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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO
13 UNLIMITED JURISDICTION

14 ANTHONY E. HELD, Ph.D., P.E.,
15 Plaintiff,

16 v.

17 ALDO U.S., INC., ALDO GROUP, INC, *et al.*,
18 Defendants.

Case Nos. CGC-10-497729 and CGC-10-498981 (Consolidated Herein)

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STIPULATION FOR ENTRY OF JUDGMENT

20 JOHN MOORE,

21 Plaintiff,

22 v.

23 KATE SPADE, LLC, *et al.*,
24 Defendants.

1 1. The following constitutes the knowing and voluntary election and stipulation of
2 the entity named below (“Company” or “Opt-In Settling Defendant”) to join as a Settling
3 Defendant under the Consent Judgment previously entered by the Court in the above-captioned
4 actions, *Held v. Aldo U.S., Inc. and Aldo Group, Inc., et al.*, San Francisco Superior Court Case
5 No. CGC-10-497729 and *Moore v. Kate Spade, LLC., et al.*, San Francisco Superior Court
6 Case No. CGC-10-498981, consolidated therein, (the “Action”) and to be bound by the terms
7 of that Consent Judgment.

8 2. The terms of the Consent Judgment apply to the Opt-In Settling Defendant only
9 as to those categories of Fashion Accessories selected on Exhibit A, attached hereto, which are
10 also Covered Products.

11 3. At any time during the three-year period prior to the filing of this Stipulation
12 (“Relevant Period”), the Company has employed ten or more part-time or full-time persons and
13 has manufactured, imported, distributed, or offered for use or sale in California one or more
14 items in each of the following selected categories of Fashion Accessories as defined in the
15 Consent Judgment (section 2.5) and that are Covered Products as defined in the Consent
16 Judgment (section 2.2) (check all that apply for which no previous Proposition 65 notice has
17 been issued by plaintiff):

- 18 Wallets and other coin or bill holders
- 19 Handbags, purses, clutches and totes
- 20 Belts
- 21 Footwear
- 22 Apparel, including gloves and headwear (and excluding sauna suits)
- 23 Jewelry
- 24 Key holders, keychains, and key caps
- 25 Luggage tags and ID cases
- 26 Bag charms and zipper pulls
- 27 Eyeglass cases

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1 If the Company desires to change the individual and/or address designated to receive notice on
2 its behalf, the Company shall provide written notice to plaintiffs' counsel via certified mail,
3 return receipt requested or overnight courier at the address listed in Section 7.1 and to Settling
4 Defendants' designated contacts via email at the email addresses shown on their Exhibit Bs.

5 11. The undersigned have read, and the person and/or entity named below
6 knowingly and voluntarily agree to be bound by, all terms and conditions of this Stipulation
7 and the Consent Judgment as previously approved and entered by the San Francisco County
8 Superior Court in this Action.

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

11
12 **IT IS HEREBY STIPULATED AND AGREED TO:**

13
14
15 By: 

(signature)

16 David Marks

Name (printed/typed)

17
18 President

Title (printed/typed)

19 On Behalf of:

20
21 D.M. Merchandising, Inc.

(Insert Company Name)

22
23 Opt-In Settling Defendant

24 Dated: 01/13/2011

By: 

On Behalf of Plaintiffs,
Anthony E. Held, Ph.D., P.E. and
John Moore

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28 Dated: 1/18/11

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Exhibit A

Name of Settling Defendant (and relevant associated entities under common ownership):

Fashion Accessories Categories Applicable to above. Select all categories for which a Proposition 65 notice for DEHP has previously been issued by plaintiffs, as well as the additional categories selected in the Opt-In Stipulation.

- Wallets and other coin or bill holders
- Handbags, purses, clutches and totes
- Belts
- Footwear
- Apparel, including gloves and headwear (and excluding sauna suits)
- Jewelry
- Key holders, keychains, and key caps
- Luggage tags and ID cases
- Bag charms and zipper pulls
- Eyeglass cases
- Coverings/cases for mobile electronic devices (e.g., for telephones, cameras, MP3 players, CDs/DVDs, and laptops)
- Coverings for journal/address books
- Cosmetic cases/bags
- Toiletry cases/bags

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Exhibit B

Person(s) to receive Notices Pursuant to Section 7.1 of the Consent Judgment

Myles Marks
Name
Vice President
Title
835 North Church Court
Address Line 1
Elmhurst, IL 60126
Address Line 2
mmarks@dmmerch.com
Email Address

Jeffrey B. Margulies
Name
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