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The Law Office of Jack Fitzgerald, PC

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October 9, 2018

VIA CERTIFIED MAIL

Republic Group
2301 Ravine Way
Glenview, Illinois 60025

Xavier Becerra, Attorney General
Office of the Attorney General
Attn: Health & Safety Code § 25249.7(d)(1) (Proposition 65) Notice
1300 "I" Street
Sacramento, California 95814-2919

[Additional District & City Attorneys Copied]

**Re: Notice Pursuant to Cal. Health & Safety Code §§ 25249.7(a) & (d)(1)
Violation or Threatened Violation of Proposition 65 Warning by Republic Group**

To Republic Group, Mr. Becerra, and Whomever Else it May Concern:

We represent California consumer Jennifer Fishman and write on her behalf, pursuant to California Health & Safety Code §§ 25249.7(a) & (d)(1), to notify you as to Republic Group's violation, and threatened violation, of § 25249.6, *i.e.*, Proposition 65. The violations alleged by this Notice consist of types of harm that may potentially result from exposures to the toxic chemical Carbon Monoxide, which was listed as a known hazardous substance in January of 1989.

NATURE OF ALLEGED VIOLATION

Duration of the Violations

The violations have been occurring since at least August 6, 2018, and are ongoing.

Provision of Proposition 65

This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health & Safety Code § 25249.6.

Listed Chemical(s)

The listed chemical involved in these violations is Carbon Monoxide, known to the State of California to cause cancer.

Jack Fitzgerald | jack@jackfitzgeraldlaw.com

Type of Product

The type of product causing these violations is rolling paper. Rolling paper is sold to consumers who wish to make their own cigarettes of tobacco, marijuana, or other plants. Some rolling paper brands marketed and sold by Republic Group include the following brands and their derivatives: "Top," "Job," and "OCB," which are pictured below.



Description and Route of Exposure

This Notice addresses consumer exposures to Carbon Monoxide as a result of burning and inhaling rolling papers when smoking. The route of exposure is inhalation of the smoke originating from the burning paper when it is used for its intended purpose of smoking. No clear and reasonable Proposition 65 warning is provided with these products regarding the presence of Carbon Monoxide in the products.

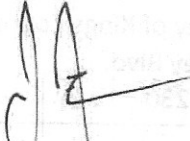
RESOLUTION OF NOTICED CLAIMS

Based on the allegations set forth in this Notice, Jennifer Fishman intends to file a citizen enforcement lawsuit against Republic Group unless it agrees to provide clear and reasonable warnings for products sold or otherwise provided to consumers in the future to eliminate unknowing exposures to Carbon Monoxide exposures, and pay an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b).

If Republic Group is interested in resolving this dispute without resort to expensive and time-consuming litigation, it may contact me directly on behalf of Ms. Fishman. It should be noted, however, that neither Ms. Fishman nor I can finalize any settlement until after the 60-day notice period has expired, nor speak for the Attorney General or any District or City Attorney who

received this Notice. Therefore, be advised that, while reaching an agreement with Ms. Fishman will resolve her claims, such agreement may not satisfy the public prosecutors.

Sincerely,



Jack Fitzgerald

Attachment: Certificate of Merit (Cal. Health & Safety Code § 25249.7(d)(1))

cc: City & District Attorneys, as follows:

<p>Lon Wixson, Deputy District Attorney Contra Costa County 900 Ward Street Martinez, CA 94553 lwixson@contracostada.org</p>	<p>Karyn Sinunu-Towery, Assistant District Attorney Santa Clara County 70 West Hedding Street, West Wing San Jose, CA 95110 epu@da.sccgov.org</p>	<p>Birgit Fladager District Attorney, Stanislaus County 832 12th Street, Ste. 300 Modesto, CA 95354 Prop65@standa.org</p>
<p>Gary Lieberstein District Attorney Napa County 931 Parkway Mall Napa, CA 94559 CEPD@countyofnapa.org</p>	<p>Dije Ndreu, Deputy District Attorney, Monterey County 230 Church Street, Bldg. 2 Salinas, CA 93901 Prop65DA@co.monterey.ca.us</p>	<p>Stephan R. Passalacqua District Attorney, Sonoma County 600 Administration Drive, Rm. 212J Santa Rosa, CA 95403 jbarnes@sonoma-county.org</p>
<p>Phillip J. Cline District Attorney, Tulare County 221 S. Mooney Avenue, Rm. 224 Visalia, CA 93291 Prop65@co.tulare.ca.us</p>	<p>Gregory D. Totten District Attorney, Ventura County 800 South Victoria Avenue Ventura, CA 93009 daspecialops@ventura.org</p>	<p>Paul E. Zellerbach District Attorney, Riverside County 4075 Main Street Riverside, CA 92501 Prop65@rivcoda.org</p>
<p>District Attorney of Alameda County 1225 Fallon Street, Rm. 900 Oakland, CA 94612</p>	<p>District Attorney of Alpine County P.O. Box 248 Markleeville, CA 96120</p>	<p>District Attorney of Amador County 708 Court Street, Ste. 202 Jackson, CA 95642</p>
<p>District Attorney of Butte County Administration Building 25 County Center Drive Oroville, CA 95965</p>	<p>District Attorney of Calaveras County 891 Mountain Ranch Road San Andreas, CA 95249</p>	<p>District Attorney of Colusa County 346 5th St., #101 Colusa, CA 95932</p>
<p>District Attorney of Del Norte County 450 H Street, Ste. 171 Crescent City, CA 95531</p>	<p>District Attorney of El Dorado County 778 Pacific St. Placerville, CA 95667</p>	<p>District Attorney of Fresno County 2220 Tulare Street, Ste. 1000 Fresno, CA 93721</p>

District Attorney of Glenn County P.O. Box 430 Willows, CA 95988	District Attorney of Humboldt County 825 5th Street, 4 th Floor Eureka, CA 95501	District Attorney of Imperial County 940 W. Main St., Suite 102 El Centro, CA 92243
District Attorney of Inyo County P.O. Box D Independence, CA 93526	District Attorney of Kern County 1215 Truxtun Avenue, 4 th Floor Bakersfield, CA 93301	District Attorney of Kings County 1400 West Lacey Blvd. Hanford, CA 93230
District Attorney of Lake County 255 N. Forbes Street Lakeport, CA 95453	District Attorney of Lassen County 220 S. Lassen Street, Ste. 8 Susanville, CA 96130	District Attorney of Los Angeles County 211 W. Temple Street, Ste. 1200 Los Angeles, CA 90012
District Attorney of Madera County 209 West Yosemite Avenue Madera, CA 93637	District Attorney of Marin County 3501 Civic Center Drive, Rm. 145 San Rafael, CA 94903	District Attorney of Mariposa County P.O. Box 730 Mariposa, CA 95338
District Attorney of Mendocino County P.O. Box 1000 Ukiah, CA 95482	District Attorney of Merced County 550 W. Main Street Merced, CA 95340	District Attorney of Modoc County 204 S. Court Street, Rm. 202 Alturas, CA 96101-4020
District Attorney of Mono County P.O. Box 617 Bridgeport, CA 93546	District Attorney of Nevada County 201 Commercial Street Nevada City, CA 95959	District Attorney of Orange County 401 Civic Center Drive West Santa Ana, CA 92701
District Attorney of Placer County 10810 Justice Ctr. Drive, Ste. 240. Roseville, CA 95678	District Attorney of Plumas County 520 Main Street, Rm. 404 Quincy, CA 95971	District Attorney of Sacramento Cty. 901 G Street Sacramento, CA 95814
District Attorney of San Benito County 419 Fourth Street, 2nd Fl. Hollister, CA 95023	District Attorney of San Bernardino County 303 W. 3 rd St., 6 th Floor San Bernardino, CA 92415	District Attorney of San Diego County 330 West Broadway, Ste. 1300 San Diego, CA 92101
District Attorney of San Francisco County 850 Bryant Street, Rm. 322 San Francisco, CA 94103	District Attorney of San Joaquin County P.O. Box 990 Stockton, CA 95201	District Attorney of San Luis Obispo County 1035 Palm St., 4 th Floor San Luis Obispo, CA 93408
District Attorney of San Mateo County 400 County Center, 3rd Fl. Redwood City, CA 94063	District Attorney of Santa Cruz County 701 Ocean Street, Rm. 200 Santa Cruz, CA 95060	District Attorney of Santa Barbara County 1112 Santa Barbara St. Santa Barbara, CA 93101
District Attorney of Shasta County 1355 West Street Redding, CA 96001	District Attorney of Sierra County Courthouse 100 Courthouse Sq., 2nd Fl. Downieville, CA 95936	District Attorney of Siskiyou County P.O. Box 986 Yreka, CA 96097

District Attorney of Solano County 675 Texas Street, Ste. 4500 Fairfield, CA 94533	District Attorney of Sutter County 463 2 nd St. Suite 102 Yuba City, CA 95991	District Attorney of Tehama County 444 Oak St., Room L Red Bluff, CA 96080
District Attorney of Trinity County P.O. Box 310 11 Court Street Weaverville, CA 96093	District Attorney of Tuolumne County 423 N. Washington Street Sonora, CA 95370	District Attorney of Yolo County 301 Second Street Woodland, CA 95695
District Attorney of Yuba County 215 Fifth Street Marysville, CA 95901	Los Angeles City Attorney's Office City Hall East 200 N. Main Street, Rm. 800 Los Angeles, CA 90012	San Diego City Attorney's Office 1200 Third Avenue, Ste. 1620 San Diego, CA 92101
San Francisco City Attorney's Office City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102	San Jose City Attorney's Office 200 East Santa Clara Street, 16 th Floor San Jose, CA 95113	California Attorney General's Office Attention: Proposition 65 Coordinator and Robert Thomas 1515 Clay Street, Ste. 2000 P.O. Box 70550 Oakland, CA 94612-0550

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CERTIFICATE OF MERIT PURSUANT TO CAL. HEALTH & SAFETY CODE § 25249.7(d)(1)

I, Trevor M. Flynn, hereby declare:

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

2. I am an associate with The Law Office of Jack Fitzgerald, PC, attorneys for the noticing party, Jennifer Fishman.

3. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of the 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 plaintiffs' case can be established and 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 Health and Safety Code section 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: October 9, 2018

By:


Trevor M. Flynn
Attorney for Jennifer Fishman

[Attachment for Attorney General Only]