

AMENDMENT TO SETTLEMENT AGREEMENT

WHEREAS, Michael DiPirro (referred to herein as “DiPirro”) represented by his attorneys, Law Office of David R. Bush and Jeremy Fietz, Attorney-at-Law, on the one hand; and Neil A. Kjos Music Company (referred to herein as “Noticed Party”) represented by its attorneys, Higgs, Fletcher & Mack, LLP , on the other hand, entered into that certain Settlement Agreement with an effective date of June 27, 2024 (the “Settlement Agreement”), a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, DiPirro notified the California Attorney General’s office of the Settlement Agreement and by and through his attorneys, Law Office of David R. Bush and Jeremy Fietz, Attorney -at-Law, represents that the California Attorney General’s office has requested certain modifications to Section 2.3 of the Settlement Agreement; and *WHEREAS*, DiPirro and the Noticed Party (the “Parties”) desire to amend the Settlement Agreement and do hereby amend the Settlement Agreement by and through this Amendment to Settlement Agreement (“Amendment”) to reflect the modifications to Section 2.3 that the California Attorney General’s office has requested;

NOW THEREFORE, the Parties agree via this Amendment to amend and modify the Settlement Agreement to reflect the modifications to Section 2.3 that the California Attorney General’s office has requested, as follows:

- A. Section 2.2 of the Settlement Agreement shall be of no further force and effect and shall be and hereby is replaced with the following:

2.3 Text of the Warning. The Noticed Party shall use the warning set forth below, which shall include a symbol consisting of a black exclamation point in a yellow equilateral triangle with a bold black outline as shown below (the symbol may be black or white if the color yellow is otherwise not use on the Product's packaging) :



WARNING: This product can expose you to Diisononyl Phthalate (DINP), which is known to the State of California to cause cancer.

For more information, please go to: <https://oehha.ca.gov/proposition-65>.

B. Except as hereby specifically amended and modified in this Amendment, the Settlement Agreement remains in full force and effect.

IN WITNESS WHEREOF, the Parties have duly executed this Amendment as of the date the final requisite signature is applied to this Amendment.

AGREED TO:

Date: 08/14/24

By: 
Michael DiPirro

AGREED TO:

Date:

By: 
Neil A. Kjos Music Company

Print Name: MARK KJOS

Title: PRESIDENT

8/14/24

EXHIBIT A