

August 27, 2009

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that MENDOCINO FOREST PRODUCTS COMPANY, LLC (hereinafter "MFP") has been, is, will be and threatens to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual at both Mateel and this office. The above referenced violations occur when California residents come into contact with products that are, or that utilize components made from, leaded stained glass (hereinafter "leaded stained glass") which MFP either markets or manufactures. A specific example of which is: TIFFANY GRAPE MILOTGRI 4X4 POST CAP UPC CODE: 737164 888167 Though a specific model or UPC number may be given as an example, this notice pertains to all similar types of leaded stained glass. The solder, came, and other parts used to manufacture this leaded stained glass contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead when they assemble, handle, clean, or otherwise use these products. Lead is transferred from the products to their hands and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the product, from oral contact with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. MFP did not and does not provide people with clear and reasonable warnings before it exposes them to lead. These violations have occurred every day since at least August 27, 2006, and will continue every day until the lead is removed from the leaded stained glass, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any leaded stained glass made outside of California, except as to workplaces MFP itself maintains in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off MFP's private business property and in each of California's 58 counties.

Cordially,

William Verick

SERVICE LIST

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CITY OF SAN FRANCISCO
CITY HALL ROOM 206
400 VAN NESS
SAN FRANCISCO, CA 94102

OFFICE OF THE CITY ATTORNEY
CITY OF SACRAMENTO
P.O. BOX 1948
SACRAMENTO, CA 95812-1948

OFFICE OF THE CITY ATTORNEY
CITY OF SAN JOSE
100 EAST SANTA CLARA STREET
SAN JOSE, CA 95113

OFFICE OF THE CITY ATTORNEY
CITY OF LOS ANGELES
100 N. MAIN ST.
LOS ANGELES, CA 90012

OFFICE OF THE CITY ATTORNEY
CITY OF SAN DIEGO CONSUMER &
ENVIRONMENTAL PROTECTION
1200 THIRD AVENUE, SUITE 700
SAN DIEGO, CA 92101

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225 FALLON STREET ROOM 900
OAKLAND, CA 94612

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF ALPINE
P.O. BOX 249
MARKLEEVILLE, CA 96120

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ATTORNEY
COUNTY OF AMADOR
408 COURT STREET
ACKSON, CA 95612

OFFICE OF THE DISTRICT
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COUNTY OF BUTTE
25 COUNTY CENTER DR
BROOKVILLE, CA 95765

OFFICE OF THE DISTRICT
ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
ZEN ANDREAS, CA 95249

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COUNTY OF COLUSA
847 MARKET STREET
COLUSA, CA 95931

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P.O. BOX 670
MARTINEZ, CA 94553

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COUNTY OF DEL Norte
450 H ST. #170
TRESPASS, CA 95551

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ATTORNEY
COUNTY OF EL DORADO
515 MAIN ST.
PLACERVILLE, CA 95667

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COUNTY OF FRESNO
2120 TULARE ST. #100
FRESNO, CA 93702

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COUNTY OF GLENN
P.O. BOX 430
WILLOWS, CA 95988

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939 W. MAIN ST
EL CENTRO, CA 92243

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P.O. DRAWER D
INDEPENDENCE, CA 93526

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1215 TRUXTUN AVE. FLOOR 4
BAKERSFIELD, CA 93301

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COUNTY OF KINGS
1400 W. LACEY BLVD.
HANFORD, CA 93230

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COUNTY OF LAKE
255 N. FORBES ST. # 424
LAKESIDE, CA 95453

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ATTORNEY
COUNTY OF LASSEN
220 SOUTH LASSEN ST. STE 8
SUSANVILLE, CA 96130

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ATTORNEY
COUNTY OF LOS ANGELES
18000 CRIMINAL COURTS
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210 W. TEMPLE ST.
LOS ANGELES, CA 90012

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209 W. YOSEMITE AVE.
MADERA, CA 93637

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SAN RAFAEL, CA 94903

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UKIAH, CA 95482

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2222 M ST.
MERCED, CA 95340

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SALINAS, CA 93902

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NAPA, CA 94559-0720

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SANTA ANA, CA 92701

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COUNTY OF PLUMAS
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RIVERSIDE, CA 92501

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SACRAMENTO, CA 95814

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419 4TH ST
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SAN BERNARDINO, CA 92415-0004

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SAN FRANCISCO, CA 94103

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COUNTY OF SAN JOAQUIN
222 E. WEBER AVE #202
STOCKTON, CA 95202

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COUNTY GOVERNMENT CENTER #450
SAN LUIS OBISPO, CA 93408

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HALL OF JUSTICE AND RECORDS
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1112 SANTA BARBARA ST.
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70 W. HEDDING ST.
SAN JOSE, CA 95110

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COUNTY OF SANTA CRUZ
701 OCEAN ST. #200
SANTA CRUZ, CA 95060

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1525 COURT ST.
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P.O. BOX 457
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P.O. BOX 986
YREKA, CA 96097

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600 UNION AVE
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600 ADMINISTRATION DR. #212J
SANTA ROSA, CA 95403

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1100 I ST. #200
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1160 CIVIC CENTER BLVD. #A
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COURTHOUSE #224
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COUNTY OF TUOLUMNE
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OFFICE
800 SOUTH VICTORIA AVE
VENTURA, CA 93009

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YOLO
301 SECOND STREET
WOODLAND, CA 95695

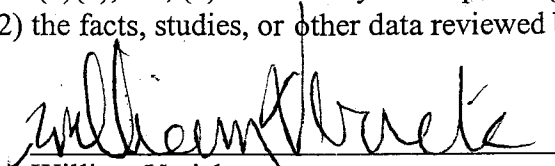
OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YUBA
215 5TH ST.
MARYSVILLE, CA 95901

RICHARD HIGGENBOTTOM, PRESIDENT
MENDOCINO FOREST PRODUCTS COMPANY, LLC
6500 DURABLE MILL ROAD
CALPELLA, CA 95418

CERTIFICATE OF MERIT

I, William Verick, hereby declare: 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. I am the attorney for the noticing party. 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 exposure to the listed chemical that is the subject of the action. 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. 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 person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: August 27, 2009

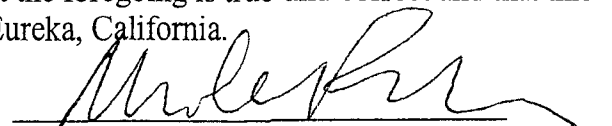

William Verick

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Nicole Frank, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On August 27, 2009, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. 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 August 27, 2009, at Eureka, California.


Nicole Frank