Vineet Dubey, Esq.
dubey@CD-Lawyers.com

August 9, 2016

Albertson's LLC
c/o CT Corporation System
818 W. 7th St., #930
Los Angeles, CA 90017

Re: NOTICE OF VIOLATION AGAINST ALBERTSON'S LLC OF CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.6

To Whom It May Concern and to Public Prosecutors:

Stephen Turnbaugh ("Turnbaugh") is a citizen of California acting in the interest of the general public seeking to further, among other causes, the protection of the environment, toxics reduction, the promotion and improvement of human health, the improvement of workers and consumer rights, environmental education and corporate accountability. As described below, Turnbaugh has identified violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Act"), codified at Cal. Health & Safety Code §25249.5 *et seq.* by Albertson's LLC, a Delaware limited liability company ( the "Violator"). This letter serves to provide Turnbaugh's notification of these violations to the Violator and elected prosecutors. Pursuant to §25249.7(d) of the statute, Turnbaugh intends to bring an enforcement action sixty (60) days or more after effective service of this notice unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these violations.

The products which are causing an exposure without a warning in violation of Proposition 65, are antacid tablets ("Products") including but not limited to:

-- Signature Care, Extra Strength Antacid Relief Tablets, 750mg, 96 count, Wintergreen;
-- Signature Care, Extra Strength Antacid Relief Tablets, 750mg, 96 count, Tropical Fruit;
-- Signature Care, Regular Strength Antacid Relief Tablets, 500 mg, 150 count, Peppermint;
-- Signature Care, Upset Stomach Relief, Bismuth Subsalicylate 262 mg, 30 count;

manufactured/distributed and offered for sale by Violator to California consumers.

A copy of the Proposition 65 summary prepared by the Office of Environmental Health Hazard Assessment is attached, to the copy of this letter served to the Violator.

Because of this lack of a warning, consumers were exposed to the following chemicals without the proper required Proposition 65 warnings: 1) Cadmium. The route of exposure for this chemical is ingestion. Such exposure can cause birth defects and other reproductive harm. Exposures to the listed chemical from the use of the Products have been occurring without the clear and reasonable warnings required by Proposition 65, dating as far back as August 9, 2015, and will continue every day until clear and reasonable warnings are provided to product purchasers and users or until this known toxic chemical is removed from the Products. Without proper warnings regarding the toxic effects of exposures to the listed chemical resulting from contact with the Products, California citizens lack the information necessary to make informed decisions on whether and how to eliminate (or reduce) the risk of exposure to the listed chemical from reasonable foreseeable use of the Products.

Turnbaugh intends to file a private enforcement action as provided for in the Act for the alleged violations by the Violator, unless Violater agrees in an enforceable written instrument to: (1) recall the listed products so as to eliminate further exposures to the identified chemicals; or (2) affix clear and reasonable Proposition 65 warning labels for products sold in the future or reformulate such products to eliminate the exposures; and (3) pay an appropriate civil penalty.

Consistent with the public interest goals of Proposition 65, Turnbaugh is interested in seeking a constructive resolution to this matter, and invites Violator, should it seek early resolution of this matter, to communicate directly with Turnbaugh's attorneys. Such resolution will avoid further unwarned consumer exposures, as well as resource intensive litigation.

Please direct all questions concerning this notice to Turnbaugh's attorney, Vineet Dubey (dubey@cd-lawyers.com), Custodio & Dubey LLP, 448 S. Hill St., Suite 612, Los Angeles, CA 90013, 213-785-2909.

Sincerely,

Vineet Dubey
Custodio & Dubey LLP

cc: see attached distribution list

Attachments:
Proposition 65 summary
Certificate of Merit
Certificate of Service

Vineet Dubey, Esq.
dubey@CD-Lawyers.com

**CERTIFICATE OF MERIT**
Health and Safety Code Section 25249.7(d)

**Re: Stephen Turnbaugh's Notice of Proposition 65 Violations by Albertson's LLC.**

I, Vineet Dubey, hereby 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 and have assembled evidence attached to the copy for the California Attorney General as Exhibit 1 to this Certificate of Merit regarding the lack of warnings for the listed chemical that is the subject of the notice.

4. Based on the information obtained 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 violator will be able to establish any of the affirmative defenses set forth in the statute.

5. 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 California Health & Safety Code §25249.7(h)(2).

Dated: August 9, 2016

Vineet Dubey, Attorney at Law

448 S. Hill Street ▪ Suite 612 ▪ Los Angeles, CA 90013
(213) 785-2909 ▪ (213) 785-2899 – Facsimile
www.CD-Lawyers.com

Vineet Dubey, Esq.
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# CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred. My business address is 448 S. Hill St., Ste 612, Los Angeles, CA 90013.

On the date shown below, I served the following:

1) 60-Day Notice of Intent to Sue Under Health and Safety Code section 25249.6
2) Certificate of Merit; Health and Safety Code Section 25249.7(d)
3) Certificate of Merit (Attorney General Copy); Factual information sufficient to establish the basis of the certificate of merit *(only sent to Attorney General)*
4) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65); A Summary

on the alleged violator 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 entity listed below and providing such envelope to a United States Postal Service Representative:

Albertson's LLC
c/o CT Corporation System
818 W. 7th St., #930
Los Angeles, CA 90017

as well as providing copies of the notice to the public enforcers by placing a true and correct copy in a sealed envelope, addressed to the parties listed on the attached Distribution List.

I declare under penalty of perjury that under the laws of the State of California that the foregoing is true and correct.

August 9, 2016

Vineet Dubey

Vineet Dubey, Esq.
dubey@CD-Lawyers.com

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|---|---|---|
| Alameda County District Attorney<br>1225 Fallon St, Room 900<br>Oakland, CA 94612 | Los Angeles County District Attorney<br>210 W Temple St, 18th Floor<br>Los Angeles, CA 90012 | Mono County District Attorney<br>PO Box 617<br>Bridgeport, CA 93517 |
| Alpine County District Attorney<br>PO Box 248<br>Markleeville, CA 96120 | Madera County District Attorney<br>209 W Yosemite Ave<br>Madera, CA 93637 | San Joaquin County District Attorney<br>PO Box 990<br>Stockton, CA 95201-0990 |
| Amador County District Attorney<br>708 Court, Suite 202<br>Jackson, CA 95642 | Mariposa County District Attorney<br>P.O. Box 730<br>Mariposa, CA 95338 | San Francisco County District Attorney<br>850 Bryant St, Rm 322<br>San Francisco, CA 94103 |
| Butte County District Attorney<br>25 County Center Dr.<br>Oroville, CA 95965-3385 | Marin County District Attorney<br>3501 Civic Center Drive, #130<br>San Rafael, CA 94903 | San Diego County District Attorney<br>330 W. Broadway, Ste 1300<br>San Diego, CA 92101-3803 |
| Calaveras County District Attorney<br>891 Mountain Ranch Road<br>San Andreas, CA 95249 | Mendocino County District Attorney<br>P.O. Box 1000<br>Ukiah, CA 95482 | San Bernardino County District Attorney<br>316 N Mountain View Ave<br>San Bernardino, CA 92415-0004 |
| Office of the Attorney General<br>P.O. Box 70550<br>Oakland, CA 94612-0550 | Los Angeles City Attorney<br>200 N Main St Ste 1800<br>Los Angeles CA 90012 | San Francisco City Attorney<br># 1 Dr. Carlton B. Goodlett Place, Suite 234<br>San Francisco, CA 94102 |
| Colusa County District Attorney<br>Courthouse, 547 Market St<br>Colusa, CA 95932 | Inyo County District Attorney<br>P.O. Drawer D<br>Independence, CA 93526 | Placer County District Attorney<br>10810 Justice Center Drive<br>Suite 240<br>Roseville, CA 95678-6231 |
| Contra Costa County District Attorney<br>725 Court St., Room 402<br>Martinez, CA 94553 | Orange County District Attorney<br>PO Box 808<br>Santa Ana, CA 92702 | Merced County District Attorney<br>550 W. Main St.<br>Merced, CA 95340 |
| Del Norte County District Attorney<br>450 "H" St.<br>Crescent City, CA 95531 | Nevada County District Attorney<br>10075 Levon Ave.<br>Truckee, CA 96161 | Napa County District Attorney<br>PO Box 720<br>Nana, CA 94559-0720 |
| El Dorado County District Attorney<br>515 Main St.<br>Placerville, CA 95667-5697 | Plumas County District Attorney<br>520 Main Street, Rm 404<br>Quincy, CA 95971 | Riverside County District Attorney<br>3960 Orange Street, Suite 6<br>Riverside, CA 92501 |
| Fresno County District Attorney<br>2220 Tulare St. Ste. 1000<br>Fresno, CA 93721 | Sacramento County District Attorney<br>901 G Street<br>Sacramento, CA 95814 | San Benito County District Attorney<br>419 4th St<br>Hollister, CA 95023 |
| Glenn County District Attorney<br>PO Box 430<br>Willows, CA 95988 | San Luis Obispo County District Attorney<br>County Government Center, Rm 450<br>San Luis Obispo, CA 93408 | Siskiyou County District Attorney<br>PO Box 986<br>Yreka, CA 96097 |
| Humboldt County District Attorney<br>825 5th St., 4th Floor<br>Eureka, CA 95501 | San Mateo County District Attorney<br>400 County Center<br>Redwood City, CA 94063 | Solano County District Attorney<br>600 Union Ave<br>Fairfield, CA 94533 |
| Imperial County District Attorney<br>939 W. Main St., 2nd Floor<br>El Centro, CA 92243-2860 | Santa Barbara County District Attorney<br>1112 Santa Barbara St.<br>Santa Barbara, CA 93101 | Sonoma County District Attorney<br>600 Administration Dr.<br>Rm 212-J<br>Santa Rosa, CA 95403 |
| Kern County District Attorney<br>1215 Truxtun Ave.<br>Bakersfield, CA 93301 | Santa Clara County District Attorney<br>70 W Hedding St.<br>San Jose, CA 95110 | Shasta County District Attorney<br>1355 West St.<br>Redding, CA 96001-1632 |
| Kings County District Attorney<br>Gov't Ctr, 1400 W Lacey Blvd<br>Hanford, CA 93230 | Santa Cruz County District Attorney<br>701 Ocean St., Room 200<br>Santa Cruz, CA 95060 | Sierra County District Attorney<br>PO Box 457<br>Downieville, CA 95936-0457 |
| Lake County District Attorney<br>255 N Forbes St<br>Lakeport, CA 95453-4790 | Stanislaus County District Attorney<br>PO Box 442<br>Modesto, CA 95353 | Trinity County District Attorney<br>PO Box 310<br>Weaverville, CA 96093 |
| Modoc County District Attorney<br>204 S. Court Street<br>Alturas, CA 96101-4020 | Sutter County District Attorney<br>446 Second Street<br>Yuba City, CA 95991 | Yuba County District Attorney<br>215 5th St<br>Marysville, CA 95901 |
| San Diego City Attorney<br>City Center Plaza<br>1200 3rd Ave # 1100<br>San Diego, CA 92101 | Lassen County District Attorney<br>200 S Lassen St, Suite 8<br>Susanville, CA 96130 | Monterey County District Attorney<br>PO Box 1131<br>Salinas, CA 93902 |
| Tuolumne County District Attorney<br>2 S Green St<br>Sonora, CA 95370 | Tulare County District Attorney<br>County Civic Center, Rm 224<br>Visalia, CA 93291 | Yolo County District Attorney<br>310 Second St<br>Woodland, CA 95695 |
| Ventura County District Attorney<br>800 S Victoria Ave<br>Ventura, CA 93009 | Tehama County District Attorney<br>P.O. Box 519<br>Red Bluff, CA 96080 | San Jose City Attorney<br>200 E. Santa Clara St<br>16th Floor<br>San Jose, CA 95110 |

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