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**VIA CERTIFIED MAIL**

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Pembroke Pines, FL 33028

Current CEO or President  
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2010 NW 150th Avenue  
Pembroke Pines, FL 33028

Current CEO or President  
Stemtech HealthSciences Corp  
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Pembroke Pines, FL 33028

Current CEO or President  
Stemtech International, Inc.  
151 Calle Iglesia  
San Clemente, CA 92672

Current CEO or President  
Stemtech HealthSciences, Inc.  
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San Clemente, CA 92672

Current CEO or President  
Stemtech HealthSciences Corp  
151 Calle Iglesia  
San Clemente, CA 92672

**VIA CERTIFIED MAIL**

Corporation Service Company Which Will  
Do Business in California as CSC-Lawyers  
Incorporating Service  
(Stemtech International, Inc.'s  
Registered Agent for Service of Process)  
2710 Gateway Oaks Drive, Suite 150N  
Sacramento, CA 95833

Corporation Service Company Which Will Do  
Business in California as CSC-Lawyers  
Incorporating Service  
(Stemtech HealthSciences, Inc.'s  
Registered Agent for Service of Process)  
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(Stemtech HealthSciences Corp's  
Registered Agent for Service of Process)  
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Pembroke Pines, FL 33028

Delaware Intercorp, LLC  
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**VIA ELECTRONIC MAIL**

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**VIA ELECTRONIC MAIL**

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**VIA ELECTRONIC MAIL**

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301 Second Street  
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cfepd@yolocounty.org

**VIA ONLINE SUBMISSION**

Office of the California Attorney General

**VIA PRIORITY MAIL**

District Attorneys of Select California  
Counties and Select City Attorneys  
(See Attached Certificate of Service)

**Re: Notice of Violations of California Health & Safety Code Section 25249.5 *et seq.***

Dear Addressees:

I represent Environmental Research Center, Inc. (“ERC”) in connection with this Notice of Violations of California’s Safe Drinking Water and Toxic Enforcement Act of 1986, which is codified at California Health & Safety Code Section 25249.5 *et seq.* and also referred to as Proposition 65.

ERC is a California non-profit corporation dedicated to, among other causes, helping safeguard the public from health hazards by bringing about a reduction in the use and misuse of hazardous and toxic chemicals, facilitating a safe environment for consumers and employees, and encouraging corporate responsibility.

The names of the Companies covered by this notice that violated Proposition 65 (hereinafter the “Violators”) are:

**Stemtech HealthSciences, Inc.**  
**Stemtech International, Inc.**  
**Stemtech HealthSciences Corp**

The product that is the subject of this notice and the chemical in that product identified as exceeding allowable levels are:

**Stemtech HealthSciences Corp. St-5 with Migrastem Creamy Vanilla- Lead**

On February 27, 1987, the State of California officially listed lead as a chemical known to cause developmental toxicity, and male and female reproductive toxicity. On October 1, 1992, the State of California officially listed lead and lead compounds as chemicals known to cause cancer.

This letter is a notice to the Violators and the appropriate governmental authorities of the Proposition 65 violations concerning the listed product. This notice covers all violations of Proposition 65 involving the Violators currently known to ERC from the information now available. ERC may continue to investigate other products that may reveal further violations. A summary of Proposition 65, prepared by the Office of Environmental Health Hazard Assessment, is enclosed with the copy of this letter to the Violators.

The Violators have manufactured, marketed, distributed, and/or sold the listed product, which has exposed and continues to expose numerous individuals within California to the identified chemical, lead. The consumer exposures that are the subject of this notice result from the purchase, acquisition, handling and/or recommended use of this product by consumers. The primary route of exposure to lead has been through ingestion, but may have also occurred through inhalation and/or dermal contact. Proposition 65 requires that a clear and reasonable warning be provided prior to exposure to lead. The method of warning should be a warning that appears on the product’s label. The Violators violated Proposition 65 because they failed to provide an appropriate warning to persons using and/or handling this product that they are being exposed to lead. Each of these ongoing violations has occurred on every day since June 3, 2013, as well as every day since the product was

June 3, 2016

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introduced in the California marketplace, and will continue every day until clear and reasonable warnings are provided to product purchasers and users.

Pursuant to Section 25249.7(d) of the statute, ERC intends to file a citizen enforcement action sixty days after effective service of this notice unless the Violators agree in an enforceable written instrument to: (1) reformulate the listed product so as to eliminate further exposures to the identified chemical; (2) pay an appropriate civil penalty; and (3) provide clear and reasonable warnings compliant with Proposition 65 to all persons located in California who purchased the above product in the last three years. Consistent with the public interest goals of Proposition 65 and my client's objectives in pursuing this notice, ERC is interested in seeking a constructive resolution to this matter. Such resolution will avoid both further unwarned consumer exposures to the identified chemical and expensive and time consuming litigation.

ERC's Executive Director is Chris Heptinstall, and is located at 3111 Camino Del Rio North, Suite 400, San Diego, CA 92108; Tel. 619-500-3090. ERC has retained me in connection with this matter. We suggest that communications regarding this Notice of Violations should be directed to my attention at the above listed law office address and telephone number.

Sincerely,



Michael Lozeau

Attachments

Certificate of Merit

Certificate of Service

OEHHA Summary (to Stemtech HealthSciences, Inc., Stemtech International, Inc., Stemtech HealthSciences Corp and their Registered Agents for Service of Process only)

Additional Supporting Information for Certificate of Merit (to AG only)

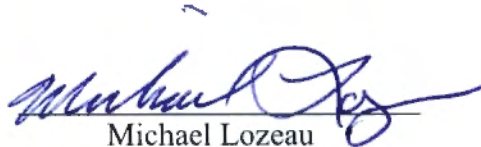
**CERTIFICATE OF MERIT**

**Re: Environmental Research Center, Inc.'s Notice of Proposition 65 Violations  
by Stemtech HealthSciences, Inc., Stemtech International, Inc., and Stemtech  
HealthSciences Corp**

I, Michael Lozeau, declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the parties identified in the notice violated California Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney for the noticing party.
3. 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 exposure to the listed chemical that is the subject of the notice.
4. Based on the information obtained through those consultants, 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 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.
5. Along with the copy of this Certificate of Merit served on the Attorney General is attached additional factual information sufficient to establish the basis for this certificate, including the information identified in California 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.

Dated: June 3, 2016

  
Michael Lozeau

**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am a citizen of the United States, over the age of 18 years of age, and am not a party to the within entitled action. My business address is 306 Joy Street, Fort Oglethorpe, Georgia 30742. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Fort Oglethorpe, Georgia.

On June 3, 2016, I served the following documents: **NOTICE OF VIOLATIONS OF CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; “THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65): A SUMMARY”** on the following parties by placing a true and correct copy thereof in a sealed envelope, addressed to the party listed below and depositing it in a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

Current CEO or President  
Stemtech International, Inc.  
2010 NW 150<sup>th</sup> Avenue  
Pembroke Pines, FL 33028

Current CEO or President  
Stemtech HealthSciences, Inc.  
2010 NW 150<sup>th</sup> Avenue  
Pembroke Pines, FL 33028

Current CEO or President  
Stemtech HealthSciences Corp  
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Pembroke Pines, FL 33028

Current CEO or President  
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151 Calle Iglesia  
San Clemente, CA 92672

Current CEO or President  
Stemtech HealthSciences, Inc.  
151 Calle Iglesia  
San Clemente, CA 92672

Current CEO or President  
Stemtech HealthSciences Corp  
151 Calle Iglesia  
San Clemente, CA 92672

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Incorporating Service  
(Stemtech HealthSciences, Inc.’s  
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John W. Meyer  
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Pembroke Pines, FL 33028

Delaware Intercorp, LLC  
(Stemtech International, Inc.’s  
Registered Agent for Service of Process)  
113 Barksdale Professional Center  
Newark, DE 19711

On June 3, 2016, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT; ADDITIONAL SUPPORTING INFORMATION FOR CERTIFICATE OF MERIT AS REQUIRED BY CALIFORNIA HEALTH & SAFETY CODE §25249.7(d)(1)** were served on the following party when a true and correct copy thereof was uploaded on the California Attorney General's website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice> :

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

On June 3, 2016, I verified the following documents **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** were served on the following parties when a true and correct copy thereof was sent via electronic mail to the party listed below:

Stacey Grassini, Deputy District Attorney  
Contra Costa County  
900 Ward Street  
Martinez, CA 94553  
[sgrassini@contracostada.org](mailto:sgrassini@contracostada.org)

Gregory Alker, Assistant District Attorney  
San Francisco County  
732 Brannan Street  
San Francisco, CA 94103  
[gregory.alker@sfgov.org](mailto:gregory.alker@sfgov.org)

Michelle Latimer, Program Coordinator  
Lassen County  
220 S. Lassen Street  
Susanville, CA 96130  
[mlatimer@co.lassen.ca.us](mailto:mlatimer@co.lassen.ca.us)

Eric J. Dobroth, Deputy District Attorney  
San Luis Obispo County  
County Government Center Annex, 4<sup>th</sup> Floor  
San Luis Obispo, CA 93408  
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Yen Dang, Supervising Deputy District Attorney  
Santa Clara County  
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San Jose, CA 95110  
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Gary Lieberstein, District Attorney  
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[jbarnes@sonoma-county.org](mailto:jbarnes@sonoma-county.org)

Paul E. Zellerbach, District Attorney  
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3072 Orange Street  
Riverside, CA 92501  
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Visalia, CA 95370  
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Anne Marie Schubert, District Attorney  
Sacramento County  
901 G Street  
Sacramento, CA 95814  
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Gregory D. Totten, District Attorney  
Ventura County  
800 S Victoria Ave  
Ventura, CA 93009  
[daspecialops@ventura.org](mailto:daspecialops@ventura.org)

June 3, 2016

Page 8

Jeff W. Reisig, District Attorney  
Yolo County  
301 Second Street  
Woodland, CA 95695  
cfepd@yolocounty.org

On June 3, 2016, I served the following documents: **NOTICE OF VIOLATIONS, CALIFORNIA HEALTH & SAFETY CODE §25249.5 ET SEQ.; CERTIFICATE OF MERIT** on each of the parties on the Service List attached hereto by placing a true and correct copy thereof in a sealed envelope, addressed to each of the parties **on the Service List attached hereto**, and depositing it with the U.S. Postal Service with the postage fully prepaid for delivery by Priority Mail.

Executed on June 3, 2016, in Fort Oglethorpe, Georgia.



---

Phyllis Dunwoody



Service List

District Attorney, Alameda County  
1225 Fallon Street, Suite 900  
Oakland, CA 94612

District Attorney, Alpine County  
P.O. Box 248  
Markleeville, CA 96120

District Attorney, Amador County  
708 Court Street, Suite 202  
Jackson, CA 95642

District Attorney, Butte County  
25 County Center Drive, Suite 245  
Oroville, CA 95965

District Attorney, Calaveras County  
891 Mountain Ranch Road  
San Andreas, CA 95249

District Attorney, Colusa County  
346 Fifth Street Suite 101  
Colusa, CA 95932

District Attorney, Del Norte County  
450 H Street, Room 171  
Crescent City, CA 95531

District Attorney, El Dorado County  
515 Main Street  
Placerville, CA 95667

District Attorney, Fresno County  
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Fresno, CA 93721

District Attorney, Glenn County  
Post Office Box 430  
Willows, CA 95988

District Attorney, Humboldt County  
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Eureka, CA 95501

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District Attorney, Inyo County  
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District Attorney, Kern County  
1215 Truxtun Avenue  
Bakersfield, CA 93301

District Attorney, Kings County  
1400 West Lacey Boulevard  
Hanford, CA 93230

District Attorney, Lake County  
255 N. Forbes Street  
Lakeport, CA 95453

District Attorney, Los Angeles County  
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Los Angeles, CA 90012

District Attorney, Madera County  
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Madera, CA 93637

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District Attorney, Mendocino County  
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Ukiah, CA 95482

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Merced, CA 95340

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Alturas, CA 96101-4020

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Sonora, CA 95370

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Los Angeles, CA 90012

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San Diego, CA 92101

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1 Dr Carlton B Goodlett PL  
San Francisco, CA 94102

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