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LAW OFFICES OF
RAPHAEL METZGER
A PROFESSIONAL LAW CORPORATION
401 EAST OCEAN BOULEVARD, SUITE 800
LONG BEACH, CALIFORNIA 90802-4966

PRACTICE CONCENTRATED IN TOXIC
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METZGER LAW GROUP
A PROFESSIONAL LAW CORPORATION
RAPHAEL METZGER, ESQ., SBN 116020
KATHRYN A. SALDANA, ESQ., SBN 251364
401 E. OCEAN BLVD., SUITE 800
LONG BEACH, CA 90802-4966
TELEPHONE: (562) 437-4499
TELECOPIER: (562) 436-1561
WEBSITE: www.toxictorts.com

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ORIGINAL FILED JAN 07 2013

Dept. 323

MAY 14 2013

LOS ANGELES
SUPERIOR COURT

Attorneys for Plaintiff,
Council for Education and
Research on Toxics ("CERT")

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

COUNCIL FOR EDUCATION AND)
RESEARCH ON TOXICS, a California)
corporation, acting as a private)
attorney general in the public)
interest;)

Plaintiff,)

vs.)

BRAD BARRY COMPANY, LTD., a)
California corporation; BRISTOL)
FARMS, a California corporation;)
CARIBOU COFFEE COMPANY, INC., a)
Minnesota corporation; COSTCO)
WHOLESALE CORPORATION, a)
Washington corporation; DD IP)
HOLDER LLC, a Delaware)
corporation; DUNKIN' BRANDS,)
INC., a Delaware corporation;)
DUNKIN' DONUTS LLC, a Delaware)
corporation; F. GAVINA & SONS,)
INC., a California corporation;)
THE FOLGERS COFFEE COMPANY, a)
Delaware corporation; et al.,)
Defendants.)

CASE NO. BC461182
Related to Lead Case No.
BC435759
Assigned to the Honorable Elihu
Berle, Dept. 323

[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO APPROVE
PROPOSITION 65 SETTLEMENT AND
ENTER CONSENT JUDGMENT AS TO
SANTA BARBARA COFFEE & TEA,
INC. D/B/A SANTA BARBARA
ROASTING COMPANY

DATE: February 26, 2013
TIME: 11:00 a.m.
DEPT: 323

[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE
PROPOSITION 65 SETTLEMENT AND ENTER CONSENT JUDGMENT AS TO SANTA
BARBARA COFFEE & TEA D/B/A SANTA BARBARA ROASTING COMPANY

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ORDER

This matter is here upon a motion by Plaintiff for an order approving its Proposition 65 settlement and for entry of the proposed Consent Judgment. Raphael Metzger appeared on behalf of the moving party, Council for Education and Research on Toxics. Elizabeth Stevens appeared on behalf of Defendant Santa Barbara Coffee & Tea, Inc. d/b/a Santa Barbara Roasting Company.

Having read the papers submitted by the parties in support of and in opposition to the motion, and having considered the arguments of counsel, the Court finds that the motion is meritorious.

WHEREFORE, the Court grants the motion as follows:

1. Plaintiff's settlement with Santa Barbara Coffee & Tea d/b/a Santa Barbara Roasting Company, satisfies Health and Safety Code § 25249.7(f)(4) and is approved as of this date.
2. The Clerk of the Court is directed to enter, on today's date, the proposed Consent Judgment lodged by Plaintiff in this case on January 7, 2013.
3. It is further ordered as follows: _____

IT IS SO ORDERED.

Dated: MAY 14 2013

ELIHU M. BERLE

The Hon. Elihu Berle
Los Angeles Superior Court Judge

ELECTRONIC PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 401 E. Ocean Blvd., 8th Floor, Long Beach, CA 90802.

On January 7, 2013, I served the foregoing document, described as: [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE PROPOSITION 65 SETTLEMENT AND [PROPOSED] CONSENT JUDGMENT AS TO SANTA BARBARA COFFEE & TEA, INC. D/B/A SANTA BARBARA ROASTING COMPANY on the interested parties to this action by submitting an electronic version of the document via FTP upload to LexisNexis/FileAndServe pursuant to the Court's Order.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 7, 2013, at Long Beach, California.

Susan M. Simpson, Declarant

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SERVICE LIST
(CERT vs. Starbucks, Case No. BC435759)

-o0o-

Richard W. Lasater II, Esq.
Foley & Lardner
555 S. Flower St., Suite 3500
Los Angeles, CA 90071-2411
(Gloria Jean's Gourmet Coffees Corp.,
Gloria Jean's Gourmet Coffees Franchising
Corp., It's a Grind Inc., Praise
International North America, Inc.)

Trenton H. Norris, Esq.
Rachel L. Chanin, Esq.
Arnold & Porter
Three Embarcadero Center, 7th Floor
San Francisco, CA 94111
(7-Eleven, Inc. BP America Inc., BP
Products North America Inc., BP West Coast
Products LLC, Winchell's Franchising, LLC,
Yum Yum Donut Shops, Inc.)

Gabriel J. Padilla, Esq.
Arnold & Porter
777 S. Figueroa St., 44th Floor
Los Angeles, CA 90017-5844
(7-Eleven, Inc. BP America Inc., BP
Products North America Inc., BP West Coast
Products LLC, Winchell's Franchising, LLC,
Yum Yum Donut Shops, Inc.)

Michele B. Corash, Esq.
Robin S. Stafford, Esq.
Morrison & Foerster
425 Market Street
San Francisco, CA 94105-2482
(Starbucks Corporation, Starbucks Holding
Company, Seattle Coffee Company, Peet's
Operating Company, Inc. (incorrectly sued
herein as Peet's Coffee and Tea, Inc.);
International Coffee & Tea, LLC)

(Updated June 25, 2012 jlp)

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SERVICE LIST

(CERT v. Brad Berry, Case No. BC461182)

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Lisa A. Cole, Esq.
Nixon Peabody
2 Palo Alto Square
3000 El Camino Real, Suite 500
Palo Alto, CA 94306
(The Kroger Co., Ralphs Grocery Company,
Food For Less of Southern California, Food
4 Less Holdings, Inc., Food For Less
Merchandising, Inc., Food For Less of
California, Inc.)

Jeffrey B. Margulies, Esq.
Tambry L. Bradford, Esq.
Fulbright & Jaworski
555 S. Flower St., 41st Floor
Los Angeles, CA 90071
(Target Corporation, Safeway, Inc. Sprouts
Farmers Markets, LLC; Reily Foods Company;
H.N. Fernandez, Inc.)

Renee D. Wasserman, Esq.
Lauren B. Kramer, Esq.
Rogers Joseph O'Donnell
311 California Street
San Francisco, CA 94104
(Bristol Farms, Costco Wholesale, Inc. and
Supervalu Inc.)

Carla Christofferson, Esq.
Margaret A. Moeser, Esq.
Kate Ides, Esq.
O'Melveny & Myers
400 S. Hope Street
Los Angeles, CA 90071-2899
(Trader Joe's Company; Mountanos Brothers
Coffee Company)

Michael D. Abraham, Esq.
Robert H. Bunzel, Esq.
Kerry L. Duffy, Esq.
Bartko, Zankel, Tarrant & Miller
900 Front St., Suite 300
San Francisco, CA 94111
(Wal-Mart Stores, Inc. and Sam's West,
Inc.)

Michele B. Corash, Esq.
Robert Falk, Esq.
Robin Stafford, Esq.
Travis Brandon, Esq.
Morrison & Foerster
425 Market Street
San Francisco, CA 94105-2482
(Brad Barry Company, Ltd., Caribou Coffee
Company, Inc., F. Gavina & Sons, Inc.,
Green Mountain Coffee Roasters, Inc., Illy
Caffe North America, Inc., International
Coffee & Tea, Llc, the J.M. Smucker
Company, Kraft Foods Inc., Massimo Zanetti
Beverage USA, Inc., Melitta U.S.A., Inc.,
Nestle USA, Inc., Peet's Coffee & Tea,
Inc., Rowland Coffee Roasters, Inc., Sara
Lee Corporation, Seattle's Best Coffee Llc,
Smucker Foodservice, Inc., Starbucks
Corporation, TC Global, Inc., Vilore Foods
Company, Inc., DD IP Holder Llc, Dunkin'
Brands, Inc., The Folgers Coffee Company,
Godiva Chocolatier, Inc., Newman's Own
Organics - the Second Generation, Inc.,
Starbucks Holding Company; Kraft Foods
Global, Inc.; Apffels Coffee, Inc., Coffee
Bean International, Inc., Dona Mireya,
Inc., dba Jones Coffee Roasters; Equator
Coffee & Teas; Boyer Coffee Company; Caffe
Ibis, Inc.; The Coca-Cola Company;
Community Coffee Company, Inc.; Copper Moon
Coffee, LLC; JBR, Inc., dba Rogers Family
Company; Lavazza Premium Coffees Corp.;
Cascade Coffee, Inc.; Coffee Roasters of
Arizona, Inc.; Gold Medal Products Co.;
Millstone Coffee, Inc.; Mother Parkers Tea
& Coffee, Inc.; Southern Wine and Spirits
of America, Inc.; Central Coast Coffee
Roasting Co., Inc.; Eight O'Clock Coffee
Company; James c. Cannell Coffees, Inc. Dba
Jim's Organic Coffee; Pacific Coffee, Inc.
dba Maui Coffee Company; Paradise
Beverages, Inc. dba Hawaii Coffee Company;
Regal Commodities; Steep & Brew, Inc.;
Victor Allen's Coffee, LLC; Napa Valley
Coffee Roasting Company; Kauai Coffee
Company LLC; Peerless Coffee Co., Inc., dba

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1	Adam's Organic Coffees; Montana Coffee	Megan I. Lennox, Esq.
2	Traders, Inc.; Falcon Trading Company,	Bryan Cave LLP
3	Inc.; Intelligentsia Coffee & Tea, Inc.;	Two N. Central Avenue, Suite 2200
4	Mayorga Coffee, LLC)	Phoenix, AZ 85004
5	Brendan W. Brandt, Esq.	(Co-counsel for Kerry Inc., dba Kerry
6	Andrew Ross	Ingredients, Inc.)
7	Varner & Brandt	Melissa A. Jones, Esq.
8	3750 University Ave., Suite 610	Carissa M. Beecham, Esq.
9	Riverside, CA 92501	Stoel Rives LLP
10	(Stater Bros. Markets)	500 Capitol Mall, Suite 1600
11	J.T. Wells Blaxter, Esq.	Sacramento, CA 95814
12	Blaxter Law	(Land O'Lakes, Inc.)
13	One Bush St., Suite 650	Douglas D. Wirth, Esq.
14	San Francisco, CA 94104	Law Offices of Steven C. Sabbadini
15	(Whole Foods Market California, Inc.;	823 North Street
16	Allegro Coffee Company)	Woodland, CA 95695
17	Joshua A. Bloom, Esq.	(Puroast Coffee Company, Inc.)
18	Samir J. Abdelnour, Esq.	Thomas M. Brown, Esq.
19	Barg Coffin Lewis & Trapp, LLP	Brown White & Newhouse LLP
20	350 California St., 22 nd Flr.	333 South Hope Street, 40 th Floor
21	San Francisco, CA 94104-1435	Los Angeles, CA 90071
22	(BYB Brands, Inc.; Snyder's-Lance, Inc.)	(Comfort Foods, Inc.)
23	Henry Ben-Zvi, Esq.	Ian K. Boyd, Esq.
24	Ben-Zvi & Associates	Matthew A. Stratton, Esq.
25	3231 Ocean Park Blvd., Suite 212	Harvey Siskind LLP
26	Santa Monica, CA 90405	Four Embarcadero Center, 39 th Floor
27	(Cameron's Coffee and Distribution Company)	San Francisco, CA 94111
28	Duane R. Menting, Esq.	(Rockstar, Inc.)
29	705 Magnolia Avenue	Tara Sky Woodward, Esq.
30	Larkspur, CA 94939	Womble Carlyle Sandridge & Rice LLP
31	(Big River Coffee Company, Inc.)	10050 N. Wolfe Road, Suite 260
32	Lawrence Y. Wong, Esq.	Cupertino, CA 95014
33	Darryl J. Horowitt, Esq.	(Specially Appearing for S&D Coffee, Inc.)
34	Coleman & Horowitt, LLP	Michele B. Corash, Esq.
35	1880 Century Park East, Suite 404	Robin S. Stafford, Esq.
36	Los Angeles, CA 90067	Susan L. Landsittel, Esq.
37	(Luberski, Inc., dba Hidden Villa Ranch)	Morrison & Foerster
38	Trevor J. Allen, Esq.	425 Market Street
39	Bryan Cave LLP	San Francisco, CA 94105-2482
40	3161 Michelson Dr., Suite 1500	(New England Tea and Coffee Co., Inc.;
41	Irvine, CA 92612-4414	Zavida Coffee Company, Inc.)
42	(Kerry Inc., dba Kerry Ingredients, Inc.)	

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Jeannette K. Witten, Esq.
Elizabeth J. Stevens, Esq.
Parravano Witten PC
198 Bonifacio Place
Monterey, CA 93940
(Carmel Roasters, Inc.; Kean Coffee, LLC;
Monterey Coffee Company, Inc.; Santa
Barbara Coffee & Tea, Inc. dba Santa
Barbara Roasting Company; Santa Cruz Coffee
Roasting Company)

Charles F. Gorla, Esq.
Gorla, Weber & Jarvis
1011 Camino del Rio South, Suite 210
San Diego, CA 92108
(Café Calabria Coffee Roasting Company)

(Updated 01/02/13 nsv)

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 401 East Ocean Blvd., #800, Long Beach, CA 90802.

On January 7, 2013, I served the foregoing document, described as: [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE PROPOSITION 65 SETTLEMENT AND [PROPOSED] CONSENT JUDGMENT AS TO SANTA BARBARA COFFEE & TEA, INC. D/B/A SANTA BARBARA ROASTING COMPANY as follows:

X (BY MAIL) I caused copies of such document, enclosed in sealed envelopes, to be deposited in the mail at Long Beach, California with postage thereon fully prepaid to the persons and addresses indicated on the attached list. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of any party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing set forth in this affidavit to:

Office of the Attorney General
1515 Clay Street, 20th Floor
Oakland, CA 94612-0550

X (BY E-MAIL) I delivered such document by electronic mail to: Laura J. Zuckerman, Deputy Attorney General, 1515 Clay Street, 20th Floor, Oakland, California 94612 at Laura.Zuckerman@doj.ca.gov, and Dennis A. Ragen, Deputy Attorney General, 110 West A Street, Suite 1100, San Diego, California 92186-5266 at Dennis.Ragen@doj.ca.gov. Said document was transmitted by email transmission, which was reported complete and without error.

X (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the offices of a member of this court, at whose direction service was made.

Executed on January 7, 2013, at Long Beach, California.

Susan M. Simpson, Declarant

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