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August 11, 2026

**SIXTY-DAY NOTICE OF VIOLATION OF THE SAFE DRINKING WATER & TOXIC
ENFORCEMENT ACT OF 1986 ("PROPOSITION 65")**
(Cal. Health & Safety Code § 25249.5, et seq.)

Via Certified Mail

C&M Topsoil, Inc.
12087 Lopez Canyon Rd #40
Sylmar, CA 91342

Dear Alleged Violator and Appropriate Enforcement Agencies:

Kesselman Brantly Stockinger LLP represents Abiel Garcia, Sara Garcia, and S.G.G. (their minor son) (together, "Noticing Party"), all citizens of the State of California, acting in the interest of the general public to promote awareness of exposures to toxic chemicals in a product sold in California and encourage corporate responsibility.

This Sixty-Day Notice of Violation of the Safe Drinking Water & Toxic Enforcement Act of 1986 (hereafter, the "Notice") serves to inform you that C&M Topsoil, Inc. ("C&M Topsoil" or the "Alleged Violator") is in violation of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"), codified at California Health & Safety Code § 25249.5, et seq.

This Notice satisfies a prerequisite for Noticing Party to commence an action against the Violator in any Superior Court of California.

I. GENERAL INFORMATION ABOUT PROPOSITION 65

A summary of Proposition 65 and its implementing regulations, prepared by the Office of Environmental Health Hazard Assessment ("OEHHA"), the agency which administers the Proposition 65 program, is enclosed as "Appendix A" and has been served on the Alleged Violator. For more information pertaining to the provisions of Proposition 65, please contact OEHHA's Proposition 65 Help Desk at (916) 445-6900.



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II. DESCRIPTION OF THE VIOLATION

- A. **Alleged Violator:** C&M Topsoil, Inc.
- B. **Enforcer:** Abiel Garcia, Sara Garcia, and S.G.G. (a minor)
- C. **Product:**

The product that is causing exposures in violation of Proposition 65 is decomposed granite, including but not limited to the Exemplar Product identified below:

Exemplar Product	Listed Chemical(s)	Alleged Violator(s)
Miner's Gold Decomposed Granite ¹ Supplied to: The Stone Yard, Altadena, CA	Arsenic	C&M Topsoil, Inc.

D. **Listed Chemical:**

The listed chemical at issue in this Notice is arsenic. Arsenic was listed by the State of California as a carcinogen on February 27, 1987, and remains on the Proposition 65 list of chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm.

Soil testing conducted at Noticing Party's property, by researchers affiliated with the Community Action Project Los Angeles (CAP.LA) — a program involving researchers from UCLA and Loyola Marymount University — on or about September 29, 2025, revealed arsenic in the backyard soil at a concentration of 1,330 mg/kg. The results of said test were delivered to the Noticing Party on January 17, 2026. This level exceeds the California Department of Toxic Substances Control (DTSC) Southern California Ambient Screening Level for arsenic of 12 mg/kg by a factor of more than 110. The source of the arsenic contamination is the Miner's Gold Decomposed Granite supplied by C&M Topsoil, Inc. to the Stone Yard in Altadena, California, and thereafter sold and installed at the Property.

¹ The Exemplar Product is identified for the benefit of the Alleged Violator to assist in its investigation into the alleged violation that is the subject of this Notice. The specific identified Exemplar Product is not intended to be an exhaustive list of all decomposed granite products distributed by C&M Topsoil, Inc. that may be in violation of Proposition 65.



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E. Time Period of Exposure:

Violations have been occurring since at least April 2025, the date on which the Miner's Gold Decomposed Granite was installed at the Property, and are continuing thereafter.

F. Warnings Provided: No warnings were provided during the purchase or on any product packaging.

G. Routes of Exposure:

The primary routes of exposure to arsenic from the Miner's Gold Decomposed Granite are: (1) dermal contact — direct skin contact with the contaminated material during ordinary residential use of the outdoor area where the product was installed; (2) inhalation — inhalation of arsenic-containing particulate matter and dust generated by the decomposed granite during ordinary use; and (3) incidental ingestion — inadvertent ingestion of arsenic-containing dust or particulate matter, a route of exposure of particular concern for young children who come into regular hand-to-mouth contact with ground surfaces during outdoor play.

III. PRESERVATION OF RELEVANT EVIDENCE

This Notice also serves as a demand that C&M Topsoil, Inc. preserve and maintain all relevant evidence, including all electronic documents and data, relating to the violation(s) described herein. Such relevant evidence includes, but is not limited to: all documents relating to the sourcing, composition, manufacturing, and testing of the Miner's Gold Decomposed Granite; all safety data sheets, certificates of analysis, or quality control records relating to the product; all communications with any person relating to actual or potential exposures to arsenic from the product; representative samples of Miner's Gold Decomposed Granite from the same batch or source as the material supplied to the Stone Yard; all records relating to the distribution and sale of the product since three years prior to the date of this Notice; all communications regarding this Notice or any related claim; and all regulatory correspondence or submissions relating to the listed chemical.

IV. DEMAND FOR INFORMATION

Pursuant to California Code of Regulations Title 27, Article 6, Section 25600.2(g), the Noticing Party respectfully requests that C&M Topsoil, Inc. provide the names and contact information for any and every quarry, mine, manufacturer, producer, packager, importer, supplier, and/or distributor of the Miner's Gold Decomposed Granite, including the Exemplar Product. Please provide this information within one week of receipt of this Notice.



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V. RESOLUTION OF THE CLAIMS

Please be advised that the Noticing Party intends to bring a citizen enforcement action based on the allegations set forth in this Notice should no appropriate government authority take action and should no resolution be reached by October 11, 2026. However, consistent with the public interest goals of Proposition 65 and the desire to have these violations of California law quickly rectified, Noticing Party is interested in seeking a constructive resolution of the claims in this Notice without engaging in costly and protracted litigation. If you are interested in discussing a potential pre-filing resolution of these claims, please contact me promptly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Abiel Garcia', written over a horizontal line.

Abiel Garcia
Kesselman Brantly Stockinger LLP

Attachments:

1. Certificate of Merit;
2. Certificate of Service;
3. OEHHA Proposition 65: A Summary ("Appendix A") (to Alleged Violator only);
4. Confidential Factual Information Supporting Certificate of Merit (to AG only);
5. CAP.LA Soil Testing Results — 2190 Santa Rosa Ave, Altadena, CA 91001 (Sample Collected September 29, 2025) (to AG only);
6. E-mail Service List; and
7. Mail Service List.

CERTIFICATE OF MERIT

I, Abiel Garcia, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the party identified in the notice has violated Health & Safety Code Section 25249.6 by failing to provide clear and reasonable warnings before exposing individuals to arsenic, a chemical known to the State of California to cause cancer.

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 have reviewed facts, studies, or other data regarding the alleged exposure to arsenic from the Miner's Gold Decomposed Granite that is the subject of this Notice. Such persons include environmental scientists and researchers who conducted or reviewed soil testing of the property at issue, which revealed arsenic concentrations of 1,330 mg/kg — more than 110 times the applicable DTSC Southern California Ambient Screening Level for arsenic of 12 mg/kg.

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, including the CAP.LA soil testing results showing arsenic at 1,330 mg/kg at the property where the Miner's Gold Decomposed Granite was installed.

Dated: August 11, 2026



Abiel Garcia

CERTIFICATE OF SERVICE PURSUANT TO 27 CCR § 25903

I, the undersigned, declare that 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 mailing occurred. My business address is Kesselman Brantly Stockinger, 1600 Rosecrans Avenue, Building 7, Suite 320, Manhattan Beach, CA 90266.

On August 11, 2026, between 8:00 a.m. and 5:00 p.m. Pacific Time, I had the following documents served: (1) Sixty-Day Notice of Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986; (2) Certificate of Merit; and (3) The Safe Drinking Water and Toxic Enforcement Act of 1986: A Summary ("Appendix A") on the parties listed below by placing a true and correct copy thereof in a sealed envelope, addressed to each party and depositing such envelope at a U.S. Postal Service Office with the postage fully prepaid for delivery by Certified Mail:

C&M Topsoil, Inc.
12087 Lopez Canyon Rd #40
Sylmar, CA 91342

On August 11, 2026, between 8:00 a.m. and 5:00 p.m. Pacific Time, I verified the following documents: (1) Sixty-Day Notice of Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986; (2) Certificate of Merit; and (3) Factual Information in Support of Certificate of Merit (served only on the Attorney General) were served on the following party by uploading a true and correct copy thereof as a PDF file to the California Attorney General's website, which can be accessed at <https://oag.ca.gov/prop65/add-60-day-notice>:

Office of the California Attorney General
Prop 65 Enforcement Reporting
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

On August 11, 2026, between 8:00 a.m. and 5:00 p.m. Pacific Time, I verified that the following documents: (1) Sixty-Day Notice of Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986 and (2) Certificate of Merit were served via electronic mail on each party on the attached E-mail Service List.

On August 11, 2026, between 8:00 a.m. and 5:00 p.m. Pacific Time, I had the following documents served: (1) Sixty-Day Notice of Violation of the Safe Drinking Water and Toxic Enforcement Act of 1986 and (2) Certificate of Merit on each party on the attached Mail Service List by placing a true and correct copy thereof in a sealed envelope, addressed to each party and depositing such envelope at a U.S. Postal Service Office with the postage fully prepaid for delivery by First Class Mail.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on August 11, 2026 in Altadena, California.



Abiel Garcia

ELECTRONIC MAIL LIST

Alameda County District Attorney CEPDProp65 @acgov.org	Calaveras County District Attorney Prop65Env@co.calaveras.ca.us	Contra Costa County District Attorney Bill.Washam@contracostada.org
Inyo County District Attorney inyoda@inyocounty.us	Lassen County District Attorney dhandler@co.lassen.ca.us	Mariposa County District Attorney mcda@mariposacounty.org
Merced County District Attorney Prop65@countyofmerced.com	Monterey County District Attorney Prop65DA@co.monterey.ca.us	Napa County District Attorney CEPD@countyofnapa.org
Nevada County District Attorney DA.Prop65@co.nevada.ca.us	Placer County District Attorney Prop65@placer.ca.gov	Plumas County District Attorney davidhollister@countyofplumas.com
Riverside County District Attorney Prop65@rivcoda.org	Sacramento County District Attorney Prop65@sacda.org	San Diego City Attorney CityAttyProp65@sandiego.gov
San Diego County District Attorney SanDiegoDAProp65@sdca.org	San Francisco County District Attorney Prop65@sfgov.org	San Francisco City Attorney Prop65@sfcityatty.org
San Joaquin County District Attorney DA DAConsumer.Environmental@sjcda.org	San Luis Obispo County District Attorney edobroth@co.slo.ca.us	Santa Barbara County District Attorney DAProp65@co.santa-barbara.ca.us
Santa Clara County District Attorney EPU@da.sccgov.org	Santa Cruz County District Attorney Prop65DA@santacruzcounty.us	Sonoma County District Attorney ECLD@sonoma-county.org
Tulare County District Attorney damail@tularecounty.ca.gov	Ventura County District Attorney daspecialops@ventura.org	Yolo County District Attorney cfepd@yolocounty.org
Santa Clara City Attorney proposition65notices@sanjoseca.gov	District Attorney Fresno consumerprotection@fresnocountyca.gov	Tuolumne County District Attorney DA@tuolumnecounty.ca.gov
Alpine County District Attorney Prop65enf@alpinecountyca.gov	El Dorado Assistant District Attorney EDCDAPROP65@edcda.us	Marin County District Attorney consumer@marincounty.gov
Orange County District Attorney Prop65notice@ocdistrictattorney.gov		

FIRST CLASS MAIL LIST

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Lakeport, CA 95453

District Attorney Los Angeles County
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Los Angeles, CA 90012

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300 South G Street, Suite 300
Madera, CA 93637

District Attorney Stanislaus County
832 12th Street, Ste 300
Modesto, CA 95354

District Attorney Sutter County
463 2nd Street, Ste 102
Yuba City, CA 95991

District Attorney Mono County
Post Office Box 2053
Mammoth Lakes, CA 93546

District Attorney San Benito County
419 4th Street
Hollister, CA 95023

District Attorney Yuba County
215 Fifth Street, Suite 152
Marysville, CA 95901

Los Angeles City Attorney's Office
City Hall East, Room 800
200 N. Main St.,
Los Angeles, CA 90012

District Attorney Kings County
1400 West Lacey Blvd.
Hanford, CA 93230

District Attorney Sierra County
PO Box 457
Downieville, CA 95936

District Attorney Siskiyou County
PO Box 986
Yreka, CA 96097

District Attorney Solano County
675 Texas Street, Ste 4500
Fairfield, CA 94533

District Attorney Del Norte County
450 H Street, Suite 171
Crescent City, CA 95531

District Attorney Modoc County
204 S Court Street, Room 202
Alturas, CA 96101-4020

District Attorney Trinity County
Post Office Box 310
Weaverville, CA 96093

District Attorney Humboldt County
825 5th Street 4th Floor
Eureka, CA 95501

District Attorney Imperial County
940 West Main Street, Suite 102
El Centro, CA 92243

District Attorney Kern County
1215 Truxtun Avenue, 4th Floor
Bakersfield, CA 93301

District Attorney Amador County
708 Court Street, Suite 202
Jackson, CA 95642

District Attorney Butte County
25 County Center Drive, Suite 245
Oroville, CA 95965

District Attorney Colusa County
310 6th Street
Colusa, CA 95932

District Attorney Mendocino County
PO Box 1000
Ukiah, CA 95482

District Attorney Tehama County
PO Box 519
Red Bluff, CA 96080

District Attorney Glenn County
Post Office Box 430
Willows, CA 95988

District Attorney San Bernardino County
303 West Third Street, 6th Floor
San Bernardino, CA 92415

District Attorney San Mateo County
400 County Ctr., 3rd Floor
Redwood City, CA 94063

District Attorney Shasta County
1355 West Street
Redding, CA 96001