60-DAY NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Date:	April 21, 2015
To:	Robert J. Keller, Chief Executive Officer – ACCO Brands Corporation California Attorney General's Office District Attorney's Office for 58 Counties City Attorneys for San Francisco, San Diego, San Jose, Sacramento and Los Angeles
From:	Michael DiPirro

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, you may contact the Office of Environmental Health Hazard Assessment's ("OEHHA") Proposition 65 Implementation Office at (919) 445-6900. Attached for your reference is a summary, "Proposition 65 In Plain Language," provided by the California Office of Environmental Health Hazard Assessment's ("OEHHA") (copies not provided to public enforcement agencies).

This Notice of Violation is provided by Michael DiPirro. I am a citizen of the State of California acting in the interest of the general public. I am dedicated to protecting the environment, promoting awareness of exposures to toxic chemicals in products sold in California, improving human health and supporting environmentally sound practices.

Identified below are specific examples of products recently purchased and witnessed as being available for purchase or use in California that are within the categories or types of offending products covered by this Notice. I believe and allege that the sale of the offending products also has occurred without the requisite Proposition 65 "clear and reasonable warnings" at one or more location and/or via other means including, but not limited to, transactions made over-the-counter, business-to-business, through the internet and/or via a catalog by the Violator and other retailers and distributors of the manufacturer, including, but not limited to the retailer(s) and/or distributor(s) listed below.

Description of Violations:

Violator(s):	ACCO Brands Corporation
Toxic Chemical:	Diisononyl phthalate ("DINP") Exposures to DINP occur from use of the products identified in this Notice.
Product Category:	Binders

Non-exclusive Example of Type of Product[1]:	Wilson Jones® Custom Imprint Presentation Binder, 1" Rings, Black (#W46100) (UPC # 078910461006)
Retailer(s):	Office Depot, Inc., Marin County, Northern California
Manufacturer(s)/ Distributor(s):	ACCO Brands Corporation
Types of Harm:	Cancer
Description of Exposure:	These exposures occur in homes, workplaces and everywhere else throughout California where these products are handled or used. As a result of the sales of these products, exposures to the listed chemical have been occurring without clear and reasonable warnings as required by Proposition 65.
Routes of Exposure:	Ingestion, Dermal Reasonably foreseeable use of the products identified in this Notice results in human exposures to DINP. DINP is contained in the Binders. The routes of exposure for the violations are: (1) dermal absorption directly through the skin when consumers touch, use, or handle the products; (2) ingestion via hand to mouth contact after consumers touch, use, or handle the products; and (3) direct ingestion when consumers place their hands in their mouths while using the products or otherwise place the products in their mouths.
Time Period of Exposure:	The violations have been occurring since at least April 21, 2012, and are continuing to this day.

Resolution of Noticed Claims: Based on the allegations set forth in this Notice, I intend to file a citizen enforcement lawsuit against the alleged Violator unless such Violator enters into a binding written agreement to: (1) recall products already sold; (2) take effective measures to prevent unwarned DINP exposures from products sold in the future and to ensure that the requisite health hazard warnings are provided to those who have received such products; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249(b). If the alleged Violator is interested in resolving this dispute without resorting to expensive and time-consuming litigation, please feel free to contact me through my counsel identified below. It should be noted that neither my counsel nor I can: (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 this Notice of Violation. Therefore, while reaching an agreement with me will resolve my claims, such agreement may not satisfy the public prosecutors.

Please direct any inquiries regarding this Notice to Michael DiPirro through his counsel Jennifer Henry or David Bush at Bush + Henry, 3270 Mendocino Ave. Suite 2E, Santa Rosa, CA 95403; Telephone: (707) 541-6255; E-mail: DRBush@BushAndHenry.com, JHenry@BushAndHenry.com.

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[1] The specifically identified examples of the types of products that are subject to this Notice are for the recipients' benefit to assist in their investigation of, among other things, the magnitude of potential exposure to the listed chemical from other items within the product categories/types listed in Exhibit A. These examples are not meant to be an exhaustive or comprehensive identification of each specific offending product of the types listed under "Product Category." Further, it is this citizen's position that the alleged Violator is obligated to continue to conduct in good faith an investigation into other specific products within the types or categories described above that may have been manufactured, distributed, sold, shipped, stored (or otherwise within the notice recipients' custody or control) during the relevant period so as to ensure that the requisite toxic warnings were and are provided to California citizens prior to purchase.

CERTIFICATE OF MERIT

Health & Safety Code§ 25249.7(d)

I, Jennifer Henry, hereby declare:

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

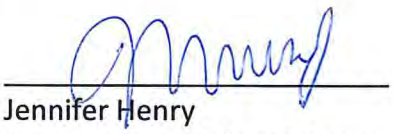
2. I am an attorney who represents the noticing party.

3. Members of my firm and I have consulted with one or more persons with relevant and appropriate experience or expertise who have reviewed facts, studies or other data regarding the alleged exposure to the listed chemical that is the subject of this action.

4. 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 plaintiff's case can be established and the information did not prove that the alleged Violator(s) 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.

April 21, 2015



Jennifer Henry
Attorney for Michael DiPirro

PROOF OF SERVICE

I declare that:

I am employed in Sonoma County, California; my business address is 3270 Mendocino Avenue, #2E, Santa Rosa, CA 95403. I am over the age of 18 years and not a party to the within cause.

On April 21, 2015, I served true copies of the following documents:

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

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);

CERTIFICATE OF MERIT; and

CERTIFICATE OF MERIT ATTACHMENTS (SERVED ONLY ON THE ATTORNEY GENERAL)

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 as follows:

on the alleged Violator(s) listed below via First Class Certified Mail through the United States Postal Service by placing a true and correct copy in a sealed envelope, addressed to the entities listed below and providing each envelope to a United States Postal Service Representative:

Robert J. Keller, Chief Executive Officer ACCO Brands Corporation 300 Tower Parkway Lincolnshire, IL 60069-3640	Robert J. Keller, Chief Executive Officer ACCO Brands Corporation Four Corporate Drive Lake Zurich, IL 60047	

as well as providing copies to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to each party listed below, and served as follows:

Via 2nd Day Air Service by placing such envelope in a Federal Express Drop-Off Box:	The Attorney General of the State of California;
By placing each envelope in a United States Postal Service mailbox, postage prepaid:	The District Attorney for Each of the 58 counties in California; and The City Attorney for Los Angeles, San Diego, San Jose, San Francisco and Sacramento

A list of addresses for each of these recipients is attached.

Executed on April 21, 2015, at Santa Rosa, California.

M. Hader

Michael Hader

SERVICE LIST

The Honorable Nancy O'Malley
Alameda County District Attorney
1225 Fallon Street, Room 900
Oakland, CA 94612

The Honorable Terese Drabec
Alpine County District Attorney
270 Laramie Street, PO BOX 248
Markleeville, CA 96120

The Honorable Todd Riebe
Amador County District Attorney
708 Court Street
Jackson, CA 95642

The Honorable Michael Ramsey
Butte County District Attorney
25 County Center Drive
Oroville, CA 95965

The Honorable Barbara Yook
Calaveras County District Attorney
891 Mountain Ranch Road
San Andreas, CA 95249

The Honorable John Poyner
Colusa County District Attorney
346 Fifth Street
Colusa, CA 95932

The Honorable Mark Peterson
Contra Costa County District Attorney
900 Ward Street
Martinez, CA 94553

The Honorable Dale Trigg
Del Norte County District Attorney
450 H Street, Room 171
Crescent City, CA 95531

The Honorable Vern Pierson
El Dorado County District Attorney
515 Main Street
Placerville, CA 95667

The Honorable Lisa Smittcamp
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Fresno, CA 93721

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The Honorable Maggie Fleming
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825 5th Street, Fourth Floor
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The Honorable Gilbert Otero
Imperial County District Attorney
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El Centro, CA 92243

The Honorable Thomas Hardy
Inyo County District Attorney
168 North Edwards Street
Independence, CA 93526

The Honorable Lisa Green
Kern County District Attorney
1215 Truxtun Avenue
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The Honorable Keith Fagundas
Kings County District Attorney
1400 West Lacey Boulevard
Hanford, CA 93230

The Honorable Donald Anderson
Lake County District Attorney
255 North Forbes Street
Lakeport, CA 95453

The Honorable Stacey Montgomery
Lassen County District Attorney
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The Honorable Jackie Lacey
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210 West Temple Street, Suite 18000
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The Honorable David Linn
Madera County District Attorney
209 West Yosemite Avenue
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The Honorable Edward Berberian
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San Rafael, CA 94903

The Honorable Thomas Cooke
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5101 Jones Street, P.O. Box 730
Mariposa, CA 95338

The Honorable C. David Eyster
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100 North State Street, P.O. Box 1000
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The Honorable Larry Morse II
Merced County District Attorney
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The Honorable Jordan Funk
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The Honorable Gary Lieberstein
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Napa, CA 94559

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The Honorable Tony Rackauckas
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401 Civic Center Drive West
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The Honorable R. Scott Owens
Placer County District Attorney
10810 Justice Center Drive, Suite 240
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The Honorable David Hollister
Plumas County District Attorney
520 Main Street, Room 404
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The Honorable Michael Hestrin
Riverside County District Attorney
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Riverside, CA 92501

The Honorable Anne Marie Schubert
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Sacramento, CA 95814

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303 West 3rd Street, 6th Floor
San Bernardino, CA 92415-0502

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San Francisco County District Attorney
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San Joaquin County District Attorney
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Stockton, CA 95201

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San Luis Obispo, CA 93408

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Santa Clara County District Attorney
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The Honorable Lawrence Allen
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The Honorable James Kirk Andrus
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The Honorable Jeff Reisig
Yolo County District Attorney
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The Honorable Patrick McGrath
Yuba County District Attorney
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The Honorable Mike Feuer
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The Honorable Dennis Herrera
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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

The Honorable Richard Doyle
Office of the City Attorney, San Jose
200 East Santa Clara Street, 16th Floor
San Jose, CA 95113

Office of the California Attorney General
Proposition 65 Enforcement Reporting
ATTN: Prop 65 Coordinator
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550