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Via Certified U.S. Mail

THE ENTITIES AND THE PUBLIC ENFORCEMENT AGENCIES LISTED ON THE DISTRIBUTION LIST ACCOMPANYING THE ATTACHED CERTIFICATE OF SERVICE

RE: Notice of Violation of California Health & Safety Code § 25249.6

To Whom It May Concern:

Becky Canzoneri, Tania Hanks, Ethel Herrera, Jeanette Jones, Hermelinda Luna, Margaret Reed, and Brenda Versic (“the Noticing Parties”) serve this Notice of Violation (“Notice”) on Valeant Pharmaceuticals North America, Bausch Health Americas, Inc. and Bausch Health US, LLC, (“the Noticed Parties”) pursuant to and in compliance with California Health and Safety Code § 25249.7(d) and 27 California Code of Regulations § 25903.

This Notice satisfies a prerequisite for the Noticing Parties to commence an action against the Noticed Parties to enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (“Proposition 65”). The Noticing Parties intend to begin an enforcement action sixty (60) days after effective service of this Notice, unless the public enforcement agencies have commenced an action to rectify the violations discussed in this Notice. This Notice is being served upon the Noticed Parties, the California Attorney General and the district attorney of every county in which a violation is alleged to have occurred, and upon the city attorneys of any cities with populations according to the most recent decennial census of over 750,000 and in which the violation is alleged to have occurred. Where the Noticed Parties have a current registration with the California Secretary of State that identifies a Chief Executive Officer, President, or General Counsel of the corporation, the Notice is addressed to one of those persons.

Attached as Exhibit A to this Notice is a copy of the “The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary.” The attached Summary was prepared by the California Environmental Protection Agency and provides general information about Proposition 65.

A description of Noticing Parties, the Noticed Parties, and the alleged violations address by this Notice are as follows:

The Noticing Parties: This Notice is provided by Becky Canzoneri, Tania Hanks, Ethel Herrera, Jeanette Jones, Hermelinda Luna, Margaret Reed, and Brenda Versic. The Noticing Parties are acting in the public interest pursuant to California Health & Safety Code § 25249.7(d) and are dedicated to protecting the health of all Californians. The Noticing Parties are located in Los Angeles, Riverside, Kern, Alameda, San Bernardino, and San Joaquin Counties in the State of California.

The Alleged Violators: The Alleged Violators are the Noticed Parties. Each of the Noticed Parties are believed to be in violation of California Health & Safety Code § 25249.6.

The Violation and the Chemicals Involved:

- (a) On February 27, 1987, the State of California officially listed Asbestos as a chemical known to the State to cause cancer. The Noticed Parties have exposed and continue to expose consumers within the State of California to Asbestos without providing clear and reasonable warning of this exposure. Such exposures have occurred and continue to occur at levels that exceed the No Significant Risk Level for inhalation. There is no “Safe Harbor” (i.e. No Significant Risk Level) established for perineal (genital) exposure to Asbestos.

- (b) On April 1, 1990, the State of California officially listed Talc Containing Asbestiform Fibers as a chemical known to the State to cause cancer. The Noticed Parties have exposed and continue to expose consumers within the State of California to Talc Containing Asbestiform Fibers without providing clear and reasonable warning of this exposure. There is no “Safe Harbor” (i.e. No Significant Risk Level) established for exposure to Talc Containing Asbestiform Fibers.

The Consumer Products: The products that are subject of this Notice are Valeant’s Shower to Shower products, all of which are produced, manufactured, marketed, and/or distributed by each of the Noticed Parties.

Route of Exposure: The principal routes of exposure with regard to Asbestos and Talc Containing Asbestiform Fibers are through inhalation and perineal (genital) exposure.

The Duration of the Violations: The violations addressed by this Notice began no later than February 27, 1987, have occurred on every day since at least February 27, 1987, and are ongoing and continuing.

Pursuant to Title 11 of the California Code of Regulations § 3100, a certificate of merit is attached hereto. Please direct any inquiries regarding this Notice or any communication to the counsel for the Noticing Parties:

Lee A. Cirsch
The Lanier Law Firm, P.C.
21550 Oxnard Street
3rd Floor
Woodland Hills, CA 91367
310.277.5100

Dated: February 11, 2019



Lee A. Cirsch
Attorney for Noticing Parties

CERTIFICATE OF MERIT
Health and Safety Code § 25249.7(d)

I, Lee A. Cirsch, hereby declare:

- 1) This Certificate of Merit accompanies the attached sixty-day notice in which it 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 the attorney for the noticing parties.
- 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 chemicals 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: February 11, 2019



Lee A. Cirsch

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and a party to the within action. My business address is 21550 Oxnard St., 3rd Fl, Woodland Hills, CA 91637.

On February 11, 2019, I served the following:


- 1) 60-Day Notice of Intent to Sue Under Health & Safety Code section 25249.6
- 2) The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary (Noticed Parties Copies)
- 3) Certificate of Merit: Health & Safety Code section 25249.7(d)
- 4) Certificate of Merit (Attorney General Copy); Factual Information Sufficient to Establish the Basis of the Certificate of Merit

on the interested parties in this action by either electronically filing these documents or placing a true copy thereof enclosed in a sealed envelope addressed as listed on the Service List attached.

Service was accomplished as follows:

MAIL: I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepared at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on February 11, 2019, at Los Angeles, California.



 MICHAEL AKSELRUD
 Attorney for Noticing Parties

SERVICE LIST

PUBLIC AGENCIES

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Office of the California Attorney General	Prop. 65 Enforcement Reporting Attn: Prop 65 Coordinator 1515 Clay Street, Suite 200 P. O. Box 70550	Oakland	CA	94612-0550
Alameda County District Attorney	1225 Fallon Street Room 900	Oakland	CA	94612
Alpine County District Attorney	270 Laramie Street P. O. Box 248	Markleeville	CA	96120
Amador County District Attorney	708 Court Street	Jackson	CA	95642
Butte County District Attorney	25 County Center Drive	Oroville	CA	95965
Calaveras County District Attorney	891 Mountain Ranch Road	San Andres	CA	95249
Colusa County District Attorney	346 Fifth Street	Colusa	CA	95932
Contra Costa County District Attorney	900 Ward Street	Martinez	CA	94553
Del Norte County District Attorney	450 H Street Room 171	Crescent City	CA	95531
El Dorado County District Attorney	515 Main Street	Placerville	CA	95667
Fresno County District Attorney	2220 Tulare Street, #1000	Fresno	CA	93721
Glenn County District Attorney	P.O. Box 430	Willows	CA	95988
Humboldt County District Attorney	825 5th Street	Eureka	CA	95501
Imperial County District Attorney	940 West Main Street Suite 102	El Centro	CA	92243
Inyo County District Attorney	P.O. Drawer D	Independence	CA	93526
Kern County District Attorney	1215 Truxtun Avenue	Bakersfield	CA	93301
Kings County District Attorney	1400 West Lacey Boulevard	Hanford	CA	93230
Lake County District Attorney	255 North Forbes Street	Lakeport	CA	95453
Lassen County District Attorney	220 S. Lassen Street, Suite 8	Susanville	CA	96130
Los Angeles County District Attorney	210 West Temple Street Suite 18000	Los Angeles	CA	90012
Madera County District Attorney	209 West Yosemite Avenue	Madera	CA	93637

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Marin County District Attorney	3501 Civic Center Drive Room 130	San Rafael	CA	94903
Mariposa County District Attorney	5101 Jones Street P. O. Box 730	Mariposa	CA	95338
Mendocino County District Attorney	P.O. Box 1000	Ukiah	CA	95482
Merced County District Attorney	550 W. Main Street	Merced	CA	95340
Modoc County District Attorney	204 S. Court Street Room 202	Alturas	CA	96101
Mono County District Attorney	P.O. Box 617	Bridgeport	CA	93517
Monterey County District Attorney	P.O. Box 1131	Salinas	CA	93902
Napa County District Attorney	P.O. Box 720	Napa	CA	94559
Nevada County District Attorney	201 Commercial Street	Nevada City	CA	95959
Orange County District Attorney	401 Civic Center Drive West	Santa Ana	CA	92701
Placer County District Attorney	10810 Justice Center Drive Suite 240	Roseville	CA	95678
Plumas County District Attorney	520 Main Street Room 404	Quincy	CA	95971
Riverside County District Attorney	3960 Orange Street	Riverside	CA	92501
Sacramento County District Attorney	901 G Street	Sacramento	CA	95814
San Benito County District Attorney	419 4th Street Second Floor	Hollister	CA	95203
San Bernardino County District Attorney	316 N. Mountain View Avenue	San Bernardino	CA	92415
San Diego County District Attorney	330 W. Broadway Street	San Diego	CA	92101
San Francisco County District Attorney	850 Bryant Street Room 322	San Francisco	CA	94103
San Joaquin County District Attorney	P.O. Box 990	Stockton	CA	95201
San Luis Obispo County District Attorney	1035 Palm Street	San Luis Obispo	CA	93408
San Mateo County District Attorney	400 County Center Third Floor	Redwood City	CA	94063
Santa Barbara County District Attorney	1112 Santa Barbara Street	Santa Barbara	CA	93101
Santa Clara County District Attorney	70 West Hedding Street West Wing	San Jose	CA	95110
Santa Cruz County District Attorney	701 Ocean Street Room 200	Santa Cruz	CA	95060

<i>Agency</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Shasta County District Attorney	1355 West Street	Redding	CA	96001
Sierra County District Attorney	100 Courthouse Square Second Floor	Downieville	CA	95936
Siskiyou County District Attorney	P.O. Box 986	Yreka	CA	96097
Bain Solano County District Attorney	675 Texas Street Suite 4500	Fairfield	CA	94533
Sonoma County District Attorney	600 Administration Drive Room 212J	Santa Rosa	CA	95403
Stanislaus County District Attorney	832 12th Street Suite 300	Modesto	CA	95354
Adams Sutter County District Attorney	446 Second Street	Yuba City	CA	95991
Tehama County District Attorney	444 Oak Street, Room 1	Red Bluff	CA	96080
Trinity County District Attorney	P.O. Box 310	Weaverville	CA	96093
Tulare County District Attorney	221 South Mooney Boulevard, Suite 224	Visalia	CA	93291
Tuolumne County District Attorney	423 North Washington Street	Sonora	CA	95370
Ventura County District Attorney	800 South Victoria Avenue	Ventura	CA	93009
Yolo County District Attorney	301 Second Street	Woodland	CA	95695
Yuba County District Attorney	215 Fifth Street	Marysville	CA	95901
Office of the City Attorney, Los Angeles	200 North Main Street	Los Angeles	CA	90012
Office of the City Attorney, San Diego	1200 Third Avenue Suite 1620	San Diego	CA	92101
Office of the City Attorney, Sacramento	915 I Street, 4th Floor	Sacramento	CA	95814
Office of the City Attorney, San Francisco	City Hall, Room 234 1 Dr. Carlton B. Goodlett Place	San Francisco	CA	94102
Office of the City Attorney, San Jose	200 East Santa Clara Street	San Jose	CA	95113

NOTICED PARTIES

<i>Noticed Party</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Valeant Pharmaceuticals North America	400 Somerset Corporate Blvd.	Bridgewater	NJ	8807
Bausch Health Americas, Inc.	400 Somerset Corporate Blvd.	Bridgewater	NJ	8807
Bausch Health US, LLC	400 Somerset Corporate Blvd.	Bridgewater	NJ	8807