

Metzger Law Group

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June 21, 2012

VIA FIRST-CLASS U.S. MAIL

TO ALL ALLEGED VIOLATORS IDENTIFIED
IN EXHIBIT "A" ATTACHED HERETO

**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 the following listed entities 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).

Advantage Sales & Marketing Inc.;	Bicycle Coffee LLC;
Advantage Sales & Marketing LLC;	Big River Coffee Company, Inc.;
Akamai Pacific, LLC;	Blind Dog Coffee;
Aleta Wondo Coffee L.L.C.;	Boyer Coffee Company, Inc.;
Allegro Coffee Company;	Buendia Coffee LLC;
American Coffee Co., Inc.;	BYB Brands, Inc.;
Anjae, Inc. fka Barefoot Coffee Roasters Incorporated;	Cafe Moto;
Apffels Coffee, Inc.;	Caffe Calabria Coffee Roasting Company, Inc.;
Applied Food Services, Inc. dba Caffe Sanora;	Caffee Enterprises, LLC;
Araban Coffee Co. Inc.;	Caffe Ibis, Inc.;
Arabicadabra Coffee Company LLC;	Cameron's Coffee and Distribution Company;
Barefoot Coffee, Inc.;	Carl Landman Co., Inc.;
Barefoot Coffee Roasters;	Carmel Roasters Inc.;
Bay Valley Foods, LLC;	Cascade Coffee, Inc.;
Beantrees, Inc.;	Central Coast Coffee Roasting Company, Inc.;
Berkeley Coffee and Tea, Inc. dba Uncommon Grounds;	Churchill Coffee Company, L.L.C.;
Berres Brothers, Inc.;	CityKid Java Limited;
Berres Brothers Coffee Roasters Inc.;	Clean Foods Inc.;

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Coast Roast Coffee;	Hometown Coffee Company;
The Coca-Cola Company;	How Ya Bean, LLC dba Blind Dog Coffee;
Coffee Bean International, Inc.;	H&R Investments, Inc.;
Coffees of Hawaii, LLC;	Hui Hololio, Inc. dba Ka 'lo Farms;
Coffees of Molokai, Inc.;	Intelligentsia Coffee & Tea Inc.;
Coffee.Org Inc.;	Interamcoffee, Inc.;
Coffee Roasters of Arizona, Inc.;	International Coffee Trading, LLC;
Comfort Foods, Inc.;	Internatural Foods, L.L.C.;
The Coming Home Foods Company;	James C. Cannell Coffees, Inc. dba Jim's Organic Coffee;
Community Coffee Company, LLC;	Java Trading Co., LLC;
Connoisseur Coffee Company;	Java Trading Co., International;
Continental Mills, Inc.;	Jayone Foods, Inc.;
Copper Moon Coffee, LLC;	JBR, Inc. dba Rogers Family Company;
D'Aquino Italian Importing Co., Inc.;	Jeremiah's Pick Coffee Company;
Davan Espresso, Inc.;	Joshua's Roasting Company;
Dean Foods Company;	Kalani Organica Ltd.;
De La Paz Coffee;	Kauai Coffee Company, LLC;
Distant Lands Coffee;	Kean Coffee, LLC;
Distant Lands, L.L.C.;	Kehe Distributors, Inc.;
Distant Lands Trading Co.;	Kehe Distributors, LLC;
Dona Mireya, Inc. dba Jones Coffee Roasters;	Kerry Inc. which will do business in California as Kerry
DPI Specialty Foods, Inc.;	Ingredients, Inc.;
DPI Specialty Foods West, Inc.;	Keurig, Incorporated;
Eagle Coffee Company, Inc.;	Komatsu Enterprises, Inc.;
Ecco Caffè, Inc.;	Konaloa Coffee Company;
EDW. Apffel Company;	Konaloa Farms;
Eight O'Clock Coffee Company;	L.A. Libations, LLC;
El Dorado Roasting Company LLC;	Land O'Lakes, Inc.;
Equal Exchange, Inc.;	Lavazza Premium Coffees Corp.;
Equator Coffee & Teas, Inc.;	Luberski, Inc.;
Excellent Coffee Co., Inc.;	Lulu Carpenter's Cafe, Inc.;
Explorer's Bounty, Inc.;	M. Block and Sons, Inc.;
Falcon Trading Company;	Mariposa Coffee Company;
Fleming Companies, Inc.;	Mark Ferrari Specialty Coffees;
Fourbarrel Coffee, LLC;	Marley Coffee, LLC;
Full Circle Compost, Inc.;	Masterpiece Coffee;
George J. Howe Company;	Mavericks Roasting Co., LLC;
Gold Coffee Roasters, Inc.;	Mayorga Coffee, LLC;
Gold Medal Products Co.;	McLane Company, Inc.;
Good Earth Teas, Inc.;	Millstone Coffee, Inc.;
Gourmet Merchants International, Inc.;	Moksha Coffee Roasting, LLC;
Graffeo Coffee Roasting Company, Inc.	Montana Coffee Traders, Inc.;
Groundwork Coffee, LLC;	Morrison Lamothe Inc. dba The Coming Home Foods
Guayaki Sustainable Rainforest Products, Inc.;	Company;
Hawaiian Isles Kona Coffee Company, Ltd.;	Mother Parkers Tea & Coffee Inc.;
The Healthy Bean, Inc.;	Mountanos Brothers Coffee Co.;
H.N. Fernandez, Inc.;	Muddy Waters Coffee Company, Inc.;

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Napa Valley Coffee Roasting Company, Inc.;	Santa Cruz Coffee Roasting Company;
Nature's Best;	Sarkisian & Associates;
New England Tea & Coffee Co., Inc.;	Sarkisian Coffee, Inc.;
Newhall Coffee Roasting Company, Inc.;	S. & D. Coffee, Inc.;
New Mexico Pinon Company, Inc.;	Shaw's Coffee, Ltd.;
NFCGC Retail LLC;	Signature Sales and Marketing Inc.;
North Coast Coffee Roasting Company;	S.J. McCullough, Inc.;
North Pole Coffee Roasting, Inc.;	Snyder's-Lance, Inc.;
Northbound Coffee Roasters;	Southern Wine and Spirits of America, Inc.;
Northeast Merchandising Corp., dba Northeast Coffee Company;	Steelheart Enterprises;
Ola's Coffee, Tea & Equipment Corp.;	Steep & Brew, Inc.;
Old Soul Co.;	Sunshine Coffee Roasters;
Ospina Coffee International, Corp.;	Surf City Coffee Co., Inc.;
Pacific Coffee, Inc. dba Maui Coffee Company;	Taylor Maid Farms, LLC;
Paradise Beverages, Inc.;	Teeccino Caffè, Inc.;
Peerless Coffee Company, Inc.;	Temple Coffee;
Peerless Coffee Company, Inc. dba Adam's Organic Coffees;	Thanksgiving Coffee Company, Inc.;
Philz Coffee, Inc.;	Thomas Acquisition LLC dba Thomas Coffee LLC;
Plaza Provision Company;	Thomas Acquisition LLC dba Thomas Coffee Company LLC;
Portola Handcrafted Coffee Roasters LLC;	Tieman's Fusion Coffees;
Powell Coffee, LLC;	Transnational Foods, Inc.;
The Procter & Gamble Company;	True Beans Coffee Roasters LLC;
Pure Bean, Inc. dba Zona Rosa Coffee;	T & T Enterprises Inc.;
Puroast Coffee Company, Inc.;	Uncommon Grounds, Inc.;
Puroast Coffee Company, Inc.;	United Natural Foods, Inc.;
Quartermaine Coffee Roasters;	United Natural Foods West, Inc.;
Raven's Brew Coffee, Inc.;	United Stationers Supply Co.;
Regal Commodities;	Vaneli's, Inc.;
Reily Foods Company;	Vasquez Coffee Company;
Ritual Grounds Coffee Roasting Inc.;	Verve Coffee Roasters;
Ritual Coffee Roasters, Inc.;	Verve Pacific Avenue Cafe, LLC dba Verve Coffee Roasters;
Roast Coffee Company;	Victor Allen's Coffee, LLC;
Rockstar, Inc.;	Volcanic Red, LLC;
R. Torre & Company, Inc.;	Whitewave Foods Company;
Sacred Grounds Organic Coffee Roasters;	Wild Card Roasters, LLC;
Safari Morning Coffee;	Wild Oats Marketing, LLC;
Santa Barbara Coffee, LLC dba Green Star Coffee;	Wilton Industries, Inc.;
Santa Barbara Roasting Company;	Zavida Coffee Company Inc.

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"

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 June 2002, and continuing to the present, the above named entities have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. As used herein, the term "coffee" means roasted coffee beans, coffee grounds, freeze-dried coffee, flakes/instant coffee, and coffee mixtures used to become drinkable coffee. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the above named entities' acrylamide-containing, coffee. Testing of coffee has shown that even a single, small (12-ounce) serving of coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level ("NSRL") for acrylamide established by California's Office of Environmental Health Hazard Assessment ("OEHHA"). Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is 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 their coffee that their coffee contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California 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.
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:

Advantage Sales & Marketing Inc.;	Community Coffee Company, LLC;
Advantage Sales & Marketing LLC;	Connoisseur Coffee Company;
Akamai Pacific, LLC;	Continental Mills, Inc.;
Aleta Wondo Coffee L.L.C.;	Copper Moon Coffee, LLC;
Allegro Coffee Company;	D'Aquino Italian Importing Co., Inc.;
American Coffee Co., Inc.;	Davan Espresso, Inc.;
Anjae, Inc. fka Barefoot Coffee Roasters Incorporated;	Dean Foods Company;
Apffels Coffee, Inc.;	De La Paz Coffee;
Applied Food Services, Inc. dba Caffè Sanora;	Distant Lands Coffee;
Araban Coffee Co. Inc.;	Distant Lands, L.L.C.;
Arabicadabra Coffee Company LLC;	Distant Lands Trading Co.;
Barefoot Coffee, Inc.;	Dona Mireya, Inc. dba Jones Coffee Roasters;
Barefoot Coffee Roasters;	DPI Specialty Foods, Inc.;
Bay Valley Foods, LLC;	DPI Specialty Foods West, Inc.;
Beantrees, Inc.;	Eagle Coffee Company, Inc.;
Berkeley Coffee and Tea, Inc. dba Uncommon Grounds;	Ecco Caffè, Inc.;
Berres Brothers, Inc.;	EDW. Apffel Company;
Berres Brothers Coffee Roasters Inc.;	Eight O'Clock Coffee Company;
Bicycle Coffee LLC;	El Dorado Roasting Company LLC;
Big River Coffee Company, Inc.;	Equal Exchange, Inc.;
Blind Dog Coffee;	Equator Coffee & Teas, Inc.;
Boyer Coffee Company, Inc.;	Excellent Coffee Co., Inc.;
Buendia Coffee LLC;	Explorer's Bounty, Inc.;
BYB Brands, Inc.;	Falcon Trading Company;
Café Moto;	Fleming Companies, Inc.;
Caffè Calabria Coffee Roasting Company, Inc.;	Fourbarrel Coffee, LLC;
Caffè Enterprises, LLC;	Full Circle Compost, Inc.;
Caffè Ibis, Inc.;	George J. Howe Company;
Cameron's Coffee and Distribution Company;	Gold Coffee Roasters, Inc.;
Carl Landman Co., Inc.;	Gold Medal Products Co.;
Carmel Roasters Inc.;	Good Earth Teas, Inc.;
Cascade Coffee, Inc.;	Gourmet Merchants International, Inc.;
Central Coast Coffee Roasting Company, Inc.;	Graffeo Coffee Roasting Company, Inc.;
Churchill Coffee Company, L.L.C.;	Groundwork Coffee, LLC;
CityKid Java Limited;	Guayaki Sustainable Rainforest Products, Inc.;
Clean Foods Inc.;	Hawaiian Isles Kona Coffee Company, Ltd.;
Coast Roast Coffee;	The Healthy Bean, Inc.;
The Coca-Cola Company;	H.N. Fernandez, Inc.;
Coffee Bean International, Inc.;	Hometown Coffee Company;
Coffees of Hawaii, LLC;	How Ya Bean, LLC dba Blind Dog Coffee;
Coffees of Molokai, Inc.;	H&R Investments, Inc.;
Coffee.Org Inc.;	Hui Hololio, Inc. dba Ka 'lo Farms;
Coffee Roasters of Arizona, Inc.;	Intelligentsia Coffee & Tea Inc.;
Comfort Foods, Inc.;	Interamcoffee, Inc.;
The Coming Home Foods Company;	International Coffee Trading, LLC;

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Internatural Foods, L.L.C.;	North Pole Coffee Roasting, Inc.;
James C. Cannell Coffees, Inc. dba Jim's Organic Coffee;	Northbound Coffee Roasters;
Java Trading Co., LLC;	Northeast Merchandising Corp., dba Northeast Coffee Company;
Java Trading Co., International;	Ola's Coffee, Tea & Equipment Corp.;
Jayone Foods, Inc.;	Old Soul Co.;
JBR, Inc. dba Rogers Family Company;	Ospina Coffee International, Corp.;
Jeremiah's Pick Coffee Company;	Pacific Coffee, Inc. dba Maui Coffee Company;
Joshua's Roasting Company;	Paradise Beverages, Inc.;
Kalani Organica Ltd.;	Peerless Coffee Company, Inc.;
Kauai Coffee Company, LLC;	Peerless Coffee Company, Inc. dba Adam's Organic Coffees;
Kean Coffee, LLC;	Philz Coffee, Inc.;
Kehe Distributors, Inc.;	Plaza Provision Company;
Kehe Distributors, LLC;	Portola Handcrafted Coffee Roasters LLC;
Kerry Inc. which will do business in California as Kerry Ingredients, Inc.;	Powell Coffee, LLC;
Keurig, Incorporated;	The Procter & Gamble Company;
Komatsu Enterprises, Inc.;	Pure Bean, Inc. dba Zona Rosa Coffee;
Konaloa Coffee Company;	Puroast Coffee Company, Inc.;
Konaloa Farms;	Puroast Coffee Company, Inc.;
L.A. Libations, LLC;	Quartermaine Coffee Roasters;
Land O'Lakes, Inc.;	Raven's Brew Coffee, Inc.;
Lavazza Premium Coffees Corp.;	Regal Commodities;
Luberski, Inc.;	Reily Foods Company;
Lulu Carpenter's Cafe, Inc.;	Ritual Grounds Coffee Roasting Inc.;
M. Block and Sons, Inc.;	Ritual Coffee Roasters, Inc.;
Mariposa Coffee Company;	Roast Coffee Company;
Mark Ferrari Specialty Coffees;	Rockstar, Inc.;
Marley Coffee, LLC;	R. Torre & Company, Inc.;
Masterpiece Coffee;	Sacred Grounds Organic Coffee Roasters;
Mavericks Roasting Co., LLC;	Safari Morning Coffee;
Mayorga Coffee, LLC;	Santa Barbara Coffee, LLC dba Green Star Coffee;
McLane Company, Inc.;	Santa Barbara Roasting Company;
Millstone Coffee, Inc.;	Santa Cruz Coffee Roasting Company;
Moksha Coffee Roasting, LLC;	Sarkisian & Associates;
Montana Coffee Traders, Inc.;	Sarkisian Coffee, Inc.;
Morrison Lamothe Inc. dba The Coming Home Foods Company;	S. & D. Coffee, Inc.;
Mother Parkers Tea & Coffee Inc.;	Shaw's Coffee, Ltd.;
Mountanos Brothers Coffee Co.;	Signature Sales and Marketing Inc.;
Muddy Waters Coffee Company, Inc.;	S.J. McCullough, Inc.;
Napa Valley Coffee Roasting Company, Inc.;	Snyder's-Lance, Inc.;
Nature's Best;	Southern Wine and Spirits of America, Inc.;
New England Tea & Coffee Co., Inc.;	Steelheart Enterprises;
Newhall Coffee Roasting Company, Inc.;	Steep & Brew, Inc.;
New Mexico Pinon Company, Inc.;	Sunshine Coffee Roasters;
NFCGC Retail LLC;	Surf City Coffee Co., Inc.;
North Coast Coffee Roasting Company;	Taylor Maid Farms, LLC;

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Teeccino Caffè, Inc.;	United Stationers Supply Co.;
Temple Coffee;	Vaneli's, Inc.;
Thanksgiving Coffee Company, Inc.;	Vasquez Coffee Company;
Thomas Acquisition LLC dba Thomas Coffee LLC;	Verve Coffee Roasters;
Thomas Acquisition LLC dba Thomas Coffee Company LLC;	Verve Pacific Avenue Cafe, LLC dba Verve Coffee Roasters;
Tieman's Fusion Coffees;	Victor Allen's Coffee, LLC;
Transnational Foods, Inc.;	Volcanic Red, LLC;
True Beans Coffee Roasters LLC;	Whitewave Foods Company;
T & T Enterprises Inc.;	Wild Card Roasters, LLC;
Uncommon Grounds, Inc.;	Wild Oats Marketing, LLC;
United Natural Foods, Inc.	Wilton Industries, Inc.;
United Natural Foods West, Inc.;	Zavida Coffee Company Inc.

Time of Violations: The violations of California Health & Safety Code § 25249.6 are numerous and have been continuous and uninterrupted since approximately June 2002 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 purchased and thereafter ingested acrylamide from the coffee produced, distributed, and/or sold by the above named entities, without first receiving the required Proposition 65 warnings.

Listed Chemicals: The carcinogenic chemical in the coffee produced, distributed, and/or sold by the above named entities which is the subject of the named entities' Proposition 65 violations is acrylamide, CAS No. 79-06-1, which was first listed at 22 California Code of Regulations § 1200(b) as a chemical known to the State of California to cause cancer on January 1, 1990.

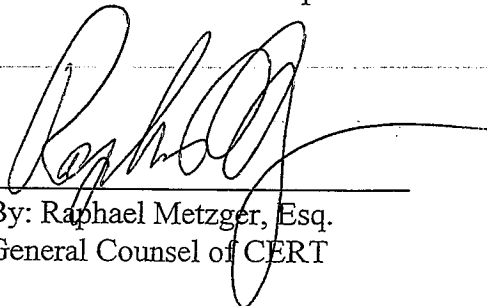
Consumer Product Exposure Description: Since June 2002, and continuing to the present, the above named entities have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. As used herein, the term "coffee" means roasted coffee beans, coffee grounds, freeze-dried coffee, flakes/instant coffee, and coffee mixtures used to become drinkable coffee. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the coffee produced, distributed, and/or sold by the above named entities. Tests have shown that the even a single, small (12-ounce) serving of the above named entities' coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level ("NSRL") for acrylamide established by California's Office of Environmental Health Hazard Assessment ("OEHHA"). Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn

consumers of their coffee in California that the coffee that they produce, distribute, and/or sell contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California to cause cancer. The above named entities' Proposition 65 violations are particularly egregious and hazardous given the high concentrations of acrylamide contained in their coffee and given the fact that most consumers of coffee drink more than a single, small (12-ounce) serving of coffee per day.

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 the exposures of California consumers to the toxic hazards of acrylamide contained in your coffee, or providing the required and necessary warnings regarding the acrylamide contained in your coffee.

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: Exhibit "A" - List of Alleged Violators; Summary of Proposition 65; Certificate of Merit; Proof of Service by Mail

Exhibit A
(List of Alleged Violators)

Sonny King
Principal
Advantage Sales & Marketing Inc.
Advantage Sales & Marketing LLC
18100 Von Karman Avenue
Suite 1000
Irvine, CA 92612

CEO/President
Akamai Pacific, LLC
98-1277 Kaahumanu Street
Suite 321
Aiea, HI 96701

Tsegay Bekele
Principal
Aleta Wondo Coffee L.L.C.
28 Reed Street
Mill Valley, CA 94941

Jeff Teter
Principal
Allegro Coffee Company
550 Bowie Street
Austin, TX 78703

CEO/President
American Coffee Co., Inc.
7609 Energy Parkway, Ste. 1001
Baltimore, MD 21226

Andy R. Newbom
Principal
Anjae, Inc. fka Barefoot Coffee
Roasters Incorporated
421 N. 16th St.
San Jose, CA 95112

Maurice McIntosh
Principal
Apffels Coffee, Inc.
12115 Pacific Street
Santa Fe Springs, CA 90670

CEO/President
Applied Food Services, Inc. dba
Caffe Sanora
1700 South Lamar Blvd.
Suite 330
Austin, TX 78704

Joseph H. Leary, Jr.
President
Araban Coffee Co. Inc.
2 Keith Way
Hingham, MA 02043

Jacqueline Mendelson
Principal
Arabicadabra Coffee Company LLC
7010 Orion Avenue
Van Nuys, CA 91406

Steven D. Cohan
Principal
Barefoot Coffee, Inc.
305 Ventana Way
Aptos, CA 95003

CEO/President
Barefoot Coffee Roasters
76 Sunol Street
San Jose, CA 95126

Harry J. Walsh
Principal
Bay Valley Foods, LLC
2021 Spring Road
Suite 600
Oakbrook, IL 60523

John Barrie Gromala
Principal
Beantrees, Inc.
1415 8th Avenue
Sacramento, CA 95818

James S. Spohn
Principal
Berkeley Coffee and Tea, Inc. dba
Uncommon Grounds
486 44th Street
Oakland, CA 94609

CEO/President
Berres Brothers, Inc.
W6352 Hill Road
Watertown, WI 53098

CEO/President
Berres Brothers Coffee Roasters
Inc.
202 Air Park Drive
Watertown, WI 53094

Brad Butler
Principal
Bicycle Coffee LLC
1448 9th Avenue
San Francisco, CA 94122

Naomi Henderson
Principal
Big River Coffee Company, Inc.
3345 Industrial Drive, #18
Santa Rosa, CA 95403

CEO/President
Blind Dog Cofee
1276 Pit Road
Gardenerville, NV 89460

CEO/President
Boyer Coffee Company, Inc.
7295 North Washington Street
Denver, CO 80229

CEO/President
Buendia Coffee LLC
140 East 57th Street
New York, NY 10022

Norman George
Principal
BYB Brands, Inc.
P.O. Box 31487
Charlotte, NC 28231

Norman George
Principal
BYB Brands, Inc.
2101 Rexford Road, Suite 236
Charlotte, NC 28211

Torrey Lee
Principal
Cafe Moto
2619 National Avenue
San Diego, CA 92113

Arne Holt
Principal
Caffe Calabria Coffee Roasting
Company, Inc.
3933 30th Street
San Diego, CA 92104

CEO/President
Caffee Enterprises, LLC
25 Cedar Top Drive
Apartment 4
Lake St. Louis, MO 63367

CEO/President
Caffe Ibis, Inc.
52 Federal Avenue
Logan, UT 84321

William Kirkpatrick
CEO
Cameron's Coffee and Distribution
Company
5700 12th Ave. East
Shakopee, MN 55379

James D. Landman Principal Carl Landman Co., Inc. 44 Visitacion Ave. Suite 104 Brisbane, CA 94005	CEO/President Coast Roast Coffee P.O. Box 121 Tombales, CA 94971	CEO/President Community Coffee Company, LLC 3332 Partridge Lane, Bldg. A Baton Rouge, LA 70809
Dean E. Mcathie Principal Carmel Roasters Inc. 316 Mid Valley Center, # 157 Carmel, CA 93923	Muhtar Kent CEO The Coca-Cola Company One Coca-Cola Plaza, N.W. Atlanta, GA 30313	CEO/President Connoisseur Coffee Company 2801 Middlefield Road Redwood City, CA 94063
CEO/President Cascade Coffee, Inc. 1525 75 th Street SW #100 Everett, WA 98203	Patrick Critesar President Coffee Bean International, Inc. 9120 North East Alderwood Road Portland, OR 97220	CEO/President Continental Mills, Inc. P.O. BOX 88176 Seattle, WA 98138
Julie Galloway Principal Central Coast Coffee Roasting Company, Inc. P.O. Box 6660 Los Osos, CA 93412	Patrick Critesar President Coffee Bean International, Inc. 20333 S. Normandie Ave. Torrance, CA 90502	John M. Heily Principal Continental Mills, Inc. 18125 Andover Park W Tukwila, WA 98188
Julie Galloway Principal Central Coast Coffee Roasting Company, Inc. 1172 Los Olivos Ave. Los Osos, CA 93402	CEO/President Coffees of Hawaii, LLC P.O. Box 1870 Manteca, CA 95336	CEO/President Copper Moon Coffee, LLC 4826 Tazer Dr. Lafayette, IN 47905
CEO/President Churchill Coffee Company, L.L.C. 3119 S. Scenic Suite A Springfield, MO 65807	CEO/President Coffees of Hawaii, LLC 1630 Farrington Avenue Kualapuu, HI 96757	Gaetano D'Aquino Principal D'Aquino Italian Importing Co., Inc. 1850 Business Center Dr. Duarte, CA 91010
CEO/President Churchill Coffee Company, L.L.C. 4253 E. Enterprise Lane, #300 Rogersville, MO 65742	CEO/President Coffees of Molokai, Inc. 99-910 Iwaena Street Aiea, Hawaii 96701	CEO/President Davan Espresso, Inc. 706 Challenger Way Forked River, NJ 08731
Jenifer Siegle CEO CityKid Java Limited 3041 Fourth Avenue South Minneapolis, MN 55408	William C. McClure President Coffee.Org Inc. 5705 Steep Hill Road Bldg. 10712 Fort Smith, AR 72916	Gregg Engles CEO Dean Foods Company 2711 North Haskell Avenue Suite 3400 Dallas, TX 75204
Chris Shepherd Principal Clean Foods Inc. 760 E. Santa Maria Street Santa Paula, CA 93060	Richard Burnett Brecheisen CEO/President Coffee Roasters of Arizona, Inc. 7585 East Gray Road Scottsdale, AZ 85260	CEO/President De La Paz Coffee 1081 Mission Street San Francisco, CA 94103
CEO/President Coast Roast Coffee 27045 Hwy. 1 Tombales, CA 94971	Michael J. Sullivan President Comfort Foods, Inc. 25 Commerce Way North Andover, MA 01845	CEO/President Distant Lands Coffee Distant Lands Trading Co. 801 Houser Way N Renton, WA 98057
	CEO/President The Coming Home Foods Company 1180 W Beekman St. Springfield, MO 65810	CEO/President Distant Lands, L.L.C. 801 Houser Way N Renton, WA 98057

CEO/President Distant Lands, L.L.C. 109 First Ave. S. Seattle, WA 98104	Rink J. Dickinson President Equal Exchange, Inc. 50 United Drive West Bridgewater, MA 02379	Dan Phillips President George J. Howe Company 629 W. Main St. Grove City, PA 16127
Charles Bosworth Jones Principal Dona Mireya, Inc. dba Jones Coffee Roasters 693 South Raymond Avenue Pasadena, CA 91105	Helen Russell Principal Equator Coffee & Teas, Inc. 115 Jordan St. San Rafael, CA 94901	John M. Parry President Gold Coffee Roasters, Inc. 1425 Park Lane South Jupiter, FL 33458
Jim Dekeyser Principal DPI Specialty Foods, Inc. 601 Rockefeller Avenue Ontario, CA 91761	William Kapos President Excellent Coffee Co., Inc. 259 East Avenue Pawtucket, RI 02860	CEO/President Gold Medal Products Co. 10700 Medallion Drive Cincinnati, OH 45241
Jim Mejia Principal DPI Specialty Foods West, Inc. 601 Rockefeller Avenue Ontario, CA 91761	Caroline Owre President Explorer's Bounty, Inc. 8390 NW 53 rd St. Suite 312 Miami, FL 33166	Stephen Rice Principal Good Earth Teas, Inc. 155 Chestnut Ridge Road Montvale, NJ 07645
CEO/President Eagle Coffee Company, Inc. 1021 Hillen Street Baltimore, MD 21202	Morton Cohen Principal Falcon Trading Company 423 Salinas Road Pajaro, CA 95076	Robert Chavelle Principal Gourmet Merchants International, Inc. P.O. Box 4347 Carson, CA 90749
Douglas Zell Principal Ecco Caffè, Inc. 1850 W. Fulton Chicago, IL 60612	CEO/President Fleming Companies, Inc. 6301 Waterford Boulevard Oklahoma City, OK 73126	Robert Chavelle Principal Gourmet Merchants International, Inc. 16511 S. Main Street Gardena, CA 90248
Darryl Blunk Principal EDW. Apffel Company 12115 Pacific Street Sante Fe Springs, CA 90670	CEO/President Fleming Companies, Inc. P.O. Box 26647 Oklahoma City, OK 73126	Luciana Repetto Principal Graffeo Coffee Roasting Company, Inc. 735 Columbus Ave. San Francisco, CA 94133
Darryl Blunk Principal EDW. Apffel Company P.O. Box 2506 Sante Fe Springs, CA 90670	Jeremy Tooker Principal Fourbarrel Coffee, LLC 375 Valencia Street San Francisco, CA 94103	CEO/President Groundwork Coffee, LLC 5457 Cleon Avenue North Hollywood, CA 91601
CEO/President Eight O'Clock Coffee Company 155 Chestnut Ridge Road Montvale, NJ 07645	Craig M. Witt President Full Circle Compost, Inc. P.O. Box 640 Minden, NV 89423	Christopher Mann Principal Guayaki Sustainable Rainforest Products, Inc. 6784 Sebastopol Ave. Sebastopol, CA 95472
Dennis Planje Principal El Dorado Roasting Company LLC 4661 Golden Foothill Pkwy., Suite 103 El Dorado Hills, CA 95762	Craig M. Witt President Full Circle Compost, Inc. 3190 Highway 395 Minden, NV 89423	CEO/President Hawaiian Isles Kona Coffee Company, Ltd. 2839 Mokumoa St. Honolulu, HI 96819

Violeta D. Cristobal Principal The Healthy Bean, Inc. 9469 Slauson Ave. Pico Rivera, CA 90660	James C. Cannell President James C. Cannell Coffees, Inc. dba Jim's Organic Coffee 21 Patterson Brook Rd. West Wareham, MA 02576	CEO/President Kehe Distributors, LLC 900 N. Schmidt Rd. Romeoville, IL 60446
Wilbur B. Schwarz President H.N. Fernandez, Inc. 813 Decatur Street New Orleans, LA 70116	CEO/President Java Trading Co., LLC Java Trading Co., International 801 Houser Way N Renton, WA 98057	Gerard Behan Principal Kerry Inc. which will do business in California as Kerry Ingredients, Inc. 3330 Millington Road Beloit, WI 53511
Thomas P. Kazas President Hometown Coffee Company 130 Southpointe Dr. Bridgeville, PA 15017	Seung Hoon Lee Principal Jayone Foods, Inc. 7212 Alondra Blvd. Paramount, CA 90723	Michelle V. Stacy Principal Keurig, Incorporated 55 Walkers Brook Drive Reading, MA 01867
CEO/President How Ya Bean, LLC dba Blind Dog Coffee 1279 Pit Road, Suite 8 Gardenerville, NV 89460	Jon B. Rogers Principal JBR, Inc. dba Rogers Family Company 1731 Aviation Blvd. Lincoln, CA 95648	CEO/President Komatsu Enterprises, Inc. 94-153 Leonui St. Waipahu, HI 96797
Larry F. Rannals President H&R Investments, Inc. 640 E. 57 th Pl. Anchorage, AK 99518	Jeremiah Pick Principal Jeremiah's Pick Coffee Company 1495 Evans Avenue San Francisco, CA 94124	CEO/President Konaloa Coffee Company 3661 Glenwood Eureka, CA 95501
CEO/President Hui Hololio, Inc. dba Ka 'lo Farms P.O. Box 390759 Kauahou, HI 96739	CEO/President Joshua's Roasting Company 111 E. Hanford-Armona Rd. Suite B Lemoore, CA 93245	CEO/President Konaloa Farms 3661 Glenwood Eureka, CA 95501
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CEO/President International Coffee Trading, LLC 5200 Blue Lagoon Drive Suite 700 Miami, FL 33126	Martin Diedrich Principal Kean Coffee, LLC 281 Magnolia Street Costa Mesa, CA 92627	Ennio Ranaboldo Principal Lavazza Premium Coffees Corp. 3 Park Avenue, 28 th Floor New York, NY 10016
Linda Palame Principal Internatural Foods, L.L.C. 300 Broadacres Dr. Bloomfield, NJ 07003	Brandon Barnholt Principal Kehe Distributors, Inc. 900 N. Schmidt Rd. Romeoville, IL 60446	Timothy E. Luberski Principal Luberski, Inc. 310 North Harbor Blvd., Ste. 205 Fullerton, CA 92832
		Manthri Srinath Principal Lulu Carpenter's Cafe, Inc. P.O. Box 419 Santa Cruz, CA 95061

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CEO/President
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CEO/President
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Springfield, MO 65810

CEO/President
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Mark Stambaugh
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CEO/President
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CEO/President
Northbound Coffee Roasters
409 Berry Street
Mt. Shasta CA, 96067

CEO/President
Northeast Merchandising Corp., dba
Northeast Coffee Company
60 Southgate Parkway
Skowhegan, ME 04976

CEO/President Northeast Merchandising Corp., dba Northeast Coffee Company P.O. Box 446 Skowhegan, ME 04976	Jeffrey Duggan Principal Portola Handcrafted Coffee Roasters LLC 25 Conservancy Irvine, CA 92618	Tim Langdon Principal Ritual Grounds Coffee Roasting Inc. 1150 Joshua Way Vista, CA 92081
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CEO/President Old Soul Co. 1716 L St. Rear Alley Sacramento, CA 95811	Bob McDonald CEO/President The Procter & Gamble Company One Procter & Gamble Plaza Cincinnati, OH 45202	CEO/President Roast Coffee Company 1552 Beach Street Emeryville, CA 94608
Mariano Ospina President Ospina Coffee International, Corp. 14215 Ballantyne Lake Road Charlotte, NC 28277	Michael Moreno Principal Pure Bean, Inc. dba Zona Rosa Coffee 15 South El Molino Avenue Pasadena, CA 91101	Russ Weiner President Rockstar, Inc. P.O. Box 27740 Las Vegas, NV 89126
CEO/President Pacific Coffee, Inc. dba Maui Coffee Company 219 Kupuohi St. Lahaina, HI 96761	Kerry M. Sachs Principal Puroast Coffee Company, Inc. P.O. Box 1291 Woodland, CA 95776	Melanie Dulbecco Principal R. Torre & Company, Inc. 233 East Harris Ave. South San Francisco, CA 94080
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Phil Jaber Principal Philz Coffee, Inc. 1300 Potrero Avenue San Francisco, CA 94110	CEO/President Raven's Brew Coffee, Inc. 3035-A 37 th Ave. SW Tumwater, WA 98512	Kevin C. Donnelly Principal Santa Barbara Coffee, LLC dba Green Star Coffee 6489 Calle Real, Ste. G Goleta, CA 93117
CEO/President Plaza Provision Company P.O. Box 363328 San Juan, Puerto Rico 00936	CEO/President Regal Commodities 2975 Westchester Avenue Purchase, NY 10577	CEO/President Santa Barbara Roasting Company 321 Motor Way Santa Barbara, CA 93101
CEO/President Plaza Provision Company Carretera 165, Esquina Carr. 28 Guaynabo, Puerto Rico 00965	CEO/President Regal Commodities 123 Dale Avenue Paterson, NJ 07501	CEO/President Santa Cruz Coffee Roasting Company P.O. Box 2427 Watsonville, CA 95077
	David T. Darraugh Principal Reily Foods Company 640 Magazine St. New Orleans, LA 70130	

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CEO
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CEO
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Santa Barbara, CA 93101

CEO/President
Temple Coffee
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Sacramento, CA 95814

CEO/President
Temple Coffee
2829 S St.
Sacramento, CA 95816

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Fort Bragg, CA 95437

CEO/President
Thomas Acquisition LLC dba
Thomas Coffee LLC
Thomas Acquisition LLC dba
Thomas Coffee Company LLC
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St. Louis, MO 63110

CEO/President
Tieman's Fusion Coffees
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Sean Tan
Principal
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P. Cody Phipps
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San Francisco, CA 94188

CEO/President
Vasquez Coffee Company
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dba Verve Coffee Roasters
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CEO/President
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Little Chute, WI 54140

CEO/President
Victor Allen's Coffee, LLC
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Jerry W. Levin
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Wilton Industries, Inc.
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Zavida Coffee Company Inc.
70 Connie Crescent
Concord, Ontario
L4K 1L6 Canada

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.6

I, Raphael Metzger, hereby declare:

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. I am General Counsel for the noticing party, Council for Education and Research on Toxics, a California corporation whose charitable purposes are education and research regarding toxic substances.

4. 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 and Safety Code section 25249.6 by failing to provide clear and reasonable warnings regarding the acrylamide contained in their coffee.

5. Council for Education and Research on Toxics alleges that since June 2002, and continuing to the present, the entities identified in the attached sixty-day notice have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. The term “coffee” as used herein and in the attached sixty-day notice means roasted coffee beans, coffee grounds, freeze-dried coffee, flakes/instant coffee, and coffee mixtures used to become drinkable coffee. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the acrylamide-containing coffee of the entities identified in the attached sixty-day notice. Testing of coffee has shown that even a single, small (12-ounce) serving of their coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level (“NSRL”) for acrylamide established by California’s Office of Environmental

Health Hazard Assessment ("OEHHHA"). Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the entities named in the attached sixty-day notice were, and are, required to warn California consumers purchasing their coffee that their coffee contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the entities identified in the attached sixty-day notice violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California to cause cancer.

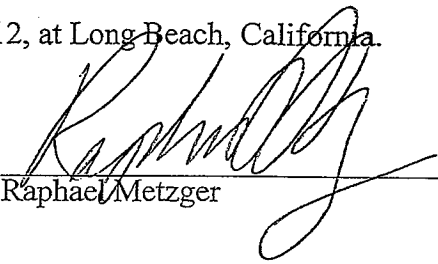
6. I have consulted with an expert who has reviewed facts, studies, and other data regarding the presence of, concentration of, and exposure to acrylamide from coffee. The expert that I consulted has the relevant and appropriate experience and expertise to review said facts, studies, and data because this expert holds a Ph.D. in toxicology, has published a number of peer-reviewed articles regarding risk assessment in general and acrylamide risk assessment in particular, and is employed as a senior researcher who regularly performs risk assessments and who supervises and lectures Ph.D. and masters thesis students in the areas of toxicology and risk assessment.

7. Based on the information obtained through my consultation, and on all other information in my possession, I believe that exposures to high levels of acrylamide unavoidably occurred via ingestion whenever a consumer purchased and consumed the coffee of the entities identified in the attached sixty-day notice from approximately June 2002, and continuing to the present. I also believe, based on my consultation and the information in my possession, that there is a reasonable and meritorious case for a private action, pursuant to Health & Safety Code §25249.7(d). I understand that "reasonable and meritorious case for private action" means that

information provides a credible basis that all elements of the private action can be established and that the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

8. 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 consulted with and relied on by the certifier, and (2) the facts and other data reviewed by that person.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed June 21, 2012, at Long Beach, California.


Raphael Metzger

PROOF OF SERVICE BY U.S. MAIL

(Our File No. 9703)

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 June 21, 2012, 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:

Kamala D. Harris
Office of the Attorney General
1515 Clay Street, 20th Floor
Oakland, CA 94612-0550

District Attorney
Amador County
708 Court Street
Jackson, CA 95642

District Attorney
Humboldt County
825 5th Street, 4th Floor
Eureka, CA 95501

James Sanchez
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Fresno, CA 93721-3600

District Attorney
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25 County Center Drive
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District Attorney
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200 North Main Street
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Crescent City, CA 95531

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Lake County
255 North Forbes Street
Lakeport, CA 95453

Richard Doyle
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Lassen County
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District Attorney
Alameda County
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District Attorney
Fresno County
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Fresno, CA 93721

District Attorney
Los Angeles County
210 West Temple St., Suite 1800
Los Angeles, CA 90012-3210

District Attorney
Alpine County
270 Laramie Street
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Markleeville, CA 96120

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

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

District Attorney Marin County 3501 Civic Center Dr., Rm. 130 San Rafael, CA 94903	District Attorney Riverside County 3960 Orange Street Riverside, CA 92501	District Attorney Shasta County 1355 West Street Redding, CA 96001
District Attorney Mariposa County 5101 Jones Street P.O. Box 730 Mariposa, CA 95338	District Attorney Sacramento County 901 G Street Sacramento, CA 95814	District Attorney Sierra County 100 Courthouse Square, 2 nd Floor P.O. Box 457 Downieville, CA 95936
District Attorney Mendocino County P.O. Box 1000 Ukiah, CA 95482	District Attorney San Benito County 419 4th Street Hollister, CA 95023-3801	District Attorney Siskiyou County P.O. Box 986 Yreka, CA 96097
District Attorney Merced County 650 W. 20 th St. Merced, CA 95340	District Attorney San Bernardino County 303 West 3 rd Street, 6 th Floor San Bernardino, CA 92425-0502	District Attorney Solano County 675 Texas Street, Suite 4500 Fairfield, CA 94533-6340
District Attorney Modoc County 204 S. Court St., STE. 202 Alturas, CA 96101	District Attorney San Diego County Hall of Justice 330 W. Broadway San Diego, CA 92101	District Attorney Sonoma County 600 Administration Dr., Room 212-J Santa Rosa, CA 95403
District Attorney Mono County P.O. Box 617 Bridgeport, CA 93517	District Attorney San Francisco County Hall of Justice 850 Bryant Street, Room 322 San Francisco, CA 94103	District Attorney Stanislaus County 832 12th Street, Suite 300 Modesto, CA 95354
District Attorney Monterey County P.O. Box 1131 Salinas, CA 93902	District Attorney San Joaquin County P.O. Box 990 Stockton, CA 95201-0990	District Attorney Sutter County 446 2nd Street, Suite 102 Yuba City, CA 95991
District Attorney Napa County Carithers Building P.O. Box 720 931 Parkway Mall Napa, CA 94559	District Attorney San Luis Obispo 1035 Palm St., Room 450 San Luis Obispo, CA 93408	District Attorney Tehama County 444 Oak St., Rm. L Red Bluff, CA 96080
District Attorney Nevada County 110 Union St. Nevada City, CA 95959	District Attorney San Mateo County 400 County Center, 3 rd Floor Redwood City, CA 94063	District Attorney Trinity County 11 Court St. P.O. Box 310 Weaverville, CA 96093
District Attorney Orange County 401 Civic Center Drive West Santa Ana, CA 92701	District Attorney Santa Barbara County 1112 Santa Barbara Street Santa Barbara, CA 93101	District Attorney Tulare County 221 S. Mooney Blvd., Rm 224 Visalia, CA 93291
District Attorney Placer County 10810 Justice Center Dr., Suite 240 Roseville, CA 95678	District Attorney Santa Clara County 70 West Hedding St., West Wing San Jose, CA 95110	District Attorney Tuolumne County 423 N. Washington St. Sonora, CA 95370
District Attorney Plumas County 520 Main St., Rm. 404 Quincy, CA 95971	District Attorney Santa Cruz County 701 Ocean Street, Rm. 200 Santa Cruz, CA 95060	District Attorney Ventura County 800 S. Victoria Ave. Ventura, CA 93009

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