

**ENVIRONMENTAL WORLD  
WATCH, INC.**

**950 South Coast Drive, Ste. 220  
Costa Mesa, CA 92727**

**AUGUST 15, 2007**

**NOTICE OF VIOLATION OF THE SAFE DRINKING WATER  
AND TOXIC ENFORCEMENT ACT OF 1986  
(California Health and Safety Code §25249.5 *et seq.*)**

**TO: ● NORMAN JACOBSON REALTY RESOURCES, Inc.**

**First Class Mail**

**TO THE PARTIES LISTED ON THE ATTACHED DISTRIBUTION LISTS**

**Re: Hillsdale Apartments  
Muir Creek Apartments  
Mediterranean Village  
Cottage Bell Apartments  
Hilltop Gardens Apartments.**

**Dear Sir or Madam:**

**Environmental World Watch, Inc. (the "Noticing Party") serves this Notice of Violation ("Notice") upon ● NORMAN JACOBSON REALTY RESOURCES, Inc. (hereinafter "the Company") pursuant to and in compliance with California Health and Safety Code ("H&S Code") §25249.7(d) and 22 California Code of Regulations ("CCR") §12903. This Notice satisfies the prerequisite for a Noticing Party to commence an action against the Company to enforce the Safe Drinking Water and Toxic Enforcement Act of 1986. The violations addressed by this Notice occur in Solano County, Contra Costa County and Sacramento County in California. This Notice is being served upon the violator ("the Company"), the California Attorney General, and the District Attorney of Sacramento County, Solano County and Contra Costa County. The Company has a current registration with the California Secretary of State that identifies a President, this Notice is being addressed to, and served upon, Norman Jacobson, President, NORMAN JACOBSON REALTY RESOURCES, Inc.**

**Attached as Exhibit A to this Notice is a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary." The attached Summary was prepared by the California EPA and provides general information about the Safe Drinking Water and Toxic Enforcement Act of 1986. Copies of the Summary are not required to be, and are not being, provided to the public enforcement agencies.**

**The description of the Noticing Parties, the Alleged Chemicals and the Exposure Address (s) addressed by this Notice:**

**This Notice is provided by Environmental World Watch, Inc., (hereinafter "EWW"), is based in Los Angeles and is registered as a Delaware corporation with the office of the California Secretary of State. EWW is acting in the public interest pursuant to H&S Code §25249.7(d), and is dedicated to protecting the environment; improving human health and supporting environmentally sound practices.**

**The name of each chemical that is listed pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986 involved in the violations addressed by this Notice is Carbon Monoxide, Diesel Particulate, Gasoline Engine Exhaust; Tobacco Smoke, (the "Listed Chemicals"). The Listed Chemicals are listed (and have been so listed for more than twelve months) by the Governor of the State of California as being a chemical known to the State of California to cause cancer (carcinogen) or reproductive toxicity, or both cancer and reproductive toxicity. The carcinogen, and subject to the warning requirements of Health and Safety Code §25249.6 and more specifically 22 CCR §12601(b) *et seq.* The aforementioned carcinogen is on the Governor's list (Prop 65 List) as expressed at 22 CCR §12000. These chemicals are known to the State of California to cause carcinogenic harm to humans and or reproductive toxicity requiring special environmental warning signs and informational communication for the adjacent community. See Exhibit B attached hereto.**

**The routes of exposure for the violations addressed by this Notice are through inhalation and dermal due to direct contact with the particulate and dust from the aforementioned Violator Apts. parking areas which contaminate the ambient air. Further, the Tobacco Smoke permeate the entire complex, but mainly the living areas.**

**The source of the exposures continuing and ongoing which is addressed in this Notice are the "Violator Apts." See below specific address (s). These exposures occur in and near the residences of the inhabitants as they are Violator Apts. renters or leasees and also may include other yet unknown innocent and unknowledgeable persons who walk on, ride on, or other wise utilize the Violator Apts. property as guests. The parking area/driveways and smoking areas was and is a source of contamination and releases/exposures for many years, and the Noticing parties/Complainant are unaware if the releases/exposures have ever ceased. The current and continuing exposures occur principally on the property of the Noticed Company, at said Violator Apts. complex (s).**

**The address (s) of the source of exposures:**

**Hillsdale Apartments, 5561 Hillsdale Blvd, Sacramento, CA 95842  
Muir Creek Apartments, 486 Morello Ave, Martinez CA 94553  
Mediterranean Village, 2751 Peppertree Drive, Fairfield CA, 94533  
Cottage Bell Apartments, 1945 Bell Street, Sacramento, CA 95825  
Hilltop Gardens Apartments, 4729 Manzanita Ave, Carmichael, CA 95608.**

In the course of doing business, the Company has knowingly and intentionally exposed, and continues to expose, individuals to the Listed Chemicals.

No clear and reasonable warning is or has been provided by the Company to individuals regarding exposure to the Listed Chemicals. ..

These exposures have gone on from at least Jan. 21, 2002 and are ongoing and continuing as the Noticing parties and Complainants believe and so allege that the Company has tolled the statute of limitations by fraudulent concealment of the releases from those persons that required warning in the living areas at the Company property complained of here in Sacramento, Martinez, Fairfield and Carmichael, California.

Also and further via transport and metrological disturbances these alleged exposures today are anywhere downwind of said property [at least within 100 feet of the property line] and on said parcel as those exposures by the Company were allowed to take place without the prerequisite warnings as delineated by the applicable statutes specified in this notice.

This Notice of Violation covers the "warning provision" of Proposition 65, which is found at H&S Code §25249.6.

Please direct any inquiries regarding this notice or any communication with the responsible party William Dunlap for the noticing entity, Environmental World Watch, Inc. and the individual Noticing Complainants to: William Dunlap. 950 South Coast Drive, Suite 220, Costa Mesa, Ca 92727

Date   Aug 15, 2007   By   William Dunlap    
William Dunlap

**EXHIBIT B  
NOTICED PARTY:**

- **NORMAN JACOBSON REALTY RESOURCES, Inc.**

List Of Chemicals Contained In The Attached 60-Day Notice of Violation That Are Listed By The Governor Of The State Of California As Being Known To The State Of California To Cause Cancer Or Reproductive Toxicity:

**CARCINOGENS**

<b><u>Chemical</u></b>	<b><u>CAS No.</u></b>	<b><u>Date Added to List</u></b>
Diesel Engine Exhaust Particulate/Components	*****	Oct 1, 1990
Gasoline Engine Exhaust And Components	*****	Oct 1, 1990
Carbon Monoxide	630080	Jul 1, 1989
Tobacco Smoke	*****	Oct 1, 1988

## **CERTIFICATE OF SERVICE**

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is: ENVIRONMENTAL WORLD WATCH, INC, 950 South Coast Drive, Suite 220, Costa Mesa, CA 92727

On Aug 15, 2007, I served copies of the documents listed immediately hereafter by first class mail by placing same in sealed envelopes, fully preparing postage thereon, and depositing said envelopes in the U.S. Mail at Costa Mesa, California. Said envelopes were addressed as follows:

### **SEE ATTACHED DISTRIBUTION LIST**

#### **And to: NOTICED PARTY:**

•Mr Norman Jacobson, President  
NORMAN JACOBSON REALTY RESOURCES, Inc.  
10835 Wilshire Blvd, Suite 380  
Los Angeles, Ca 90064

#### Documents mailed:

1. **NOTICE OF VIOLATION OF THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (California Health and Safety Code §25249.5 et seq.)**
2. **Exhibit-A - THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those parties listed with an asterisk)**
3. **Exhibit-B - Details of Relevant Proposition 65 Chemical Listing**
4. **CERTIFICATE OF MERIT - (attachments only sent to California Attorney General's Office)**

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct, and that this declaration was executed on Aug 15, 2007, at Costa Mesa, California.

By Kathy Rice  
Kathy Rice

**DISTRIBUTION LIST - NOTICED PARTIES**  
**By First Class U.S. Mail - Delivery Receipt Requested**  
**60-Day Notice of Violation; Exhibit A - Summary of Prop. 65;**  
**Exhibit B – Date of Relevant Proposition 65 Chemical Listing;**  
**Certificate of Merit; and Certificate of Service;**

**Norman Jacobson Realty  
Resources, Inc  
11835 Olympic Blvd Suite 380  
Los Angeles, Ca 90064**

**TO: Mr  
Norman  
Jacobson**

**First Class Mail**

**Delivery Receipt Requested**

**DISTRIBUTION LIST - GOVERNMENT ENTITIES**  
**60-Day Notice of Violation; Certificate of Merit (w/attachments to AG's  
office only); and Certificate of Service:**

**CALIFORNIA ATTORNEY GENERAL  
CA Department of Justice  
PROP. 65 ENFORCEMENT REPORTING  
Attn: Prop 65  
Coordinator 1515 Clay  
Street, Suite 2000 Post  
Office Box 70550  
Oakland, CA 94612-0550**

**Office of the District Attorney  
Sacramento County  
Prop 65 Reporting Office  
901 G Street  
Sacramento, Ca 95814**

**Office of District Attorney  
Solano County  
600 Union Ave  
Fairfield, CA 94533**

**Office of District Attorney  
Contra Costa County  
725 Court Street  
Martinez, CA 94553**

**By First Class Mail**

**CERTIFICATE OF MERIT**  
**HEALTH AND SAFETY CODE SECTION 25249.7(d)**

● **DIESEL PARTICULATE, GASOLINE ENGINE EMISSIONS,  
CARBON MONOXIDE, TOBACCO SMOKE**

**NOTICED PARTY:**

● **NORMAN JACOBSON REALTY RESOURCES, Inc.**  
**VIOLATOR APARTMENTS;**  
**Hillsdale Apartments**  
**Muir Creek Apartments**  
**Mediterranean Village**  
**Cottage Bell Apartments**  
**Hilltop Gardens Apartments.**

1. I, Dennis Becvar, on behalf of Environmental World Watch, Inc., hereby declare:

This Certificate of Merit of Merit attached sixty-day notice(s) in which it is alleged that the parties identified in the notices have violated California Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings.

2. I am the Environmental Scientist for the noticing party and Complainant.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, pictures or other data regarding the exposure to the listed chemical(s) that is the subject of this action.

4. Based upon the information obtained through those consultations, and 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 private action" means that the information provides a credible basis that all the 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 24249.7(h)(2), i.e., (1) the identity of the person consulted with and relied on by the certifier, and (2) the facts, studies, pictures or other data reviewed by those persons.

Date: Aug 15, 2007      By   
Dennis Becvar

(1) William Dunlap, Gary Wheeler, Norma McClary  
(2) Pictures, Notes or Data collected by on site visit of July 28-29, 2007  
Enclosed pictures.