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CENTER FOR ENVIRONMENTAL HEALTH

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9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF ALAMEDA
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12 PEOPLE OF THE STATE OF CALIFORNIA,)
13 ex rel. BILL LOCKYER, Attorney General,)
14 Plaintiffs,)
15 v.)
16 BURLINGTON COAT FACTORY)
WAREHOUSE CORPORATION, et. al.,)
17 Defendants.)
18 _____)
And Related and Consolidated Cases)
19 _____)

Lead Case No. RG 04-162075
(Consolidated with Case Nos.
RG 04-162037, RG 04-169511, and
RG 06-269531)
**STIPULATED CONSENT JUDGMENT
AS TO NADRI, INC.**

Complaint Filed: June 23, 2004
Trial Date: None

1 *Whereas*, on May 12, 2006, plaintiff the Center for Environmental Health
2 (“CEH”) filed action no. RG 06-269531, which action was consolidated with three other actions
3 including the lead case entitled *People v. Burlington Coat Factory et al.*, action no. RG
4 04-162075;

5 *Whereas*, Nadri, Inc. (“Nadri”) is a defendant in the action by CEH;

6 *Whereas*, on February 21, 2006, upon noticed motion, the Court entered a
7 Consent Judgment in the consolidated actions (the “Master Consent Judgment”);

8 *Whereas*, on June 15, 2006, upon noticed motion, the Court amended the Master
9 Consent Judgment by entering an Amended Consent Judgment in the consolidated actions, a true
10 and correct copy of which is attached hereto as Exhibit 1 (in order to minimize the size of
11 Exhibit 1, the attached Amended Consent Judgment does not include certain signature pages or
12 Exhibit A (list of initial defendants), Exhibit E (brand names from initial defendants), Exhibit F
13 (initial defendant notice list), Exhibit G (copies of Notices of Intent to Opt In) and Exhibit H
14 (Roman Company signature page) (the “Amended Master Consent Judgment”);

15 *Whereas*, CEH and Nadri have agreed to resolve this matter as to Nadri on the
16 same injunctive terms as those contained in the Amended Master Consent Judgment;

17 *Now Therefore*, the parties hereto agree as follows:

18 1. Judgment shall be entered against Nadri in this consolidated action pursuant to the
19 terms of the Amended Master Consent Judgment, except that the following terms shall apply to
20 Nadri in lieu of Section 5 of the Amended Master Consent Judgment.

21 a. Within seven calendar days of entry of this Stipulated Consent Judgment,
22 Nadri shall pay the sum of \$30,000 as a settlement payment. The settlement payment shall be by
23 check made payable to the Lexington Law Group, LLP Attorney Client Trust Account. The
24 funds paid by Nadri shall be distributed as follows:

25 i. The sum of \$9,667 as payment to CEH in lieu of penalty pursuant
26 to Health and Safety Code section 25249.7(b), and California Code
27 of Regulations, title 11, section 3202(b). CEH shall use such funds
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to continue its work educating and protecting people from exposures to toxic chemicals, including heavy metals.

- ii. The sum of \$1,000 as a civil penalty pursuant to Health & Safety Code §25249.7(b), such money to be apportioned by CEH in accordance with Health & Safety Code §25192.
- ii. The sum of \$19,333 as reimbursement of CEH's reasonable attorneys' fees and investigation costs.

b. The last sentence in Section 3.1 of the Amended Master Consent Judgment shall be replaced with the following sentence:

Each Settling Defendant shall provide the requirements of this Consent Judgment to its Suppliers of Covered Products no later than September 30, 2006, and shall request each Supplier to use best efforts to provide compliant product as soon as commercially practicable.

2. In all other respects, Nadri shall be treated as if it were an Initial Settling Defendant, as that term is used in the Amended Master Consent Judgment.

3. The persons for Nadri to receive Notices per § 4.2.2.2 and Exhibit F to the Amended Master Consent Judgment, until and unless modified per § 8, shall be:

Joel M. Wolosky
Hodgson Russ LLP
230 Park Avenue, 17th Floor
New York, NY 10169

1 IT IS SO STIPULATED.

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CENTER FOR ENVIRONMENTAL HEALTH

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By: 
Michael Green, Executive Director

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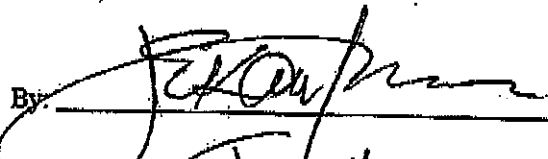
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NADRI, INC.

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By: 
Printed Name: JOEL KAUFMAN

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Title: VICE PRESIDENT

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15 JUDGMENT SO RENDERED.

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_____, 2006

JUDGE OF THE SUPERIOR COURT

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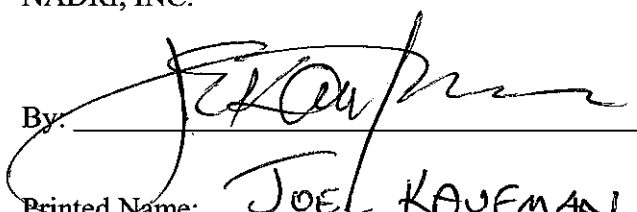
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IT IS SO STIPULATED.

CENTER FOR ENVIRONMENTAL HEALTH

By: _____
Michael Green, Executive Director

NADRI, INC.

By:  _____
Printed Name: JOEL KAUFMAN

Title: VICE PRESIDENT

JUDGMENT SO RENDERED.

_____, 2006

JUDGE OF THE SUPERIOR COURT