



Attorneys Concentrated in Toxic
and Environmental Litigation

401 E Ocean Blvd., Ste. 800
Long Beach, CA 90802
phone: 562.437.4499
fax: 562.436.1561

www.toxicortfs.com

Attorneys
Raphael Metzger
Greg Coolidge
Kimberly Miller
Sarah Hodgson
Kathryn Darnell

**ATTORNEY GENERAL COPY: CONTAINS OFFICIAL INFORMATION
PURSUANT TO EVIDENCE CODE SECTION 1040**

March 17, 2009

Caro Lavin Bernick
Chairman & Director
Alberto-Culver Company
2525 Armitage Avenue
Melrose Park, IL 60160

Mr. James Marmo
President, CEO & Director
Alberto-Culver Company
2525 Armitage Avenue
Melrose Park, IL 60160

Diane L. Neal, CEO
Bath and Body Works
7 Limited Parkway East
Reynoldsburg, OH 43068

Thomas M. Ryan
Chairman, President & CEO
CVS Caremark Corporation
One CVS Drive
Woonsocket, RI 02895

Charles J. Hinkaty, Pres. & CEO
Del Laboratories, Inc.
726 Rexcorp Plaza
Uniondale, NY 11553

Bern J Beetz, Principal
Del Laboratories, Inc.
Del Pharmaceuticals, Inc.
726 Rexcorp Plaza
Uniondale, NY 11556

Kurt J. Schmidt, President
Gerber Products Company
12 Veeland Rd.
Florham Park, NJ 07932

William C. Weldon, President
Johnson & Johnson Consumer
Companies, Inc.
199 Grandview Road
Skillman, NJ 08558-9418

Thomas J. Falk
Chairman & CEO
Kimberly-Clark Corporation
Kimberly-Clark Global Sales LLC
P.O. Box 619100
Dallas, TX 75261-9100

Leslie H. Wexner
Chairman & CEO
Limited Brands
Three Limited Parkway
Columbus, OH 43230

Laurent Attal, President & CEO
L'Oreal USA, Inc.
575 Fifth Avenue
New York, NY 10017

Debbie Baker, President
M.Z. Berger & Company
29-76 Northern Blvd., 4th Floor
Long Island City, NY 11101

A.G. Lafley, Chairman & CEO
Procter & Gamble
One Procter & Gamble Plaza
Cincinnati, OH 45202

Jin K. Song, CEO
Naterra International, Inc.
3030 LBJ Freeway
Suite 100
Dallas, TX 95234

Bob Ulrich, Chairman
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403

Gregg Steinhafel, President &
CEO
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403

Juan Vecco, Director
Solar Cosmetic Labs, Inc.
4920 NW 165th Street
Hialeah, FL 33014

John Carson, President
Solar Cosmetic Labs, Inc.
4920 NW 165th Street
Hialeah, FL 33014

Michael B. Polk, President
Unilever United States, Inc.
700 Sylvan Avenue
Englewood Cliffs, NJ 07632

Frank Kilsanich
President & CEO
The Village Company
124 West Columbia Court
Chaska, MN 55318

Mike Duke, President & CEO
Wal-Mart Stores, Inc.
702 S.W. 8th Street
Bentonville, AR 72716

Mike Lorelli, CEO
Water-Jel Technologies
50 Broad Street
Carlstadt, NJ 07072

Michael Pisani, President
Water-Jel Technologies
50 Broad Street
Carlstadt, NJ 07072

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RE: NOTICE OF PROPOSITION 65, CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6, VIOLATIONS: EXPOSURE OF CONSUMERS TO CARCINOGENIC SUBSTANCES WITHOUT FIRST GIVING WARNINGS

Dear Gentlepersons:

This firm represents the Council for Education and Research on Toxics (“CERT”), a California public benefit corporation whose charitable purposes are education and research regarding toxic substances.

This letter constitutes notice that Alberto-Culver Company, Bath and Body Works, CVS Caremark Corporation, Del Laboratories, Inc., Del Pharmaceuticals, Inc., Gerber Products Company, Johnson & Johnson Consumer Companies, Inc., Kimberly-Clark Corporation, Kimberly-Clark Global Sales, LLC, Limited Brands, L’Oreal USA, Inc., M.Z. Berger & Company, Procter & Gamble, Naterra International, Inc., Target Corporation, Solar Cosmetic Labs, Inc., Unilever United States, Inc., The Village Company, Wal-Mart Stores, Inc., and Water-Jel Technologies, have violated and continue to violate provisions of the California Safe Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code § 25249.5 *et seq* (commonly known as California’s Proposition 65). Specifically, the above named entities have violated and continue to violate Health & Safety Code § 25249.6, which provides: “No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual”

Pursuant to Health & Safety Code §25249.7(d), CERT intends to bring suit in the public interest against the above named entities sixty (60) days hereafter to correct the violations set forth herein.

General Information: Pursuant to 22 California Code of Regulations § 12903(b)(1), attached hereto is a copy of “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary”, as prepared by the Office of Environmental Health Hazard Assessment of the California Environmental Protection Agency.

Description of Violation: Since approximately January 1, 1988, and continuing to the present, the above named entities have exposed and continue to expose California consumers to 1,4-dioxane and/or formaldehyde, via dermal contact, ingestion, and inhalation, during their reasonably foreseeable use of bath and personal care products (hereafter collectively referred to as “The Products”). For convenience of your reference, examples of The Products include, but are not limited to: American Girl Hopes and Dreams Shimmer Body Lotion; Baby Magic “Soft Baby Scent” Baby Lotion; Tinker Bell Body Lotion; CVS Baby Shampoo; Johnson’s Baby Shampoo; L’Oreal Kids Extra Gentle 2-in-1 Fast Dry Shampoo - Burst of Cool Melon; Suave 2-in-1 Shampoo - Wild Watermelon; American Girl Hopes and Dreams Glistening Shower and Bath Wash; American Girl

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Real Beauty Inside and Out Shower Gel - Apple Blossom; American Girl Real Beauty Inside and Out Shower Gel - Sunny Orange; Aveeno Baby Soothing Relief Creamy Wash; CVS Kids Body Wash - Blueberry Blast; Equate Tearless Baby Wash; Gentle Naturals Eczema Baby Wash; Grins & Giggles Milk & Honey Baby Wash; Huggies Naturally Refreshing Cucumber & Green Tea Baby Wash; Johnson's Moisture Care Baby Wash; Johnson's Oatmeal Baby Wash - Vanilla; Night-time Bath Baby Wash; Barbie Berry Sweet Bubble Bath; Dora the Explorer Bubble Bath; Hot Wheels Berry Blast Bubble Bath; Sesame Street Bubble Bath - Orange Mango Tango; Tinker Bell Scented Bubble Bath; Huggies Soft Skin - Shea Butter; Soft & Beautiful Just for Me! No-Lye Conditioning Creme Relaxer, Children's Super; Pampers Kandoo Foaming Handsoap - Magic Melon; and No-Ad Sun Pals SPF 45 UVA/UVB Sun Protection. Exposures to 1,4-dioxane and formaldehyde unavoidably occurred via dermal contact, ingestion, and inhalation whenever a consumer used, handled, or disturbed The Products from approximately January 1, 1988, and continuing to the present. Testing of The Products has revealed the presence of 1,4-dioxane in concentrations as high as 18 parts per million ("ppm") and formaldehyde in concentrations as high as 610 ppm. 1,4-dioxane and formaldehyde are chemicals known to the State of California to cause cancer and have been listed since January 1988 as carcinogens on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because 1,4-dioxane and formaldehyde are listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn California consumers purchasing or using The Products, and persons otherwise being exposed to The Products, that The Products contain chemicals known by the State of California to cause cancer before exposing said consumers to the 1,4-dioxane and formaldehyde contained therein. Since approximately January 1, 1988, the above named entities have violated and continue to violate California Health & Safety Code § 25249.6, by exposing numerous individuals within the State of California to 1,4-dioxane and/or formaldehyde without first giving clear and reasonable warnings to said individuals that The Products contain chemicals known by the State to cause cancer.

Noticing Entity: The noticing entity is the Council for Education and Research on Toxics ("CERT"), a California public benefit corporation whose charitable purposes are education and research regarding toxic substances. The responsible person within the noticing entity is Raphael Metzger, CERT's General Counsel, to whom all communications should be directed at the following address and telephone number:

Metzger Law Group
Raphael Metzger, Esq.
Kathryn Darnell, Esq.
401 E. Ocean Blvd., Suite 800
Long Beach, CA 90802
ph: 562-437-4499
fax: 562-436-1561

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Names of Violators: The violators are Alberto-Culver Company, a Delaware corporation; Bath and Body Works, a Delaware corporation; CVS Caremark Corporation, a Delaware corporation; Del Laboratories, Inc., a Delaware corporation; Del Pharmaceuticals, Inc., a Delaware corporation; Gerber Products Company, a Delaware corporation; Johnson & Johnson Consumer Companies, Inc., a Delaware corporation; Kimberly-Clark Corporation, a Delaware corporation; Kimberly-Clark Global Sales, LLC, a Delaware corporation; Limited Brands, a Delaware corporation; L'Oreal USA, Inc., a Delaware corporation; M.Z. Berger & Company; Procter & Gamble, a Delaware corporation; Naterra International, Inc., a Texas corporation; Target Corporation, a Minnesota corporation; Solar Cosmetic Labs, Inc., a Florida corporation; Unilever United States, Inc., a Delaware corporation; The Village Company, a Minnesota corporation; Wal-Mart Stores, Inc., a Delaware corporation; Water-Jel Technologies, a Delaware corporation; and Does 1 through 1000, inclusive.

Time of Violations: The violations of California Health & Safety Code § 25249.6 are numerous and have occurred continuously and uninterrupted since approximately January 1, 1988, to the present throughout the State of California. The timing of the violations is such that they occurred every moment that every individual within the State of California used, handled, inhaled, ingested, or was otherwise exposed to 1,4-dioxane or formaldehyde from The Products without first receiving the required Proposition 65 warnings.

Listed Chemicals: The carcinogenic chemicals in The Products which are the subject of the named entities' Proposition 65 violations are 1,4-dioxane, CAS No. 123-91-1, and formaldehyde, CAS No. 50-00-0, which were first listed at 22 California Code of Regulations § 1200(b) as chemicals known to the State of California to cause cancer on January 1, 1988.

Consumer Product Exposure Description: Since approximately January 1, 1988, and continuing to the present, the above named entities have exposed and continue to expose numerous consumers using, handling, and disturbing The Products within the State of California to 1,4-dioxane and/or formaldehyde, known human carcinogens contained in The Products. Exposures to 1,4-dioxane and/or formaldehyde unavoidably occurred via dermal contact, ingestion, and inhalation whenever a consumer used, handled, or disturbed The Products from approximately January 1, 1988, to the present. Testing of The Products has revealed the presence of 1,4-dioxane in concentrations as high as 18 ppm and formaldehyde in concentrations as high as 610 ppm. 1,4-dioxane and formaldehyde are chemicals known to the State of California to cause cancer and have been listed since January 1988 as carcinogens on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Since approximately January 1, 1988, the above named entities have violated and continue to violate California Health & Safety Code § 25249.6, by exposing numerous individuals within the State of California to 1,4-dioxane and/or formaldehyde without first giving clear and reasonable warnings to said individuals that The Products contain chemicals known by the State to cause cancer. The above named entities' Proposition 65 violations are particularly egregious and hazardous given the high concentrations of 1,4-dioxane and/or formaldehyde contained therein and the fact that these products are marketed as personal care products for babies and young children.

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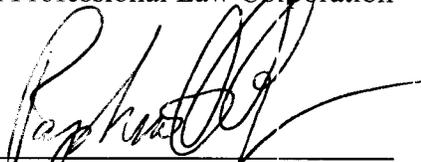
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Conclusion. Proposition 65 requires that notice and intent to sue be given to a violator sixty (60) days before suit is filed. By this letter, CERT gives notice of the foregoing violations to the above named entities, and to the appropriate governmental authorities. If the above named entities wish to resolve this matter before CERT files suit, they should contact counsel at the above-mentioned address and telephone number. Otherwise, suit will be filed after sixty (60) days have elapsed.

We look forward to your prompt action terminating all exposures of California consumers, including vulnerable children, to the horrific hazards of 1,4-dioxane and formaldehyde contained in The Products.

Very truly yours,

METZGER LAW GROUP
A Professional Law Corporation


By: Raphael Metzger, Esq.
General Counsel of CERT

cc: all governmental authorities
per attached proof of service

attachments: Summary of Proposition 65
Certificate of Merit
Proof of Service by Mail

CERTIFICATE OF MERIT

I, Raphael Metzger, declare as follows:

1. I am an attorney at law, duly licensed and authorized to practice law in the state of California.

2. Unless the context indicates otherwise, I have personal knowledge of the matters set forth hereinafter and, if called as a witness, I would competently testify thereto.

3. This Certificate of Merit accompanies the attached sixty-day notice 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.

4. I am the General Counsel of the noticing party, Council for Education and Research on Toxics (“CERT”).

5. My client, CERT, alleges that since approximately January 1, 1988, and continuing to the present, the parties identified in the notice have exposed and continue to expose California consumers to 1,4-dioxane and/or formaldehyde, via dermal contact, inhalation, and ingestion during their reasonably foreseeable use of bath and personal care products (hereafter collectively referred to as “The Products”). Examples of The Products include, but are not limited to: American Girl Hopes and Dreams Shimmer Body Lotion; Baby Magic “Soft Baby Scent” Baby Lotion; Tinker Bell Body Lotion; CVS Baby Shampoo; Johnson’s Baby Shampoo; L’Oreal Kids Extra Gentle 2-in-1 Fast Dry Shampoo - Burst of Cool Melon; Suave 2-in-1 Shampoo - Wild Watermelon; American Girl Hopes and Dreams Glistening Shower and Bath Wash; American Girl Real Beauty Inside and Out Shower Gel - Apple Blossom; American Girl Real Beauty Inside and Out Shower Gel - Sunny Orange; Aveeno Baby Soothing Relief Creamy Wash; CVS Kids Body Wash - Blueberry Blast; Equate Tearless Baby Wash; Gentle Naturals Eczema Baby Wash; Grins & Giggles Milk & Honey Baby Wash; Huggies Naturally Refreshing Cucumber & Green Tea Baby Wash; Johnson’s Moisture Care Baby Wash; Johnson’s Oatmeal Baby Wash - Vanilla; Night-time Bath Baby Wash; Barbie Berry Sweet Bubble Bath; Dora the Explorer Bubble Bath; Hot Wheels

Berry Blast Bubble Bath; Sesame Street Bubble Bath - Orange Mango Tango; Tinker Bell Scented Bubble Bath; Huggies Soft Skin - Shea Butter; Soft & Beautiful Just for Me! No-Lye Conditioning Creme Relaxer, Children's Super; Pampers Kandoo Foaming Handsoap - Magic Melon; and No-Ad Sun Pals SPF 45 UVA/UVB Sun Protection. Exposures to 1,4-dioxane and formaldehyde unavoidably occurred via dermal contact, inhalation, and ingestion whenever a consumer used, handled, or disturbed The Products from approximately January 1, 1988, and continuing to the present. Testing of The Products has revealed the presence of 1,4-dioxane in concentrations as high as 18 parts per million ("ppm") and formaldehyde in concentrations as high as 610 ppm. 1,4-dioxane and formaldehyde are chemicals known to the State of California to cause cancer and have been listed since January 1988 as carcinogens on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because 1,4-dioxane and formaldehyde are listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn California consumers purchasing or using The Products, and persons otherwise being exposed to The Products, that The Products contain chemicals known by the State of California to cause cancer before exposing said consumers to the 1,4-dioxane and formaldehyde contained therein. Since approximately January 1, 1988, the above named entities have violated and continue to violate California Health & Safety Code § 25249.6, by exposing numerous individuals within the State of California to 1,4-dioxane and/or formaldehyde without first giving clear and reasonable warnings to said individuals that The Products contain chemicals known by the State to cause cancer.

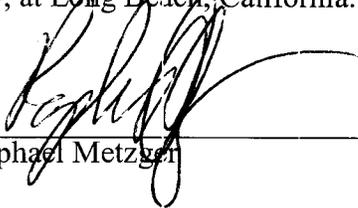
6. I have consulted with an expert with relevant and appropriate experience and expertise who has reviewed facts, studies, and data regarding the presence of, concentration of, and exposure to 1,4-dioxane and formaldehyde from The Products. Based on such consultation, I believe that exposures to high levels of 1,4-dioxane and/or formaldehyde unavoidably occurred via dermal contact, ingestion, and/or inhalation whenever a consumer used The Products from approximately January 1, 1988, and continuing to the present. Based on such consultation and the fact that the parties identified in the notices have failed to provide the warnings required by Health & Safety

Code § 25249.6 before exposing consumers to asbestos, I also believe that there is a reasonable and meritorious case for a private action, pursuant to Health & Safety Code §25249.7(d), brought by my client, CERT, for their violations of Proposition 65 since approximately January 1, 1988, and continuing to the present.

7. I believe the Proposition 65 violations of the parties identified in the notice are particularly egregious and hazardous given the high concentrations of 1,4-dioxane and/or formaldehyde contained therein and the fact that these products are marketed as personal care products for babies and young children.

8. Attached only to the original of this document to be served on the Attorney General are analytical reports and other documentation supporting the merit of this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed March 17, 2009, at Long Beach, California.



Raphael Metzger

PROOF OF SERVICE BY U.S. MAIL

(Our File No. 9364)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of 18 and not a party to this matter. My business address is 401 E. Ocean Blvd., Suite 800, Long Beach, CA 90802. On March 17, 2009, I served the within Notice of Proposition 65, California Health & Safety Code § 25249.6 Violations: Exposure of Consumers to Carcinogenic Substances Without First Giving Warnings, Certificate of Merit, and Statement entitled "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary" on the following violators and governmental attorneys who are required to be served copies of said notice, by placing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the U.S. mail at Long Beach, CA, addressed as follows:

Edmond G. Brown, Jr.
Office of the Attorney General
1515 Clay Street, 20th Floor
Oakland, CA 94612-0550

District Attorney
Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney
Inyo County
P.O. Box D
Independence, CA 93526

Rockard Delgadillo
Office of the City Attorney
800 City Hall East
200 North Main Street
Los Angeles, CA 90012

District Attorney
Colusa County
547 Market Street, Suite 102
Colusa, CA 95932-0245

District Attorney
Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

Aileen Feichert
Office of the City Attorney
215 I St., 4th Floor
Sacramento, CA 95814

District Attorney
Contra Costa County
Western Operations
100 37th Street, Rm. 220
Richmond, CA 94805

District Attorney
Kings County
1400 West Lacey Boulevard
Hanford, CA 93230

Jan Goldsmith
Office of the City Attorney
Civic Center Plaza
1200 Third Ave., #1620
San Diego, CA 92101

District Attorney
Contra Costa County
Central/Eastern Operations
900 Ward Street
Martinez, CA 94553

District Attorney
Lake County
255 North Forbes Street
Lakeport, CA 95453

Dennis J. Herrera
Office of the City Attorney
City Hall, Room 234
San Francisco, CA 94102

District Attorney
Del Norte County
450 H Street, Room 171
Crescent City, CA 95531

District Attorney
Lassen County
220 South Lassen Street, Suite 8
Susanville, CA 96130

Richard Doyle
Office of the City Attorney
200 E. Santa Clara St., 16th Floor
San Jose, CA 95113-1905

District Attorney
El Dorado County
515 Main Street
Placerville, CA 95667

District Attorney
Los Angeles County
210 West Temple St., Suite 18000
Los Angeles, CA 90012-3210

District Attorney
Alameda County
Rene C. Davidson Courthouse
1225 Fallon Street, Rm. 900
Oakland, CA 94612

District Attorney
Fresno County
Fresno County Plaza
2220 Tulare Street, Suite 1000
Fresno, CA 93721

District Attorney
Madera County
209 West Yosemite Avenue
Madera, CA 93637

District Attorney
Alpine County
270 Laramie Street
P.O. Box 248
Markleeville, CA 96120

District Attorney
Glenn County
P. O. Box 430
Willows, CA 95988

District Attorney
Marin County
3501 Civic Center Dr., Rm. 130
San Rafael, CA 94903

District Attorney
Amador County
708 Court Street
Jackson, CA 95642

District Attorney
Humboldt County
825 5th Street
Eureka, CA 95501

District Attorney
Mariposa County
5101 Jones Street, P.O. Box 730
Mariposa, CA 95338

District Attorney
Butte County
25 County Center Drive
Groville, CA 95965-0331

District Attorney
Imperial County
939 Main Street
El Centro, CA 92243

District Attorney
Mendocino County
100 N. State St., Room G10
Ukiah, CA 95482

District Attorney
Merced County
650 W. 20th St.
Merced, CA 95340

District Attorney
Modoc County
204 S. Court St
Alturas, CA 96101

District Attorney
Mono County
P.O. Box 617
Bridgeport, CA 93517

District Attorney
Monterey County
230 Church Street, P.O. Box 1131
Salinas, CA 93902

District Attorney
Napa County
331 Parkway Mall
Napa, CA 94559

District Attorney
Nevada County
410 Union St.
Nevada City, CA 95959

District Attorney
Orange County
401 Civic Center Drive
Santa Ana, CA 92701

District Attorney
Placer County
10810 Justice Center Dr., #240
Roseville, CA 95678

District Attorney
Plumas County
520 Main St., Rm. 404
Quincy, CA 95971

District Attorney
Riverside County
4075 Main Street
Riverside, CA 92501

District Attorney
Sacramento County
201 C Street
Sacramento, CA 95814

District Attorney
San Benito County
119 4th Street
Colliester, CA 95023-3801

District Attorney
San Bernardino County
316 N. Mountain View Ave
San Bernardino, CA 92415-0004

District Attorney
San Diego County
Hall of Justice
330 W. Broadway
San Diego, CA 92101

District Attorney
San Francisco County
Hall of Justice
850 Bryant Street, Room 325
San Francisco, CA 94103

District Attorney
San Joaquin County
222 E. Weber Ave., Rm. 202
Stockton, CA 95202

District Attorney
San Luis Obispo
1035 Palm St.
San Luis Obispo, CA 93408

District Attorney
San Mateo County
400 County Center
Redwood City, CA 94063-1662

District Attorney
Santa Barbara County
1112 Santa Barbara Street
Santa Barbara, CA 93101

District Attorney
Santa Clara County
70 West Hedding St., West Wing
San Jose, CA 95110

District Attorney
Santa Cruz County
701 Ocean Street, Rm. 200
Santa Cruz, CA 95060

District Attorney
Shasta County
1525 Court St., 3rd Floor
Redding, CA 96001

District Attorney
Sierra County
100 Courthouse Square, 2nd Floor
P.O. Box 457
Downieville, CA 95936

District Attorney
Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney
Solano County
675 Texas Street, Suite 4500
Fairfield CA 94533-6340

District Attorney
Sonoma County
600 Administration Drive # 212J
Santa Rosa, CA 95403

District Attorney
Stanislaus County
832 12th Street, Suite 300
Modesto, CA 95354

District Attorney
Sutter County
446 Second Street
Yuba City, CA 95991

District Attorney
Tehama County
444 Oak St., Rm. L
P.O. Box 519
Red Bluff, CA 96080

District Attorney
Trinity County
11 Court St.
P.O. Box 310
Weaverville, CA 96093

District Attorney
Tulare County
221 S. Mooney Blvd., Rm 224
Visalia, CA 93291

District Attorney
Tuolumne County
423 N. Washington St.
Sonora, CA 95370

District Attorney
Ventura County
800 S. Victoria Ave.
Ventura, CA 93009

District Attorney
Yolo County
301 Second Street
Woodland, CA 95695

District Attorney
Yuba County
215 Fifth Street
Marysville, CA 95901

Carol Lavin Bernick
Chairman & Director
Alberto-Culver Company
2525 Armitage Avenue
Melrose Park, IL 60160

V. James Marino
President, CEO & Director
Alberto-Culver Company
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Melrose Park, IL 60160

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Reynoldsburg, OH 43068

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Woonsocket, RI 02895

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Dell Laboratories, Inc.
726 Rexcorp Plaza
Monroeville, NY 11553

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Principal
Dell Laboratories, Inc.
726 Rexcorp Plaza
Monroeville, NY 11556

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Dell Pharmaceuticals, Inc.
726 Rexcorp Plaza
Monroeville, NY 11556

Stuart E. Schmidt
President
Merck Products Company
12 Vreeland Rd.
Morhaim Park, NJ 07932-0697

William C. Weldon
President
Johnson & Johnson Consumer
Companies, Inc.
199 Grandview Road
Skillman, NJ 08558-9418

Thomas J. Falk
Chairman & CEO
Lambert-Clark Corporation
P.O. Box 619100
Dallas, TX 75261-9100

Neslie H. Wexner
Chairman & CEO
Limited Brands
Three Limited Parkway
Columbus, OH 43230

Laurent Attal
President & CEO
Orca USA, Inc.
575 Fifth Avenue
New York, NY 10017

Debbie Baker
President
M.Z. Berger & Company
29-76 Northern Blvd., 4th Floor
Long Island City, NY 11101

A.G. Lafley
Chairman & CEO
Procter & Gamble
One Procter & Gamble Plaza
Cincinnati, OH 45202

Jin K. Song
CEO
Naterra International, Inc.
3030 LBJ Freeway
Suite 100
Dallas, TX 95234

Bob Ulrich
Chairman
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403

Gregg Steinhafel
President & CEO
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403

Juan Vecco
Director
Solar Cosmetic Labs, Inc.
4920 NW 165th Street
Hialeah, FL 33014

John Carson
President
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Unilever United States, Inc.
700 Sylvan Avenue
Englewood Cliffs, NJ 07632

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The Village Company
124 West Columbia Court
Chaska, MN 55318

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President & CEO
Wal-Mart Stores, Inc.
702 S.W. 8th Street
Bentonville, AR 72716

Mike Lorelli
CEO
Water-Jel Technologies
50 Broad Street
Carlstadt, NJ 07072

Michael Pisani
President
Water-Jel Technologies
50 Broad Street
Carlstadt, NJ 07072

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed March 17, 2009, at Long Beach, California.



Nina S. Vidal, Declarant