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IN REPLY PLEASE REFER TO
PLF423

April 19, 2021

Panini Kabob Grill
600 W. 9th St., Unit C116
Los Angeles CA. 90015

Re: *Lin [Fang Sun.], et al. vs. Panini Kabob Grill*

To whom it may concern:

60-DAY NOTICE OF VIOLATION

SENT IN COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.7(d)

I. INTRODUCTION

This law firm represents FANG SUN LIN (AKA JIM), FANG DEE LIN (AKA JOHN), MEI FANG LIN (AKA SARAH) (the "Lin Family") who are acting in the interest of the general public, pursuant to California Health & Safety Code section 25249.7(d).

This 60-Day Notice of Violation ("Notice") is being provided to the alleged violator PANINI KABOB GRILL ("Notice Recipient") as well as the California Attorney General's Office, the District Attorney's Office and City Attorney's Office for 58 Counties, and City Attorneys for San Francisco, San Diego, San Jose, Sacramento and Los Angeles. The violations covered by this Notice consist of product exposures, routes of exposures, and types of harm potentially resulting to the toxic chemical identified below, as follows:

The Lin Family provides this notice after identifying violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986, codified at California Health & Safety Code section 25249.5 et seq. ("Proposition 65") based upon the failure to provide a clear and reasonable health hazard warning in connection with the operation of Panini Kabob Grill. The Notice Recipient is hereby given notice that it violated and continues to violate Proposition 65 with respect to the warning requirement, codified at California's Health & Safety Code section 25249.6 which states in its pertinent part "No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the State to cause cancer or reproductive toxicity without first giving a clear and reasonable warning to such individual." Without proper warnings about the toxic effects of exposures to listed chemicals, California citizens lack the information necessary to make informed decisions as to whether or how to eliminate or reduce their risk of exposure from the reasonably foreseeable use of products containing listed chemicals.

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II. NATURE OF ALLEGED VIOLATIONS

Product

The specific type or category of products ("Products") that are the subject of this Notice are as follows:

Product Exposure:	Panini Kabob Grill's use of Charcoal
Listed Product:	Soots, Grease, Carbon Monoxide
Routes of Exposure:	Inhalation, Ingestion
Types of Harm:	Carcinogen

Identified above is a specific example of Products recently purchased and witnessed as being available for sale or use in the State of California, within the category of offending products covered by this Notice. The identified retailers, manufacturers and/or distributors of the Products are based on publicly available information.

The Exemplar Product is identified for the Notice Recipient's benefit to assist in its investigation into the alleged violations that are the subject of this Notice. The specific identified Exemplar Product is not intended to be an exhaustive list of all such products potentially in violation of Proposition 65. It is the Lin Family's position the Notice Recipient is obligated to conduct a good faith investigation into other products within the category or of the type, identified above, that were manufactured, imported, sold or distributed for sale, or that have otherwise been in the Notice Recipient's custody or control during the relevant period, identified below, to ensure the requisite health hazard warnings are provided to individuals in California prior to purchase.

Violations and Time Period of Exposure.

The Lin Family alleges the Notice Recipient knowingly and intentionally exposed, and continues to knowingly and intentionally expose, individuals within the State of California to DEHP, without first giving a health hazard warning regarding DEHP's toxic effects, as required by Proposition 65, by failing to provide clear and reasonable warnings to consumers and users the Products can expose users to DEHP.

Exposures caused by the use of the Products have occurred each day potentially as far back as 2011. Because the Products lack clear and reasonable warnings regarding the toxic effects of exposures to DEHP, each Product sold during this period and not accompanied by a warning constitutes a violation by the Notice Recipient. Moreover, these exposures are ongoing and will continue either until clear and reasonable warnings are provided to protect consumers and users or until this known toxic chemical is removed from the Products or reduced to allowable levels.

III. RESOLUTION OF NOTICED CLAIMS

Consistent with the public interest goals of Proposition 65, the Lin Family seeks to pursue a constructive resolution of this matter to quickly rectify ongoing violations of California law. To that end, based on the allegations set forth in this Notice and pursuant to Health & Safety Code § 25249.7(d), the Lin Family intends to file a private enforcement action in the public interest sixty (60) days after effective service of this Notice, unless the appropriate public enforcement agencies have commenced and are diligently prosecuting an action to rectify these allegations. If the Notice

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Recipient seeks to resolve the claims alleged in this Notice without litigation, it may contact the Lin Family's counsel at the address provided hereinafter.

It should be noted neither the Lin Family nor its counsel can: (1) finalize any settlement until after the expiration of the 60-day Notice period; or (2) speak for the California Attorney General or any District or City Attorney in receipt of this Notice. Therefore, while reaching an agreement with the Lin Family will satisfy its claims, the agreement may not satisfy any public prosecutors.

IV. GENERAL INFORMATION AND SUMMARY OF PROPOSITION 65

A copy of a summary of Proposition 65's provisions, prepared by the Office of Environmental Health Hazard Assessment ("OEHHA") is enclosed with the copy of the Notice served on the Notice Recipient for its reference. For further general information concerning Proposition 65, contact OEHHA's Proposition 65 Implementation Office at (916) 445-6900.

V. CERTIFICATE OF MERIT

Pursuant to Health & Safety Code § 25249.7(d) and Cal. Code. Regs. tit 11, § 3100, a Certificate of Merit is attached hereto. A copy of the Notice and Certificate of Merit is served on the California Attorney General and marked "Attorney General Copy: Contains Official Information Pursuant to Evidence Code Section 1040" with all supporting documentation, as required by Cal. Code. Regs. tit 11, § 3102, attached thereto.

VI. CONTACT INFORMATION

Please direct all questions, issues or communications regarding this 60-Day Notice of Violation and its potential resolution to the Lin Family's counsel at the following address: Andrew J. Marton, Esq.; CHILD & MARTON LLP, 1055 W. 7th Street, 33rd Floor Penthouse, Los Angeles, CA 90017.

Very truly yours,



Andrew J. Marton
CHILD & MARTON LLP

AJM/lds
Enclosures

CERTIFICATE OF MERIT

Health and Safety Code section 25249.7(d)

RE: Lin Family's Notice of Proposition 65 Violations

I, Andrew J. Marton, hereby declare and certify:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged the party identified in the notice violated California Health & Safety Code § 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 alleged exposure to the listed chemical that is the subject of this action.
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) (i.e. the identity of the persons consulted with and relied on by the certifier and the facts, studies and data reviewed by that person.)

Dated: April 9, 2021



Andrew J. Marton

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; my business address is, 11622 El Camino Real, Suite 100, San Diego, CA 92130.

On **April 19, 2021**, I served the following documents:

60-DAY NOTICE OF VIOLATION SENT IN COMPLIANCE WITH HEALTH & SAFETY CODE §25249.7(d); and CERTIFICATE OF MERIT

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

PANINI KABOB GRILL 600 W. 9 th Street, Unit C116 Los Angeles, CA 90015	Isaiah S. Henry SEABREEZE MANGEMENT COMPANY, INC. 26840 Aliso Viejo Pkwy., Ste. 100 Aliso Viejo, CA 92656
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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 each party listed below and served as follows:

By Uploading onto http://oag.ca.gov/prop65/add-60-day-notice	The Attorney General of the State of California
By placing each envelope in a United States Postal Service Box, first class postage pre-paid	The District Attorneys for 33 California Counties and; The City Attorneys for Los Angeles, San Jose.
By sending electronic mail	The following District Attorneys: Alameda, San Joaquin, San Luis Obispo, Sonoma, Santa Clara, Napa, Lassen, Riverside, Tulare, Ventura, Yolo, Monterey, Sacramento, San Francisco, Santa Barbara, San Diego, Santa Cruz, Contra Costa, Inyo, Mariposa, Merced, Nevada, Placer, Plumas and Calaveras County The City Attorneys for San Diego and San Francisco

A list of address for each of the recipient's is attached. Executed on **April 19, 2021** at Los Angeles, CA



Laura Sesti

By US First Class Mail:

COLUSA COUNTY
547 Market Street, Ste. 102
Colusa, CA 95932

DEL NORTE COUNTY
450 H Street, Room 171
Crescent City, CA 95531

ALPINE COUNTY
PO Box 248
Markleeville, CA 96120

EL DORADO COUNTY
778 Pacific Street
Placerville, CA 95667

AMADOR COUNTY
708 Court Street #202
Jackson, CA 95642

FRESNO COUNTY
2220 Tulare Street, Ste. 1000
Fresno, CA 93721

GLENN COUNTY
PO Box 430
Willows, CA 95988

BUTTE COUNTY
25 County Center Drive --
Administration Building
Oroville, CA 95965

HUMBOLDT COUNTY
825 5th Street
Eureka, CA 95501

By Electronic Mail:

ALAMEDA COUNTY
Attn: Nancy O'Malley
CEPDProp65@acgov.org

CALAVERAS COUNTY
Attn: Barbara Yook
Prop65Env@co.calaveras.ca.us

CONTRA COSTA COUNTY
Attn: Stacey Grassini
sgrassini@contracostada.org

INYO COUNTY
Attn: Thomas L. Hardy
inyoda@inyocounty.us

SAN DIEGO COUNTY
Attn: Summer Stephan
SanDiegoDAProp65@sdcda.org

SAN DIEGO CITY ATTORNEY
Attn: Mark Ankcorn
CityAttyProp65@sandiego.gov

SAN JOAQUIN COUNTY
Attn: Tori Verber
DAConsumer.Environmental@sjecda.org

MADERA COUNTY
209 West Yosemite Avenue
Madera, CA 93637

MARIN COUNTY
3501 Civic Center Drive,
Room 130
San Rafael, CA 94903

MENDOCINO COUNTY
PO BOX 1000
Ukiah, CA 95482

MODOC COUNTY
204 S. Court Street, Room 202
Alturas, CA 96101

MONO COUNTY
PO BOX 617
Bridgeport, CA 93546

County of Los Angeles
210 West Temple Street,
Suite 18000
Los Angeles, CA 90012-3210

ORANGE COUNTY
401 Civic Center Drive West
Santa Ana, CA 92701

SAN BENITO COUNTY
419 4th Street
Hollister, CA 95023-3801

LASSEN COUNTY
Attn: Michelle Latimer
mlatimer@co.lassen.ca.us

MARIPOSA COUNTY
Attn: Walter W. Wall
moda@mariposacounty.org

MONTEREY COUNTY
Attn: Jeannine M. Pacioni
Prop65DA@co.monterey.ca.us

NAPA COUNTY
Attn: Gary Lieberstein
CEPD@countyofnapa.org

SAN FRANCISCO COUNTY
Attn: Gregory Alker
Gregory.alker@sfgov.org

SAN FRANCISCO CITY
Attn: Valerie Lopez
Valerie.Lopez@sfcivatty.org

SAN LUIS OBISPO COUNTY
Attn: Eric J. Dobroth
edobroth@co.slo.ca.us

SAN MATEO COUNTY
400 County Center, Third Floor
Redwood City, CA 94063

SHASTA COUNTY
1355 West Street
Redding, CA 96001

SIERRA COUNTY
100 Courthouse Square
Downieville, CA 95936

SISKIYOU COUNTY
PO BOX 986
Yreka, CA 96097

SOLANO COUNTY
675 Texas Street, Ste. 4500
Fairfield, CA 94533

SAN BERNARDINO COUNTY
316 N. Mountain View Ave
San Bernardino, CA 92415-0004

KERN COUNTY
1215 Truxtun Avenue
Bakersfield, CA 93301

LAKE COUNTY
255 N. Forbes Street
Lakeport, CA 95453

IMPERIAL COUNTY
940 West Main Street, Ste. 102
El Centro, CA 92243

NEVADA COUNTY
Attn: Clifford H. Newell
DA.Prop65@co.nevada.ca.us

PLUMAS COUNTY
Attn: David Hollister
davidhollister@countyofplumas.com

RIVERSIDE COUNTY
Attn: Paul E. Zellerbach
Prop65@rivcoda.org

SACRAMENTO COUNTY
Attn: Anne Marie Schubert
Prop65@sacda.org

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Attn: Christopher Dalbey
DAProp65@co.santa-barbara.ca.us

SANTA CLARA COUNTY
Attn: Bud Porter
EPU@da.sccgov.org

SANTA CRUZ COUNTY
Attn: Jeffrey S. Rosell
Prop65DA@santacruzcounty.us

STANISLAUS COUNTY
832 12th Street, Ste. 300
Modesto, CA 95353

SUTTER COUNTY
446 2nd Street, Suite 102
Yuba City, CA 95991

TEHAMA COUNTY
PO BOX 519
Red Bluff, CA 96080

TRINITY COUNTY
PO BOX 310
Weaverville, CA 96093

TUOLUMNE COUNTY
423 No. Washington Street
Sonora, CA 95370

YUBA COUNTY
215 Fifth Street, Ste. 152
Marysville, CA 95901

Office of the City Attorney
CITY OF LOS ANGELES
200 N. Main Street
Los Angeles, CA 90012

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

KINGS COUNTY
1400 West Lacey Blvd.
Hanford, CA 93230

SONOMA COUNTY
Attn: Stephan R. Passalacqua
jbarnes@sonoma-county.org

TULARE COUNTY
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Prop65@co.tulare.ca.us

VENTURA COUNTY
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daspecialops@ventura.org

YOLO COUNTY
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cfepd@yolocounty.org

PLACER COUNTY
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prop65@placer.ca.gov

MERCED COUNTY
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Prop65@countyofmerced.com