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13 Attorneys for Plaintiff
14 Russell Brimer

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16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 COUNTY OF SAN FRANCISCO
18 UNLIMITED JURISDICTION
19

20 RUSSELL BRIMER,
21 Plaintiff,
22 v.
23 THE BOELTER COMPANIES, et al.,
24 Defendants.

Case No. CGC-05-440811
**STIPULATION FOR ENTRY OF
JUDGMENT**

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STIPULATION AND (PROPOSED) ORDER RE: CONSENT JUDGMENT
SFSC CASE NO. CGC 05-440811

1 6. To the extent the Consent Judgment applies to the categories of Covered Products
2 checked above, the Company agrees to be bound by the injunctive relief provisions of the
3 Consent Judgment as it relates to each such category of Covered Products.

4 7. In conjunction with the execution of this Stipulation, the Company has provided the
5 payments applicable to it as set forth in Table 14.4 of the Consent Judgment in the manner
6 described in Exhibit E to the Consent Judgment. In this regard, the Company hereby
7 represents and warrants that under the criteria set forth in subsections 14.4(a), (b), and (c) of
8 the Consent Judgment, with respect to the Covered Products applicable to it pursuant to the
9 categories checked in Paragraph 2 of this Stipulation, it is a (check only one)¹: **Only (c) is**
10 **checked below**

- 11 **(a) Manufacturer** with combined sales in California of less than 350,000
12 consumer units in calendar year 2004
- 13 **(a.1) Low Volume Manufacturer** with combined sales in California of less
14 than 10,000 consumer units in calendar year 2004
- 15 **(b) Distributor and/or Importer** with combined sales in California of less than
16 350,000 consumer units in calendar year 2004
- 17 **(b.1) Low Volume Distributor and/or Importer** with combined sales in
18 California of less than 10,000 consumer units in calendar year 2004
- 19 **(c) Retailer and/or Amusement & Recreation Establishment**
- 20 **(d) Bar, Restaurant, Hotel, or Other Food/Beverage Service Defendant**
- 21 **(e) Opt-In Defendant with De Minimus Sales**, i.e., combined sales in
22 California of less than 500 consumer units in calendar year 2004 (attach to this
23 Stipulation a list of the names of all product lines (by narrative description and,
24

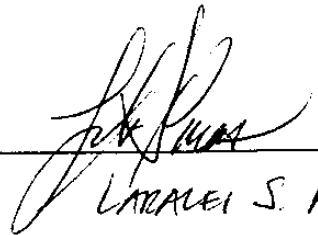
25 ¹ Any entity which has conducted activities which comprise more than one of the
26 categories of business listed in (a)-(d) below shall be deemed to be a Manufacturer if 15% or
27 more of its sales of Covered Products in California were the result of its Manufacturing of
28 Covered Products; any entity otherwise in categories (c) or (d) shall be deemed to be a
Distributor/Importer if 15% or more of its sales of Covered Products in California were the result
of its Distributing/Importing of Covered Products.

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12. The undersigned have full authority to make the written representations above and to enter into this Stipulation for the person/entity on behalf of which he/she is signing.

IT IS HEREBY STIPULATED AND AGREED TO:

By: Willie C. Bogan
(signature)

By: 
LARALEE S. PARAS

On Behalf of Plaintiff Russell Brimer

Willie C. Bogan
Name (printed/typed)
Assistant Secretary
Title (printed/typed)

On Behalf of:

Safeway Inc.
(Insert Company Name)

Opt-In Defendant

Dated: March 22, 2006

Dated: April 12, 2006

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EXHIBIT C (Supplement)
Contact Information for Purposes of Future Notice

Opt-In Party Name: Safeway Inc.

Contact Person: Valerie D. Lewis

Mailing address: 5918 Stoneridge Mall Road
Pleasanton, CA. 94588

Telephone: (925) 467-3000

Fax number: (925) 467-3214

Email address: valerie.lewis@safeway.com