

LAW OFFICES OF  
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STEVEN V. RHEUBAN  
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STEVEN M. CISCHKE  
ROBERT C. HAYDEN

September 26, 2013

**CALIFORNIA ATTORNEY GENERAL**

Proposition 65 Enforcement Reporting  
Attention: Prop 65 Coordinator  
1515 Clay Street, Suite 2000  
Post Office Box 70550  
Oakland, California 94612-0550

**VIA CERTIFIED MAIL**

**SAN BERNARDINO COUNTY  
DISTRICT ATTORNEY**

Attention: Michael Ramos, District Attorney  
303 West 3rd Street, 6th Floor  
San Bernardino, CA 92415-0502

**VIA CERTIFIED MAIL**

**GLENDORA CITY ATTORNEY**

Attention: D. Wayne Leech, City Attorney  
Moseley & Leech  
11001 E. Valley Mall, Suite 200  
El Monte, CA 91731

**VIA CERTIFIED MAIL**

Re: Revised 60-Day Notice for Failure to Warn Public About  
Chemicals Listed Under Health & Safety Code Section 25249.6

Dear Prosecutors:

This office represents represent Mr. Torrey Hurlock, 9260 Rancho Park Place, Rancho Cucamonga, California 91730, (909) 437-6490. This letter constitutes notification that ORMCO CORP., a California Corporation, whose offices are at 1332 S. Lone Hill Avenue, Glendora, California 91740 (hereinafter, "ORMCO"), has violated Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with Health & Safety Code Section 25249.5). ORMCO manufactures dental implants, among other things, which produces toxic waste as a byproduct.

In particular, ORMCO has exposed and continues to expose numerous individuals within its manufacturing facility, and the residential neighborhood immediately adjacent to its facility, to chromium, a chemical subject to Proposition 65 and listed as a carcinogen. The exact time period of this violation is currently unknown, but it is estimated that the practice has occurred for at least the past 50 years and has continued to the present. The route of exposure includes, without limitation, inhalation, ingestion and/or absorption. Because the toxic material is dry and easily airborne, it also poses a threat to the land and groundwater.

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CALIFORNIA ATTORNEY GENERAL  
SAN BERNARDINO COUNTY DISTRICT ATTORNEY  
GLEN DORA CITY ATTORNEY

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While in the course of doing business, ORMCO is knowingly and intentionally exposing people to this chemical which has been designated by the state to cause cancer without first giving clear and reasonable warning to such persons (Health & Safety Code Section 25249.6) and as specified in the regulation (22 California Code of Regulations Section 12601). The geographic location of the violation is within one mile of the company's manufacturing facility in Glendora, California.

Proposition 65 requires that notice and intent to sue be given to a violator 60-days before the suit is filed. With this letter, Torrey Hurlock gives notice of the alleged violation to ORMCO and the appropriate governmental authorities. This notice covers all violations of Proposition 65 that are currently known to Mr. Hurlock from information now available to us. With the copy of this notice submitted to ORMCO, a copy is provided of The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.

If you have any questions, please contact my office at your earliest convenience.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN



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Soloman E. Gresen  
Attorneys for Plaintiff Torrey Hurlock

cc: ORMCO CORP. (Via Certified Mail)  
1332 S. LONE HILL AVENUE  
GLEN DORA, CALIFORNIA 91740

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party  
4 to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California  
5 91436.

6 On September 26, 2013, I served a copy of the following document described as **REVISED 60-  
7 DAY NOTICE FOR FAILURE TO WARN PUBLIC ABOUT CHEMICALS LISTED UNDER  
8 HEALTH & SAFETY CODE SECTION 25249.6** on the interested parties in this action as follows:

9 **CALIFORNIA ATTORNEY GENERAL**  
10 Proposition 65 Enforcement Reporting  
11 Attention: Prop 65 Coordinator  
12 1515 Clay Street, Suite 2000  
13 Post Office Box 70550  
14 Oakland, California 94612-0550

**SAN BERNARDINO COUNTY  
DISTRICT ATTORNEY**  
Attention: Michael Ramos, District Attorney  
303 West 3rd Street, 6th Floor  
San Bernardino, CA 92415-0502

15 **GLENDORA CITY ATTORNEY**  
16 Attention: D. Wayne Leech, City Attorney  
17 Moseley & Leech  
18 11001 E. Valley Mall, Suite 200  
19 El Monte, CA 91731

**ORMCO CORP.**  
1332 S. Lone Hill Avenue  
Glendora, California 91740

20 XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED:** By placing a true copy  
21 thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection  
22 and mailing on that date following ordinary business practices. I am "readily familiar" with  
23 this business's practice for collecting and processing correspondence for mailing. On the  
24 same day that correspondence is placed for collection and mailing, it is deposited in the  
25 ordinary course of business with the U.S. Mail Postal Service in Los Angeles, California,  
26 with postage fully prepaid. I used certified mail and requested a return receipt.

27      **BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package  
28 provided by an overnight delivery carrier and addressed as above. I placed the envelope or  
package for collection and overnight delivery at an office or a regularly utilized drop box  
of the overnight delivery carrier.

     **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an  
agreement of the parties to accept service by e-mail or electronic transmission, I caused the  
documents to be sent to the person(s) at the e-mail address listed above. My electronic  
notification address is ag@rglawyers.com. I did not receive, within a reasonable time after  
the transmission, any electronic message or other indication that the transmission was  
unsuccessful.

XX **STATE:** I declare under penalty of perjury under the laws of the State of California that  
the above is true and correct.

EXECUTED on September 26, 2013, at Encino, California.

  
Annette Goldstein

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September 26, 2013

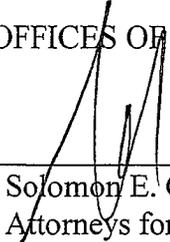
**CERTIFICATE OF MERIT**  
**HEALTH & SAFETY CODE SECTION 25249.7(d)(1)**

I am an attorney in the State of California, and I represent Mr. Torrey Hurlock in connection with a proposed action against ORMCO CORP., a California Corporation, whose offices are at 1332 S. Lone Hill Avenue, Glendora, California 91740.

I have consulted with Michael M. Uziel, of Enviropro, Inc., concerning the issue of whether ORMCO CORP. has violated Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with Health & Safety Code Section 25249.5). ORMCO manufactures dental implants, among other things, which produces toxic waste as a byproduct. Enviropro, Inc., prepared a revised detailed report in its findings, a copy of which is attached.

As set forth in the attached revised report, Enviropro retained America Analytics to conduct tests to determine the nature and amount of toxic materials contained in the byproduct of the manufacture of the dental implants by ORMCO CORP. Additionally, Enviropro reviewed a newly discovered report from Advanced Technology dated February 9, 2012, copy of which is attached as Appendix B to the Second Report on Samples prepared by Enviropro. Based upon the findings in the Second Report, I believe there is a reasonable and meritorious case for the private action against ORMCO CORP. for violations of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (commencing with Health & Safety Code Section 25249.5).

LAW OFFICES OF RHEUBAN & GRESEN



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Solomon E. Gresen  
Attorneys for Torrey Hurlock