60-DAY NOTICE OF VIOLATION

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

DATE: October 17, 2024

TO: Natasha Accessories Ltd.; Nordstrom, Inc.; and the public prosecutors listed on the

service list accompanying the attached proof of service.

FROM: APS&EE, LLC

I. INTRODUCTION

APS&EE is an organization based in the State of California with an interest in protecting the environment, which includes promoting awareness of exposure to toxic chemicals and reducing exposure to hazardous substances found in consumer products. It is providing this Notice to the violators and the public agencies listed above pursuant to California Health & Safety Code §25249.6 et seq. ("Proposition 65"). APS&EE, LLC's mailing address is 3334 E. Coast Hwy, Box 514, Corona Del Mar, CA 92625, Attn: Isabel Novak (member), 949-715-7885. Please direct all questions concerning this Notice to it through its designated person for the entity, its attorney: Lucas T. Novak, Esq., Law Offices of Lucas T. Novak, 8335 W Sunset Blvd., Suite 217, Los Angeles, CA 90069; Tel: (323) 337-9015; Email: lucas.nvk@gmail.com.

II. NATURE OF THE VIOLATION

- A. <u>Violators</u>: Natasha Accessories Ltd., 7 West 36th Street, 2nd Floor, New York, NY, 10018; Nordstrom, Inc., 1617 6th Ave, Seattle, WA, 98101.
- B. <u>Time Period of Exposure</u>: Violations have been occurring since at least October 17, 2023, and continue to occur to this day.
- C. Listed Chemicals: Cadmium
- D. <u>Types of Harm</u>: Cadmium is listed as known to cause cancer and birth defects or other reproductive harm.
- E. <u>Types of Products</u>: The specific type of products causing the violations is Natasha earrings, including but not limited to flower hoop earring #844043519880, being sold by Violators throughout California. All products within the type covered by this Notice shall be hereinafter referred to as the "products."
- F. <u>Routes of Exposure</u>: Ingestion, inhalation, and dermal contact.
- G. <u>Description of Exposure</u>: The sales of these products in California dating as far back as October 17, 2023 are subject to this notice. As a result of the sales of these products, exposures to the listed chemical have been occurring without clear and reasonable warnings as required by Proposition 65. 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 toxic chemical from the reasonably foreseeable use of the products. California consumers, including children, through the act of buying, acquiring or using the products, are exposed to the listed chemicals. By way of example but not limitation, exposures occur when California citizens use, display, clean, pack, unpack, arrange, store, mouth, or otherwise handle the products. These actions cause consumers to be exposed directly or indirectly through the routine touching of the parts or portions of the products containing readily available surface amounts of the listed chemical. Additionally, exposure can occur through the routine touching and ingesting of other materials that are contaminated with the listed chemical from the products as a result of these tasks. People likely to be exposed include both children and adults.

III. PROPOSITION 65 INFORMATION

For the Violators' reference, attached is a copy of "Proposition 65: A Summary" which has been prepared by Office of Environmental Health Hazard Assessment ("OEHHA"). For more information concerning the provisions of Proposition 65, contact OEHHA at (916) 445-6900.

IV. RESOLUTION OF NOTICED CLAIMS

The retailer is hereby requested to promptly provide the names and contact information for the manufacturers, producers, packagers, importers, suppliers, and/or distributors of the products identified in this Notice. Cal. Code Regs. tit. 27, §25600.2(g).

Based on the allegations set forth in this Notice, the noticing party intends to file a Private Enforcer lawsuit against the alleged Violators unless such Violators enters into a binding written agreement to: (1) recall products already sold or undertake best efforts to ensure that the requisite health hazard warnings are provided to those who have received such products; (2) provide clear and reasonable warnings for products sold in the future or reformulate such products to eliminate the exposures; and (3) pay an appropriate civil penalty based on the factors enumerated in California Health & Safety Code §25249.7(b). If the alleged Violators are interested in resolving this dispute without resorting to expensive and time-consuming litigation, please feel free to contact counsel identified above. It should be noted that a Private Enforcer cannot: (1) finalize any settlement until after the 60-day notice period has expired; or (2) speak for the Attorney General or any District or City Attorney who received this Notice. Therefore, while reaching an agreement with me will resolve my claims, such agreement may not satisfy the public prosecutors.

CERTIFICATE OF MERIT

Health and Safety Code Section 25249.7(d)

- I, Lucas Novak, Esq. 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 §25249.6 by failing to provide clear and reasonable warnings;
- 2. I am the attorney for the noticing party;
- 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 this 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 plaintiff's case can be established and 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. 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 information identified in Health and 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).

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Dated: October 17, 2024	
	Lucas Novak Esa

PROOF OF SERVICE

I, Lucas Novak, Esq., declare under penalty of perjury:

I am an active member of the California State Bar, a citizen of the United States over the age of 18 years, and not a party to the within action; my business address is 8335 W Sunset Blvd., Suite 217, Los Angeles, CA 90069.

On October 17, 2024, I served the following documents:

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

PROPOSITION 65: A SUMMARY (not sent to the public enforcement agencies);

CERTIFICATE OF MERIT; AND

CERTIFICATE OF MERIT ATTACHMENTS (served only on the Attorney General)

by placing a true copy thereof enclosed in a sealed envelope with postage for first class mail thereon fully prepaid in Los Angeles, California, in the United States mail addressed as follows, and to the public prosecutors listed in the attached service list:

Natasha Accessories Ltd.	Nordstrom, Inc.
Attn: Gokaran Singh, Current President or	Attn: Current President or CEO
CEO	1617 6th Ave
7 West 36th Street, 2nd Floor	Seattle, WA, 98101
New York, NY, 10018	
Nordstrom, Inc.	
c/o Corporation Service Company	
2710 Gateway Oaks Drive	
Sacramento, CA 95833	

Additionally, on this date, I uploaded the documents listed above to the California Attorney General via its website:

Office of the California Attorney General Proposition 65 Enforcement Reporting ATTN: Prop 65 Coordinator 1515 Clay Street, Suite 2000 P.O. Box 70550 Oakland, CA 94612-0550 http://oag.ca.gov/prop65 Also on this date, I transmitted via electronic mail the documents listed above to the electronic mail addresses as follows:

District Attorney of Contra Costa County 900 Ward Street Martinez, CA 94553 sgrassini@contracostada.org District Attorney of Robate County 3072 Orange Street County Orange Street County District Attorney of Riverside County 3072 Orange Street County Orange Street County Orange Street County District Attorney of Santa Clara County Orange Street County Orange Street County Orange Street County District Attorney of Santa Clara County Orange Street County District Attorney of Santa Clara County Orange Street County District Attorney of Ventura County San Jose, CA 95110 cpu@da.sccgov.org District Attorney of Ventura County San So Victoria Ave Ventura, CA 93009 Ventura, CA 93009 District Attorney of Lassen County San District Attorney of Lassen County San Street Susanville, CA 96130 defandler@co.lassen caus County Orange Street Susanville, CA 96130 defandler@co.lassen caus County District Attorney of San Forancisco County District Attorney of San Joaquin County District Attorney of San Joaquin County District Attorney of San Forancisco County District Attorney of San Joaquin County District Attorney of San Forancisco County District Attorney of San Joaquin County District Attorney of San Luis Obispo County Orange Street District Attorney of Santa Cruz County District Attorney of Santa Cruz County District Attorney of Santa Cruz County County Government Center Orange Street District Attorney of Santa Cruz County District Attorney of Santa Cruz County County Government Center District Attorney of Santa Cruz County District Attorney of Santa Cruz County County Orange Street District Attorney of Santa Cruz County District Attorney of Calaveras County District Attorney of Santa District Attorney of Santa Cruz District Attorney of Santa Cruz District Attorney of Marines District Attorney of Santa Cruz District Attorney of Santa Cruz District Attorney of Sant	D: +: + A#	D' 1 ' 1 A44 CM 1	D' 4 ' 4 A44 CNI
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The electronic transmissions were reported as sent and without error.

Executed on October 17, 2024, at Los Angeles, California.

Lucas Novak, Esq.

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