District Attorney	Larry Morse, II	2222 "M" Street		Merced	CA	95340	(209) 385-7381
Modoc County	District Attorney	Gary Woolverton	P.O. Box 1171		Alluras	CA	96101	(530) 233-6216
Mono County	District Attorney	George Booth	P.O. Box 617		Bridgeport	CA	93517	(760) 932-5550
Monterey County	District Attorney	Dean Filippo	Post Office Box 1131		Salinas	CA	93902	(831) 647-7770
Napa County	District Attorney	Gary Lieberstein	931 Parkway Mall		Napa	CA	94558	(707) 253-4211
Nevada County	District Attorney	Clifford Newell	201 Church Street, Suite 8		Nevada City	CA	95959	(530) 265-1301
Orange County	District Attorney	Tony Rackauckas	401 Civic Center Drive		Santa Ana	CA	92701	(714) 834-3600
Placer County	District Attorney	Braedford Fenocchio	11562 B Avenue		Auburn	CA	95603	(530) 889-7000
Piumas County	District Attorney	Jeff Cunan	520 Main Street	Room 404	Quincy	CA	95971	(530) 283-6303
Riverside County	District Attorney	Rod Pocheco	4075 Main Street		Riverside	CA	92501	(951) 955-5400
Sacramento County	District Attorney	Jan Scully	901 G Street		Sacramento	CA	95814	(916) 874-6218
San Benito County	District Attorney	Candice Hooper	419 4th Street, 2nd Floor		Hollister	CA	95023	(408) 636-4120
San Bernardino County	District Attorney	Michael Ramos	316 N Mt View Ave		San Bernardino	CA	92415	(909) 387-8309
San Diego County	District Attorney	Bonnie Dumanis	330 W. Broadway		San Diego	CA	92101	(619) 531-4040
San Francisco County	District Attorney	Kamala Harris	850 Bryant Street, Room 325		San Francisco	CA	94103	(415) 553-1752
San Joaquin County	District Attorney	James Willitt	222 E. Weber Ave	PO Box 990	Stockton	CA	95201	(209) 468-2400
San Luis Obispo County	District Attorney	Gerald Shea	County Government Center, 4th Floor		San Luis Obispo	CA	93408	(805) 781-5800
San Mateo County	District Attorney	James Fox	400 County Center		Redwood City	CA	94063	(650) 363-4636
Santa Barbara County	District Attorney	Christie Stanley	1112 Santa Barbara Street		Santa Barbara	CA	93101	(805) 568-2300
Santa Clara County	District Attorney	Dolores Carr	70 West Hedding Street, West Wing		San Jose	CA	95110	(408) 299-7400

California District Attorneys - Notice Supplement

COUNTY	TITLE	NAME	STREET ADDRESS1	STREET ADDRESS2	CITY	STATE	ZIP	PHONE
Santa Cruz County	District Attorney	Bob Lee	701 Ocean Street		Santa Cruz	CA	95060	(831) 454-2400
Shasta County	District Attorney	Gerald Benito	1525 Court Street	3rd floor	Redding	CA	96001	(530) 245-6300
Sierra County	District Attorney	Larry Allen	100 Courthouse Square	Post Office Box 457	Downieville	CA	95936	(530) 289-3269
Siskiyou County	District Attorney	James Andrus	311 Fourth Street	P.O. Box 986	Yreka	CA	96097	(530) 842-8125
Solano County	District Attorney	David Paulson	675 Texas Street, Suite 4500		Fairfield	CA	94533	(707) 784-6800
Sonoma County	District Attorney	Stephan Passalacqua	600 Administration Drive, Room 212-J		Santa Rosa	CA	95403	(707) 565-2311
Stanislaus County	District Attorney	Carol Shipley	800 11th Street		Modesto	CA	95354	(209) 525-5550
Butte County	District Attorney	Carl Adams	446 2nd Street		Yuba City	CA	95991	(530) 822-7330
Tehama County	District Attorney	Gregg Cohen	444 Oak Street, Room L		Red Bluff	CA	96080	(530) 527-3053
Colusa County	District Attorney	John Poyner	547 Market Street		Colusa	CA	95932	(530) 458-0545
Trinity County	District Attorney	Michael Harper	PO Box 310		Weaverville	CA	96093	(530) 623-1304
Tulare County	District Attorney	Phil Cline	221 S. Mooney Boulevard		Visalia	CA	93291	(559) 733-6411
Inyo County	District Attorney	Art Maillet	P.O. Drawer D		Independence	CA	93526	(760) 878-0282
Lake County	District Attorney	Jon Hopkins	255 N. Forbes Street		Lakeport	CA	95453	(707) 263-2251
Madera County	District Attorney	Ernest Licalsi	209 W. Yosemite Avenue		Madera	CA	93637	(559) 675-7726
Tuolumne County	District Attorney	Donald I. Segerstrom, Jr.	2 South Green Street		Sonora	CA	95370	(209) 533-5655
Ventura County	District Attorney	Gregory Toltan	800 S. Victoria Avenue		Ventura	CA	93009	(805) 654-2500
Yolo County	District Attorney	Jeff W. Reisig	301 2nd Street		Woodland	CA	95695	(530) 666-8180
Yuba County	District Attorney	Patrick McGrath	215 5th St.		Marysville	CA	95901	(530) 749-7770

California City Attorneys (population over 750,000) and Attorney General

CITY ATTORNEY	population*	TITLE	NAME	STREET ADDRESS1	STREET ADDRESS2	CITY	STATE	ZIP	PHONE
Los Angeles	3,694,820	City Attorney	Rocky Delgadillo	800 City Hall East	200 North Main Street	Los Angeles	CA	90012	(213) 974-3512
San Diego	1,223,400	City Attorney	Michael Aguirre	Civic Center Plaza	1200 Third Avenue, Suite 1620	San Diego	CA	92101	(619) 236-6220
San Francisco	776,733	City Attorney	Dennis Herrera	City Hall, Room 234		San Francisco	CA	94102	(415) 553-1752
San Jose	894,943	City Attorney	Richard Doyle	200 East Santa Clara Street		San Jose	CA	95113	(408) 792-2981

* 2000 Census results
Released June 30, 2005

ATTORNEY GENERAL

Proposition 65 Enforcement Reporting	n/a	Attention: Prop 65 Coordinator	1515 Clay Street, Suite 2000	Oakland	CA	94612
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