

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Lead in Footwear Made With Leather, Vinyl or Imitation Leather Materials

May 27, 2010

This Notice of Violation is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice of Violation is provided by the Center for Environmental Health ("CEH"), 2201 Broadway, Suite 302, Oakland, CA 94612, (510) 655-3900. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Charlie Pizarro is the Associate Director of and a responsible individual within CEH.

Description of Violation:

- Violators: The names and addresses of the violators are listed on the attached Exhibit 1.
- Time Period of Exposure: The violations have been occurring since at least May 27, 2007, and are continuing to this day.
- Provision of Proposition 65: This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- Chemical(s) Involved: The names of the listed chemicals involved in these violations are lead and lead compounds ("Lead"). Exposures to Lead occur from use of the products identified in this Notice.
- Type of Product: The specific type of product causing these violations is footwear made with leather, vinyl or imitation leather materials. Non-exclusive examples of this specific type of product are listed on the attached Exhibit 1.
- Description of Exposure: This Notice addresses consumer exposures to Lead as to all of the alleged violators listed on the attached Exhibit 1 and occupational exposures to Lead as to the alleged violators marked with a pound symbol (#) on the attached Exhibit 1. Use of the products identified in this Notice results in human exposures to Lead. Lead is found in the products as a stabilizer in the vinyl or imitation leather materials, as a chemical ingredient in some of the dyes, paints and other coloring agents used in the products and in the chemicals used in the leather tanning process. The route of exposure for the violations is ingestion via hand to mouth contact and dermal absorption directly through the skin. Consumer exposures to Lead from the products occur when consumers wear, take on or off, or otherwise touch or handle the products. Occupational exposures to Lead from the products occur throughout the State of California when workers manufacture, assemble, display, sell, store, assist consumers

trying on, or otherwise touch or handle the products. Persons exposed include workers in factories, warehouses, and distribution centers and clerks in retail stores that come into contact with the products. This Notice only applies to occupational exposures that occur in the State of California. No clear and reasonable warning is provided with these products regarding the carcinogenic or reproductive hazards of Lead.

- Statement Re: Occupational Exposures: As set forth above, this Notice alleges violations of both consumer and, as to those alleged violators marked with a pound symbol (#) on the attached Exhibit 1, occupational exposures to Lead. The following statement concerns procedures and requirements that are specific to occupational exposures. "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 with regard to occupational exposures 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 compliance 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." 8 Cal. Code Regs. § 338(b).

Resolution of Noticed Claims:

- Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against each of the alleged violators unless such violator agrees in a binding written instrument to: (1) recall products already sold; (2) provide clear and reasonable warnings for products sold in the future or reformulate such products to eliminate the Lead exposures; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If any of the alleged violators is interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact CEH through its counsel identified below. It should be noted that CEH cannot: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Please direct any inquiries regarding this Notice to CEH through its counsel Eric S. Somers (esomers at lexlawgroup.com) or Howard Hirsch (hhirsch at lexlawgroup.com) at Lexington Law Group, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

EXHIBIT 1
May 27, 2010 Notice of Violation
Lead in Footwear Made With Leather, Vinyl or Imitation Leather Materials
Non-Exclusive Examples of the Products

Names and Addresses of Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
<p>Amazon.com, Inc. 1200 12th Avenue South Suite 1200 Seattle, WA 98144</p>	<p>Paris Hilton Tara Sandals - Yellow</p>	<p>SKU No. B00165CNQ2</p>
<p>Antebi Footwear Group LLC 1370 Avenue of the Americas Suite 403 New York NY, 10019</p>	<p>Paris Hilton Tara Sandals - Yellow</p>	<p>SKU No. B00165CNQ2</p>
<p>Appleseeds, Inc. 795 Maple Road Longmeadow, MA 01106</p>	<p>Cassie Sandal - Green</p>	<p>Item No. A0A354-1150 PO No. 5002360</p>
<p>Bebe Stores, Inc. # 400 Valley Drive Brisbane, CA 94005</p>	<p>Blair Sandals - Yellow</p>	<p>SKU No. 15621616330031 Style No. 56216-LL-6</p>
<p>Blossom Footwear, Inc. # 18120 Rowland Street City of Industry, CA 91748</p>	<p>De Blossom Collection Heels - Yellow</p>	<p>Style No. VOTE-2</p>
<p>Coach, Inc. # 516 West 34th Street New York, NY 1001</p>	<p>Norra Shoes - Orange and Multi</p>	<p>SKU No. 6-63360-24643-5</p>
<p>C.R.A. Int'l Industrial Inc. # 1930 South Brea Canyon Road Suite 130 Diamond Bar, CA 91765</p>	<p>Annie Lotto Shoes - Yellow</p>	<p>SKU No. 8-85040-11824-9</p>

<p>Dolce Vita, Inc. # 910 North Isabel Street Glendale, CA 91207</p> <p>Dolce Vita Footwear, Inc. # 5323 Ballard Avenue NW Seattle, WA 98107</p> <p>DV Retail Inc. # #214 7001 Brush Hollow Road Westbury, NY 11590</p>	<p>DV by Dolce Vita Cairo Flats - Yellow Gatsby Leather</p>	<p>SKU No. 8-84934-56182-6</p>
<p>Donna Karan International Inc. # 550 Seventh Avenue New York, NY 10018</p> <p>The Donna Karan Company LLC # 550 Seventh Avenue New York, NY 10018</p> <p>The Donna Karan Company Store LLC # 550 Seventh Avenue New York, NY 10018</p>	<p>DKNY Kimmer Shoes - Sulphur 780</p>	<p>SKU No. 6-44723-54350-7 Style No. 23101134 PATENT</p>
<p>Elegance Enterprise Corporation # 18219 Railroad Street City of Industry, CA 91748</p>	<p>Glaze by Adi Pointed Toe Accent Boots - Camel</p>	<p>Style No. PRETTY - 1</p>
<p>E.M.S. Trading, Inc. # 5161 Richton Street Montclair, CA 91763</p> <p>Michael Antonio Commercial Inc. # 5161 Richton Street Montclair, CA 91763</p>	<p>Michael Antonio Flite Sandals - Yellow</p>	<p>SKU No. B0027SPQYS</p>
<p>Golden Delta Enterprises, Inc. # 679 South Placentia Avenue Fullerton, CA 92831</p>	<p>Bordello by Pleaser Milan-01 Pump - Yellow</p>	<p>Item No. MIL01/YL Style No. MILAN-01</p>

<p>J.C. Penney Corporation, Inc. # 6501 Legacy Drive Plano, TX 75024-3698</p>	<p>St. John's Bay Felicca Shoes - Yellow</p>	<p>SKU No. 024-2011-0245-06</p>
<p>Jimlar Corporation 160 Great Neck Road Great Neck, NY 11021</p>	<p>Coach Norra Shoes - Orange and Multi</p>	<p>SKU No. 6-63360-24643-5</p>
<p>Kia Incorporated # 16516 Via Esprillo #100 San Diego, CA 92127</p>	<p>Naughty Monkey Chutes and Ladders 2 Shoes - Red</p>	<p>SKU No. 8-84436-26020-3</p>
<p>Legend Footwear, Inc. # 19445 East Walnut Drive North City of Industry, CA 91789</p>	<p>Wild Diva Shoes - Red</p>	<p>Style No. LORA-01</p>
<p>Marc Jacobs International, L.L.C. # 72 Spring Street 2nd Floor New York, NY 10012</p>	<p>Gary Sandal - Lemon</p>	<p>SKU No. 8-84312-73916-8 Item No. 605185</p>
<p>Orchard Brands Corporation 30 Tozer Road Beverly, MA 01915</p>	<p>Cassie Sandal - Green</p>	<p>Item No. A0A354-1150 PO No. 5002360</p>
<p>Polo Ralph Lauren Corporation # 9 Polito Avenue Lyndhurst, NJ 07071</p> <p>Ralph Lauren Footwear Co., Inc. # 9 Polito Avenue Lyndhurst, NJ 07071</p>	<p>Ralph Lauren Collection Fidelia High Espadrille Sandals - Orange Nappa</p>	<p>SKU No. 8-85019-58457-0</p>
<p>Remac, L.L.P 1445 Bradley Lane Carrollton, TX 75007</p> <p>Remac, Inc. 1445 Bradley Lane Carrollton, TX 75007</p>	<p>J. Renee Effie Shoes - Patent and Polka Dot</p>	<p>SKU No. 7-97713-64955-7</p>

<p>Shoe Magnate, Inc. # 18560 East San Jose Avenue City of Industry, CA 91748</p>	<p>Bonnibel Plain Pump- Orange</p>	<p>Style No. NICOLE-2</p>
<p>SMAC, Inc. # 17559 Rowland Street City of Industry, CA 91748</p>	<p>Miss Me Sandals - Yellow</p>	<p>Style No. CARMEN-3</p>
<p>Tatiossian Bros., Inc. # 9309 Borden Avenue Sun Valley, CA 91352</p>	<p>David Tate Circle Shoes - Yellow</p>	<p>SKU No. 4-28918-44085-3</p>
<p>Versace USA, Inc. # 200 Madison Avenue 21st Floor New York, NY 10016</p> <p>Versace Inc. # 2728 Marion Avenue Apt. A3 Bronx, New York 10458</p>	<p>Versus Closed-Toe Slip-Ons - Yellow</p>	<p>SKU No. 1-000348-170013 Item No. SD/VS/6217/PVE/21</p>
<p>YOOX Corporation 80 River Street Hoboken, NJ 07030</p>	<p>Versus Closed-Toe Slip-Ons - Yellow</p>	<p>SKU No. 1-000348-170013 Item No. SD/VS/6217/PVE/21 YOOX SKU No. 1000000007249400</p>

CERTIFICATE OF MERIT
Health & Safety Code § 25249.7(d)

I, Howard Hirsch, hereby declare:

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

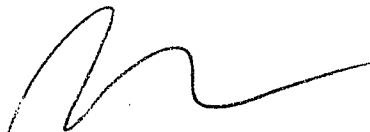
2. I am an attorney with the Lexington Law Group, and I represent the noticing party, the Center for Environmental Health.

3. Members of my firm and 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 exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on 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 plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the 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 & Safety Code § 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.

May 27, 2010



Howard Hirsch
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

PROOF OF SERVICE BY MAIL

I declare that:

I am employed in San Francisco County, California; my business address is 1627 Irving Street, San Francisco, California 94122. I am over the age of 18 years and not a party to the within cause and my electronic notification address is jromer@lexlawgroup.com.

On May 27, 2010, I served true copies of the following documents:

NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT;

CERTIFICATE OF MERIT; and

THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY (only sent to those on service list marked with an asterisk).

On this date, I deposited fully prepaid and sealed envelopes containing the above-mentioned documents with the United States Postal Service, addressed to the following individuals:

Please see attached service list.

Also on this date, I transmitted via electronic mail the documents listed above to the electronic mail addresses set forth below at ____:____.m. on May 27, 2010:

Lon Wixson, Deputy District Attorney
Contra Costa County
900 Ward Street
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lwixson@contracosta.org

Dije Ndreu, Deputy District Attorney
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Birgit Fladager, District Attorney
Stanislaus County
832 12th Street, Ste. 300
Modesto, CA 95354
Prop65@standa.org

The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on May 27, 2010, at San Francisco, California.

Signed: _____
Jennie Romer

SERVICE LIST

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San Francisco City Attorney's Office
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

San Jose City Attorney's Office
200 East Santa Clara Street
San Jose, CA 95113

California Attorney General's Office
Attention: Proposition 65
Coordinator and Robert Thomas
1515 Clay Street, Ste. 2000
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