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ATTORNEYS AT LAW

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April 30, 2008

Sixty Day Notice of Intent to Sue Allied Propane Company and All of Its Operating Affiliates Under Health & Safety Code §25249.6 served by Noticing Party Dr. Richard F. Sowinski

Dr. Richard F. Sowinski, a California resident (hereinafter the "Noticing Party") hereby gives Notice of Intent to Sue Under Health & Safety Code Section 25249.5, *et seq* (the "Notice") to Allied propane Company and all of its operating affiliates (hereinafter referred to collectively as "ALLIED PROPANE"), as well as the governmental entities on the attached proof of service. The Noticing Party, Dr. Sowinski, lives at 1457 Ramsey Circle, Walnut Creek, CA 94597, telephone number (925) 938-2693. Dr. Sowinski is represented by counsel and requests that he be contacted at the following address: Dr. Richard F. Sowinski, Attn: Anthony G. Graham, Graham & Martin LLP, 950 South Coast Drive, Ste. 220, Costa Mesa, CA 92626, telephone number (714) 850-9390, facsimile number (714) 850-9392..

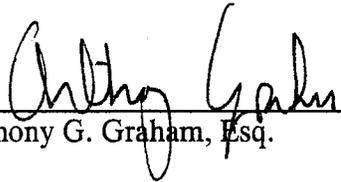
This Notice is intended to inform ALLIED PROPANE that it is in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with California Health & Safety Code Section 25249.5) (hereinafter "Proposition 65"), specifically Section 25249.6. Proposition 65 states that when a party, such as ALLIED PROPANE, an entity with more than ten employees, has been or is knowingly and intentionally exposing its customers and end users to a detectable level of any chemical designated by the State of California to cause cancer or reproductive toxicity (the "Designated Chemical"), it has violated the statute unless, prior to such exposure, it provides clear and reasonable warning of the exposure to the potentially exposed persons (Health & Safety Code § 25249.6).

In the ordinary course of business, ALLIED PROPANE, since at least April 11, 2004 through the present date, manufactures, sells and/or distributes throughout California liquid propane gas ("LPG"). Major uses for LPG include heating, powering large vehicles, and drying crops. When LPG is burned it produces hazardous emissions in significant amounts that poses a serious health risk to unsuspecting people. When LPG is burned it produces benzene at levels that exceed the allowable threshold exposure level set forth in California Health & Safety Code §25249.6. Benzene is a chemical known to the State of California to cause cancer and reproductive toxicity. Persons near ALLIED PROPANE LPG when it is burned will be exposed to Benzene primarily via inhalation, that is, by breathing in the chemical. ALLIED PROPANE however has never placed on its LPG containers nor anywhere on its internet website, a clear and reasonable warning that use of LPG produced, manufactured, sold and/or distributed by ALLIED PROPANE will expose persons to Benzene. ALLIED PROPANE now and for at least the four years prior to this Notice has failed to provide its customers with a clear and reasonable warning of this potential exposure. ALLIED PROPANE therefore had been and is violating Health & Safety Code § 25249.6.

Proposition 65 requires that notice and intent to sue be given to ALLIED PROPANE sixty days before a suit is filed. With this letter, Dr. Sowinski gives notice of the alleged violations to ALLIED PROPANE and the appropriate governmental authorities. This notice covers all violations of

Proposition 65 that are currently known to Dr. Sowinski from information now available to him. Dr. Sowinski reserves the right to amend this Notice to inform ALLIED PROPANE of other violations and/or exposures as it gathers further information. With the copy of this notice submitted to ALLIED PROPANE, a copy is provided of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary."

Dated: April 30, 2008

By: 
Anthony G. Graham, Esq.

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

I, Anthony G. Graham, hereby declare:

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

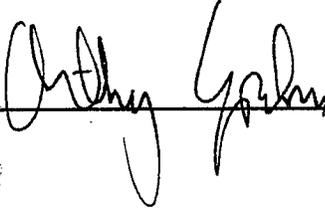
2. I am member of the State Bar of California, a partner of the law firm of Graham & Martin, LLP, and attorney for noticing party Dr. Richard F. Sowinski.

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 exposures to the listed chemicals that are 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.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Costa Mesa, California on April 30, 2008.



A handwritten signature in black ink, appearing to read "Arthur G. Gorman", is written over a solid horizontal line.

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 950 South Coast Drive, Suite 220, Costa Mesa, California 92626.

I SERVED THE FOLLOWING:

- 1.) 60-Day Notice of Intent to Sue Under Health & Safety Code Section 24249.6;
- 2.) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary (only sent to violators);
- 3.) Certificate of Merit (with supporting papers sent to Office of Attorney General only).

by enclosing a true copy of the same in a sealed envelope addressed to each person whose name and address is shown below and depositing the envelope in the United States mail with the postage fully prepaid:

Date of Mailing: April 30, 2008
Place of Mailing: Costa Mesa, California

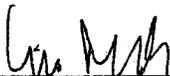
NAME AND ADDRESS OF EACH PERSON TO WHOM DOCUMENTS WERE MAILED:

John Urie, Sr., President Allied Propane Company 138 Keystone Rd Chester, PA 19014-3425	
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And all entities on the attachment hereto

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

Dated: April 30, 2008



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SERVICE LIST - 2 D 2:31

Public Enforcers:

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

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

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

The Honorable Michael Ramsey
Butte County District Attorney
25 County Center Drive,
Administration Building
Oroville, CA 95965

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

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

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

The Honorable Michael Riess
Del Norte County District Attorney
450 H Street
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The Honorable Gary Lacy
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PO Drawer D
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The Honorable Gerhard Lusk
Lake County District Attorney
235 North Forbes Street
Lakeport, CA 95453

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

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

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

The Honorable Edward Berberian
Marin County District Attorney
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San Rafael, CA 94903

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Mariposa County District Attorney
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Mariposa, CA 95338

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Mendocino County District Attorney
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 Ukiah, CA 95482

The Honorable Gordon Spencer
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Merced, CA 95340

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Alturas, CA 96101

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Mono County District Attorney
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Napa County District Attorney
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Napa, CA 94559

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Plumas County District Attorney
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Quincy, CA 95971

The Honorable Grover Trank II
Riverside County District Attorney
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Riverside, CA 92501

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Sacramento County District Attorney
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Sacramento, CA 95814

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Hollister, CA 95203

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San Bernardino, CA 92415

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San Joaquin County District Attorney
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Stockton, CA 95201

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San Luis Obispo County District Attorney
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San Luis Obispo, CA 93408

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Redwood City, CA 94063

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Santa Barbara, CA 93101

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Santa Clara County District Attorney
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San Jose, CA 95110

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

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

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

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Siiskiyou County District Attorney
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Yreka, CA 96097

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Fairfield, CA 94533

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Sonoma County District Attorney
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Santa Rosa, CA 95403

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Stanislaus County District Attorney
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Modesto, CA 95353

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Sutter County District Attorney
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Yuba City, CA 95991

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Tehama County District Attorney
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Trinity County District Attorney
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Weaverville, CA 96093

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Visalia, CA 93291

The Honorable Donald Segerstrom, Jr.
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The Honorable Gregory Tolian
Ventura County District Attorney
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Ventura, CA 93009

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

The Honorable Patrick McGrath
Yuba County District Attorney
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Sacramento, CA 95814

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

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

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