

NICHOLAS & TOMASEVIC_{LLP}

ATTORNEYS AT LAW

Tel: 619-325-0492
Fax: 619-325-0496

225 Broadway, 19th Floor
San Diego, CA 92101

March 20, 2020

Via Certified Mail

Trader Joe's Company
Paracorp Incorporated
2804 Gateway Oaks Dr. #100
Sacramento, CA 95833

Trader Joe's Company
Attn. Legal Department
800 S. Shamrock Avenue
Monrovia CA 91016

Re: Withdrawal of Proposition 65 Notice of Violation

To Whom It May Concern:

Please take notice that Kim Embry hereby withdraws her 60-Day Notice of Violation (AG 2019-01280), a copy of which is enclosed with this letter.

Please do not hesitate to contact our office with any questions.

Sincerely,



Jake Schulte

Enclosures

cc (via email): Harrison M. Pollak
Robert Thomas
Trish Gerken

NICHOLAS & TOMASEVIC LLP

ATTORNEYS AT LAW

Tel: 619-325-0492
Fax: 619-325-0496

225 Broadway, 19th Floor
San Diego, CA 92101

July 5, 2019

Via Certified Mail

Trader Joe's Company
Paracorp Incorporated
2804 Gateway Oaks Dr. #100
Sacramento, CA 95833

Trader Joe's Company
Attn. Legal Department
800 S. Shamrock Ave.
Monrovia, CA 91016

Re: Proposition 65 Notice of Violation

To Whom It May Concern:

We represent Kim Embry, a citizen of the State of California acting in the interest of the general public. This letter serves as notice that the parties listed above are in violation of Proposition 65, the Safe Drinking Water and Toxic Enforcement Act, commencing with section 25249.5 of the Health and Safety Code ("Proposition 65"). In particular, the violations alleged by this notice consist of types of harm that may potentially result from exposures to the toxic chemical Acrylamide. This chemical was listed as a carcinogen on January 1, 1990 and listed as a developmental and reproductive toxin on February 25, 2011.

The specific type of product that is causing exposures in violation of Proposition 65 is detailed below:

	<u>Product Name</u>	<u>Manufacturer</u>	<u>Distributor/Retailer</u>	<u>Item Number/SKU</u>
1.	Trader Joe's Gluten Free Chocolate Cupcakes	Trader Joe's Company	Trader Joe's Company	00500241

The route of exposure for the violations is ingestion by consumers. These exposures occur through the reasonably foreseeable use of the product. The sales of this product have been occurring since at least June of 2019, are continuing to this day and will continue to occur as long as the product subject to this notice is sold to and used by consumers.

Proposition 65 requires that a clear and reasonable warning is provided with these products regarding the exposures to Acrylamide caused by ordinary use of the product. The Parties are in violation of Proposition 65 by failing to provide such warning to consumers and as

a result of the sales of this product, exposures to Acrylamide have been occurring without proper warnings.

Pursuant to Proposition 65, notice and intent to sue shall be provided to violators 60-days before filing a complaint. This letter provides notice of the alleged violation to the parties listed above and the appropriate governmental authorities. A summary of Proposition 65 is attached.

If you have any questions or wish to discuss any of the above, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Jake Schulte". The signature is written in a cursive, flowing style with a large initial "J" and "S".

Jake Schulte

Enclosures