

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

**DEC 29 2010**

ALAN CARLSON, Clerk of the Court

BY: N. BOREMAN DEPUTY

1 TONY RACKAUCKAS, DISTRICT ATTORNEY  
2 COUNTY OF ORANGE, STATE OF CALIFORNIA  
3 JOE D'AGOSTINO, Senior Assistant District Attorney  
4 BY: WILLIAM G. FALLON, SBN 190986  
5 Deputy District Attorney  
6 Consumer and Environmental Protection Unit  
7 401 Civic Center Drive West  
8 Santa Ana, California 92701  
9 Telephone: (714) 648-3622  
10 Facsimile: (714) 648-3636

11 *Attorney for the Plaintiff*  
12 *The People of the State of California*

13 *(Additional counsel on following pages)*

14 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER**

**30-2010**

16 THE PEOPLE OF THE STATE OF CALIFORNIA, )  
17 )  
18 Plaintiff, )

19 vs.

20 VISTA PAINT CORPORATION, )  
21 )  
22 Defendant. )

Case No.: **00436630**  
Assigned for All Purposes to:

**COMPLAINT FOR  
PRELIMINARY AND  
PERMANENT INJUNCTION,  
CIVIL PENALTIES, AND  
OTHER EQUITABLE RELIEF**

(Health & Saf. Code, Div. 20, Chapter 6.5;  
Bus. & Prof. Code, § 17200, *et seq.*)

23 **JUDGE TAM NOMOTO SCHUMANN**

24 ///  
25 ///  
26 ///  
27 ///  
28

1 ROD PACHECO  
District Attorney of Riverside County  
2 DEBORAH A. LUCKY  
Supervising Deputy District Attorney  
3 DALE C. HOY, SBN 226182  
Deputy District Attorney  
4 4075 Main Street, First Floor  
Riverside, CA 92501  
5 Telephone: (951) 955-6207  
6 BRADFORD R. FENOCCHIO  
District Attorney of Placer County  
7 CARL MAYHEW, SBN 119381  
MATTHEW C. MACLEAR, SBN 209228  
8 Deputies District Attorney  
10810 Justice Center Drive, Suite 240  
9 Roseville, CA 95678  
Telephone: (916) 543-8000  
10 BIRGIT A. FLADAGER  
District Attorney of Stanislaus County  
11 MATTHEW C. MACLEAR, SBN 209228  
Deputy District Attorney  
12 832 12th Street, Suite 300  
13 Modesto, CA 95354  
Telephone: (209) 525-5550  
14 BONNIE M. DUMANIS  
District Attorney of San Diego County  
15 KAREN I. DOTY, SBN 126448  
16 JAMES WATERS, SBN 102489  
Deputies District Attorney  
17 330 W. Broadway, Suite 750  
San Diego, CA 92101  
18 Telephone: (619) 685-6531  
19 MICHAEL A. RAMOS  
District Attorney of San Bernardino County  
20 DANIEL SILVERMAN, SBN 224762  
Deputy District Attorney  
21 412 W. Hospitality Lane, Suite 301  
San Bernardino, CA 92415-0023  
22 Telephone: (909) 891-3330

23  
24  
25  
26  
27  
28

Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, based on information and belief, allege as follows:

**PLAINTIFF**

1. Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA ("Plaintiff"), brings this action by and through Tony Rackauckas, District Attorney of Orange County,

1 William Fallon, Deputy District Attorney; Rod Pacheco, District Attorney of Riverside  
2 County, Dale C. Hoy, Deputy District Attorney; Bradford R. Fenocchio, District Attorney of  
3 Placer County, Matthew C. Maclear, Deputy District Attorney; Birgit A. Fladager, District  
4 Attorney of Stanislaus County, Matthew C. Maclear, Deputy District Attorney; Bonnie M.  
5 Dumanis, District Attorney of San Diego County, Karen I. Doty and James Waters, Deputies  
6 District Attorney; and Michael A. Ramos, District Attorney of San Bernardino County, Daniel  
7 I. Silverman, Deputy District Attorney (collectively "Local Prosecutors").

8 2. Pursuant to California Health and Safety Code section 25182, the Local  
9 Prosecutors may bring a civil action in the name of the People of the State of California to  
10 enjoin any violation of Chapter 6.5 of Division 20 of the California Health and Safety Code  
11 and to seek civil penalties for violations of Chapter 6.5.

12 3. Pursuant to California Business and Professions Code sections 17203, 17204,  
13 and 17206, the Local Prosecutors may bring an action in the name of the People of the State of  
14 California to enjoin any person who engages, has engaged, or proposes to engage in unfair  
15 competition, as defined in California Business and Professions Code section 17200, and for  
16 civil penalties for each act of unfair competition.

17 4. Plaintiff brings this action without prejudice to any other action or claims which  
18 Plaintiff may have based on separate, independent, and unrelated violations arising out of  
19 matters or allegations that are not set forth in this Complaint.

20 **DEFENDANT**

21 5. Defendant VISTA PAINT CORPORATION (hereafter "Vista Paint") is now,  
22 and at all times mentioned in this Complaint was, a California corporation that does and did  
23 business in its own capacity in the State of California at its corporate headquarters in the City  
24 of Fullerton and at its retail stores throughout the State of California and specifically at the  
25 locations identified in Exhibit A, which is incorporated herein by reference (collectively  
26 referred to as "Covered Facilities"). Vista Paint handled hazardous waste at its retail stores  
27 throughout the State of California, including at least one Covered Facility in each of the  
28 counties represented by the Local Prosecutors herein.

1           6.       The People are informed and believe, and thereon allege, that Vista Paint is the  
2 owner and operator of the Covered Facilities, and that its principal corporate office is located at  
3 2020 East Orangethorpe Avenue, Fullerton, California 92831. Vista Paint provides an array of  
4 paints, wallpaper, and window coverings in its company-owned retail stores in California and  
5 Nevada for residential, commercial, and industrial projects by architecture, interior decorating,  
6 property management, and new-home construction firms, as well as to consumers. Vista Paint,  
7 during the ordinary course of business, generates hazardous paint/solvent waste and  
8 paint/solvent related waste at each of its Covered Facilities.

9           7.       Vista Paint is, and at all times relevant to the claims in this Complaint was,  
10 legally responsible for compliance with the provisions of the California Health and Safety  
11 Code, including, but not limited to, Chapter 6.5 of Division 20, and the corresponding  
12 implementing regulations, in connection with Vista Paint's ownership and operation of the  
13 Covered Facilities. The People are informed and believe, and thereon allege, that Vista Paint is  
14 responsible for the operations at the Covered Facilities, that Vista Paint controls the hazardous  
15 waste management decisions at the Covered Facilities, that Vista Paint took actions that caused  
16 the violations alleged herein, and that Vista Paint's authority, control, and actions at the  
17 Covered Facilities and in conducting business in California are such that Vista Paint could  
18 have taken action to comply with the rules, statutes and regulations governing its conduct and  
19 operations in order to prevent the violations alleged herein.

20           8.       Vista Paint is a "person" as defined in California Health and Safety Code  
21 section 25118 and in California Business and Professions Code section 17201.

22           9.       In this Complaint when reference is made to any act or omission of Vista Paint,  
23 such allegations shall include the acts and omissions of owners, officers, directors, managers,  
24 agents, employees, contractors, vendors, affiliates, and/or representatives of Vista Paint while  
25 acting within the course and scope of their employment or agency on behalf of Vista Paint.

26 ///

27 ///

28



1 requirements. (See Cal. Code Regs, Tit. 22, § 66262.10, *et seq.*)

2 15. It is unlawful for any person to transport hazardous waste unless the person  
3 holds a valid registration issued by DTSC, and it is unlawful for any person to transfer custody  
4 of a hazardous waste to a transporter who does not hold a valid registration. (Cal. Health &  
5 Saf. Code, § 25163, subd. (a).)

6 **ENFORCEMENT AUTHORITY UNDER THE HWCL**

7 16. California Health and Safety Code section 25189 provides for civil liability for  
8 any intentional or negligent violation of the HWCL, or for any violation of any permit, rule,  
9 regulation, standard, or requirement issued or promulgated pursuant to the HWCL. California  
10 Health and Safety Code section 25189.2 is an alternative strict liability provision, which  
11 provides for civil liability for any violation of the HWCL, or for any violation of any permit,  
12 rule, regulation, standard, or requirement issued or promulgated pursuant to the HWCL.

13 17. The HWCL, pursuant to California Health and Safety Code sections 25145.4,  
14 25181, and 25184, authorizes the Court to issue an order that enjoins any ongoing or potential  
15 violation of the HWCL, or any applicable rule, regulation, permit, standard, requirement, or  
16 order issued or promulgated pursuant to the HWCL.

17 18. California Health and Safety Code section 25184 provides that in civil actions  
18 brought pursuant to the HWCL in which an injunction or temporary restraining order is sought,  
19 it shall not be necessary to allege or prove at any stage of the proceeding that irreparable  
20 damage will occur should the temporary restraining order, preliminary injunction, or  
21 permanent injunction not be issued; or that the remedy at law is inadequate, and the temporary  
22 restraining order, preliminary injunction, or permanent injunction shall issue without such  
23 allegations and without such proof.

24 **GENERAL ALLEGATIONS**

25 19. At all times relevant hereto Defendant owned and operated, and continues to  
26 own and operate, a manufacturing and recycling plant in Fullerton, CA, and retail stores  
27 throughout the State of California (and three retail stores in the State of Nevada)—specifically,  
28 the Covered Facilities in Exhibit A. Defendant handles volumes of hazardous materials in the

1 form of, but not limited to, various paint and paint-related products. Most of the hazardous  
2 materials handled by Defendant are sold to the public in the ordinary course of business. At all  
3 times relevant hereto and continuing from and after the date of filing of this Complaint,  
4 however, various hazardous materials handled by Defendant at the Covered Facilities were and  
5 are rendered unsalable and unusable for their intended purpose for a variety of reasons such as  
6 unusable thinners or paint that is unsold, mistinted, unused, spilled, or contains dried particles.  
7 These unsalable and unusable hazardous materials become hazardous waste when no longer  
8 capable of being used for their intended purpose and must be handled and disposed of as  
9 hazardous waste in compliance with the HWCL.

10 20. At all times relevant to this Complaint, Defendant was and is responsible for the  
11 operation of the Covered Facilities in California. At all times relevant to this Complaint,  
12 Defendant was aware of and conducted, approved and/or controlled the hazardous waste  
13 management activities at the Covered Facilities. At all times relevant to this Complaint,  
14 Defendant's actions and/or omissions, as part of a continuing course of conduct, were or are  
15 the legal cause of the violations alleged herein, and Defendant reasonably could have taken  
16 action to prevent the unlawful actions and/or omissions.

17 21. Plaintiff is informed and believes, and thereupon alleges, that at all times  
18 relevant to this Complaint, each of the Covered Facilities generated hazardous waste.

19 **FIRST CAUSE OF ACTION**

20 **(Negligent Transportation of Hazardous Waste)**

21 **(Cal. Health & Saf. Code §§ 25163 and 25189, subd. (b);**

22 **Cal. Code Regs., Tit. 22 § 66263.23)**

23 22. Plaintiff realleges paragraphs 1 through 21, inclusive.

24 23. Chapter 6.5 of the California Health and Safety Code prohibits the  
25 transportation of hazardous waste unless done according to rules, statutes and regulations.  
26 Section 25163, in particular, prohibits the transportation of hazardous waste without a valid  
27 registration from DTSC. Title 22 of the California Code of Regulations section 66263.23,  
28 subdivision (b), prohibits the transportation of hazardous waste to a location or point not

1 permitted or otherwise authorized by DTSC to receive the waste.

2 24. At all times relevant herein, meaning on or about August 14, 2004 through  
3 December 31, 2009, Defendant was not registered with DTSC to haul or transport hazardous  
4 waste. Defendant, without a valid registration from DTSC, has negligently delivered, or  
5 otherwise transferred custody or possession of, hazardous waste from the Covered Facilities to  
6 a person or entity that was not properly licensed and registered to transport hazardous waste, in  
7 violation of California Health and Safety Code section 25163, subdivision (a)(1) and Title 22  
8 of the California Code of Regulations section 66263.23, and unless enjoined by order of the  
9 Court, Defendant may, or will, continue in the course of conduct as alleged herein.

10 25. Each negligent act of unauthorized transportation discovered within five (5)  
11 years of commencing this action, exclusive of any applicable tolling periods, subjects  
12 Defendant to a separate and additional civil penalty under California Health and Safety Code  
13 section 25189, subdivision (b), for each day during which a negligent violation of California  
14 Health and Safety Code section 25163 and Title 22 of the California Code of Regulations  
15 section 66263.23 occurred.

16 26. Based on the above, Plaintiff requests injunctive relief against Defendant under  
17 California Health and Safety Code section 25181, and civil penalties against Defendant under  
18 California Health and Safety Code section 25189, subdivision (b), for each day during which a  
19 negligent violation of California Health and Safety Code section 25163 and Title 22 of the  
20 California Code of Regulations section 66263.23 occurred, as set forth in Plaintiff's prayer for  
21 relief.

22 **SECOND CAUSE OF ACTION**

23 **(Strict Liability for Transportation of Hazardous Waste)**

24 **(Cal. Health & Saf. Code §§ 25163 and 25189.2, subd. (b);**

25 **Cal. Code Regs., Tit. 22 § 66263.23)**

26 27. Plaintiff realleges paragraphs 1 through 26, inclusive.

27 28. Chapter 6.5 of the California Health and Safety Code prohibits the unauthorized  
28 transportation of hazardous waste unless done according to rules, statutes and regulations.

1 Section 25163, in particular, prohibits the transportation of hazardous waste without a valid  
2 registration from DTSC. Title 22 of the California Code of Regulations section 66263.23,  
3 subdivision (b), prohibits the transportation of hazardous waste to a location not permitted or  
4 otherwise authorized by DTSC to receive the waste.

5 29. At all times relevant herein, meaning on or about August 14, 2004 through  
6 December 31, 2009, Defendant, without a valid registration from DTSC, has delivered, or  
7 otherwise transferred custody or possession of, hazardous waste from the Covered Facilities to  
8 a person or entity that was not properly licensed and registered to transport hazardous waste, in  
9 violation of California Health and Safety Code section 25163, subdivision (a)(1) and Title 22  
10 of the California Code of Regulations section 66263.23, and unless enjoined by order of the  
11 Court, Defendant may, or will, continue in the course of conduct as alleged herein.

12 30. Each act of unauthorized transportation discovered within five (5) years of  
13 commencing this action, exclusive of any applicable tolling periods, subjects Defendant to a  
14 separate and additional civil penalty under California Health and Safety Code section 25189.2,  
15 subdivision (b), for each day during which a strict liability violation of California Health and  
16 Safety Code section 25163 and Title 22 of the California Code of Regulations section 66263.23  
17 occurred.

18 31. Based on the above, Plaintiff requests injunctive relief against Defendant under  
19 California Health and Safety Code section 25181, and civil penalties against Defendant under  
20 California Health and Safety Code section 25189.2, subdivision (b), for each day during which  
21 a strict liability violation of California Health and Safety Code section 25163 and Title 22 of  
22 the California Code of Regulations section 66263.23 occurred, as set forth in Plaintiff's prayer  
23 for relief.

24 ///

25 ///

26 ///

27

28

1 **THIRD CAUSE OF ACTION**

2 **(Negligent Violations of Hazardous Waste Control Laws for**  
3 **Hazardous Waste Handling, Training, Storage and Disposal Requirements)**

4 **(Cal. Health & Saf. Code §§ 25100, *et seq.*, and 25189, subd. (b);**

5 **Cal. Code Regs., Tit. 22, § 66260.1, *et seq.*)**

6 32. Plaintiff realleges and incorporates by reference paragraphs 1 through 31,  
7 inclusive.

8 33. At all times relevant herein, meaning on or about August 14, 2004 through  
9 December 31, 2009, Defendant has negligently violated the hazardous waste handling, training,  
10 storage and disposal requirements of Chapter 6.5 of Division 20 of the California Health and  
11 Safety Code section 25100, *et seq.*, and its implementing regulations at Title 22 of the  
12 California Code of Regulations section 66260.1, *et seq.*, at the Covered Facilities, and unless  
13 enjoined by order of the Court, Defendant may, or will, continue in the course of conduct as  
14 alleged herein.

15 34. Each day during which a negligent violation by Defendant of the hazardous  
16 waste handling, training, storage, or disposal requirements occurred discovered within the five  
17 (5) years of commencing this action, exclusive of any applicable tolling periods, subjects  
18 Defendant to a separate and additional civil penalty under California Health and Safety Code  
19 section 25189, subdivision (b).

20 35. Based on the above, Plaintiff requests injunctive relief against Defendant under  
21 California Health and Safety Code section 25181, and civil penalties against Defendant under  
22 California Health and Safety Code section 25189, subdivision (b), for each day during which a  
23 negligent violation of the hazardous waste handling, training, storage or disposal requirements  
24 of Chapter 6.5 of Division 20 of the California Health and Safety Code section 25100, *et seq.*,  
25 and its implementing regulations at Title 22 of the California Code of Regulations section  
26 66260.1, *et seq.*, at the Covered Facilities occurred, as set forth in Plaintiff's prayer for relief.

27 ///

28



1 **FIFTH CAUSE OF ACTION**

2 **(Violations of Unfair Competition Laws)**

3 **(Cal. Bus. & Prof. Code § 17200, *et seq.*)**

4 40. Plaintiff realleges and incorporates by reference paragraphs 1 through 39,  
5 inclusive.

6 41. Within four (4) years of commencing this action, exclusive of any applicable  
7 tolling periods, Defendant has engaged in, and continued to engage in, unlawful acts,  
8 omissions, and practices that constitute unfair competition within the meaning of California  
9 Business and Professions Code sections 17200 through 17208, including, but not limited to, the  
10 acts or omissions and practices alleged in the First through Fourth Causes of Action above.  
11 Unless enjoined by order of the Court, Defendant may, or will, continue in the course of  
12 conduct as alleged herein.

13 42. In addition to the acts or omissions and practices alleged in the First through  
14 Ninth Causes of Action above, and within four (4) years of commencing this action, exclusive  
15 of any applicable tolling periods and those set forth in paragraph 11 herein, Defendant has  
16 engaged in certain acts of unlawful, unfair, and/or fraudulent business practices in violation of  
17 California Business and Professions Code section 17200, including, but not limited to, the  
18 following:

19 a. Delivered, or otherwise transferred custody or possession of, hazardous waste to  
20 a person or entity that was not properly licensed and registered to transport hazardous  
21 waste, in violation of California Health and Safety Code section 25163, subdivision  
22 (a)(1);

23 b. Transported hazardous waste without being properly licensed and registered to  
24 transport hazardous waste, in violation of California Health and Safety Code section  
25 25163, subdivision (a)(1);

26 c. Failed to obtain and keep current all required hazardous waste generator permits  
27 required by county and local ordinances;

28 d. Failed to comply with employee training obligations as set forth in Title 22 of

1 the California Code of Regulations section 66265.16, pertaining to the handling of  
2 hazardous waste, including, but not limited to, the requirements to maintain, for a  
3 period of three (3) years, training documentation for each employee involved in the  
4 handling of hazardous waste;

5 e. Treated, stored, transported, and offered for transportation hazardous waste  
6 without having received and used a proper identification number from the U.S.  
7 Environmental Protection Agency or DTSC for the originating facility, in violation of  
8 Title 22 of the California Code of Regulations section 66262.12, subdivision (a);

9 f. Failed to determine if a waste generated at a Covered Facility was a “hazardous  
10 waste” as required by Title 22 of the California Code of Regulations section 66262.11,  
11 and, where such waste was hazardous, failed to handle the hazardous waste in  
12 accordance with the requirements of Chapter 6.5 of Division 20 of the California  
13 Health and Safety Code and its implementing regulations in Title 22 of the California  
14 Code of Regulations, including, but not limited to, section 66265.172 (compatible  
15 contents) and section 66265.177 (placing incompatible waste streams in the same  
16 container);

17 g. Failed to properly label containers of accumulated hazardous waste, in violation  
18 of Title 22 of the California Code of Regulations section 66262.34, subdivision (f);

19 h. Failed to keep containers of hazardous waste closed, except when removing or  
20 adding hazardous waste, in violation of Title 22 of the California Code of Regulations  
21 section 66265.173;

22 i. Failed to at all times have in place a hazardous waste contingency plan and  
23 emergency procedures for each Covered Facility in the State of California, in violation  
24 of Title 22 of the California Code of Regulations sections 66265.51 through 66265.56;

25 j. Failed to maintain and operate the Covered Facilities so as to minimize the  
26 possibility of a fire, explosion, or any unplanned sudden or non-sudden release of  
27 hazardous waste or hazardous waste constituents to air, soil, or surface water which  
28 could threaten human health or the environment, in violation of Title 22 of the

- 1 California Code of Regulations section 66265.31;
- 2 k. Failed to maintain containers holding hazardous waste at the Covered Facilities  
3 so as to prevent leaks, in violation of Title 22 of the California Code of Regulations  
4 section 66265.173;
- 5 l. Failed to conduct weekly inspections of hazardous waste storage areas at the  
6 Covered Facilities, in violation of Title 22 of the California Code of Regulations  
7 section 66264.174;
- 8 m. Failed to comply with the requirements of Title 40 of the Code of Federal  
9 Regulations section 262.34, subdivisions (d)–(f), requiring generators to designate an  
10 employee at all times as the emergency coordinator and post the required information  
11 listed on section 262.34, subdivision (d)(5)(i)–(iv), in violation of Title 22 of the  
12 California Code of Regulations section 66262.34, subdivision (d)(2).
- 13 n. Violating California Vehicle Code section 34506, subdivision (b), for non-  
14 compliant labeling, possessing incorrect shipping papers, loads not being secured,  
15 lacking emergency response information such as a DOT Emergency Response  
16 Guidebook or any MSDSs for the transported waste, insufficient training, and  
17 transporting without marked ID numbers. (See also Cal. Code Regs., Tit. 13, §§ 1161,  
18 subd. (a); 1161.3, subd. (a); 1161.6; 1161.7; 1162, subd. (a); and 1164, subd. (a).)
- 19 o. Violating California Vehicle Code section 27903, subdivision (a), for failing to  
20 display placards or markings on the transporting vehicles' exterior in the manner and  
21 under conditions prescribed by USDOT regulations. (See also 49 CFR §§ 172, 173,  
22 177.)
- 23 43. Each and every separate act constitutes an unlawful and/or unfair business  
24 practice. Each day that Defendant engaged in each separate unlawful act, omission or practice  
25 is a separate and distinct violation of California Business and Professions Code section 17200  
26 based on the underlying violations of the statutes and regulations enumerated above.
- 27 44. Pursuant to California Business and Professions Code section 17206, Defendant  
28 is liable for civil penalties for each and every separate act of unfair competition as alleged

1 herein.

2 45. Defendant must be immediately and permanently enjoined, pursuant to  
3 California Business and Professions Code section 17203, from engaging in acts or practices  
4 that, as alleged in this Complaint, violate Chapter 6.5 of Division 20 of the California Health  
5 and Safety Code and its implementing regulations, and county and local ordinances pertaining  
6 to hazardous waste generator permits, which thereby constitute unfair competition within the  
7 meaning of California Business and Professions Code section 17200.

8  
9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff prays for the following relief:

11 1. A permanent injunction requiring Defendant to comply with those provisions of  
12 Chapter 6.5 of Division 20 of the California Health and Safety Code and implementing  
13 regulations, which Defendant is alleged to have violated;

14 2. A permanent injunction, issued pursuant to California Business and Professions  
15 Code section 17203, prohibiting Defendant from engaging in activity that violates the  
16 provisions of Chapter 6.5 of Division 20 of the California Health and Safety Code, and county  
17 and local ordinances pertaining to hazardous waste generator permits, as alleged in this  
18 Complaint, which thereby constitute unfair competition within the meaning of California  
19 Business and Professions Code section 17200;

20 3. Civil penalties against Defendant pursuant to California Health and Safety Code  
21 section 25189, subdivisions (b), (c), and (d), in an amount according to proof;

22 4. Civil penalties against Defendant pursuant to California Health and Safety Code  
23 section 25189.2, subdivision (b), in an amount according to proof;

24 5. Civil penalties against Defendant pursuant to California Business and  
25 Professions Code section 17206 for each act of unfair competition engaged in by Defendant, in  
26 an amount according to proof;

27  
28



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

6. Plaintiff's costs of inspection, investigation, attorneys' fees, enforcement, prosecution, and suit herein, including but not limited to such costs as are authorized for reimbursement pursuant to Code of Civil Procedure section 1021.8; and

7. Such other and further relief as the Court deems just and proper.

TONY RACKAUCKAS, District Attorney  
County of Orange, State of California

DATED: \_\_\_\_\_

By: \_\_\_\_\_

WILLIAM G. FALLON  
Deputy District Attorney

ROD PACHECO, District Attorney  
County of Riverside, State of California

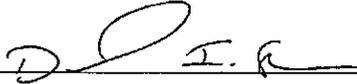
DATED: \_\_\_\_\_

By: \_\_\_\_\_

DALE C. HOY  
Deputy District Attorney

MICHAEL A. RAMOS, District Attorney  
County of San Bernardino, State of California

DATED: 12/28/2014

By: 

DANIEL I. SILVERMAN  
Deputy District Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BONNIE M. DUMANIS, District Attorney  
County of San Diego, State of California

DATED: December 22, 2010

By: Karen I. Doty  
KAREN I. DOTY  
Deputy District Attorney

BRADFORD R. FENOCCHIO, District Attorney  
City of Placer, State of California

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
MATTHEW C. MACLEAR  
Deputy District Attorney

BIRGIT A. FLADAGER, District Attorney  
County of Stanislaus, State of California

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
MATTHEW C. MACLEAR  
Deputy District Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BONNIE M. DUMANIS, District Attorney  
County of San Diego, State of California

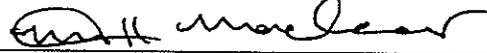
DATED: \_\_\_\_\_

By: \_\_\_\_\_

KAREN I. DOTY  
Deputy District Attorney

BRADFORD R. FENOCCHIO, District Attorney  
City of Placer, State of California

DATED: 12/29/10

By: 

MATTHEW C. MACLEAR  
Deputy District Attorney

BIRGIT A. FLADAGER, District Attorney  
County of Stanislaus, State of California

DATED: 12/29/10

By: 

MATTHEW C. MACLEAR  
Deputy District Attorney

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**EXHIBIT A**  
**LIST OF VISTA PAINT CORPORATION'S COVERED FACILITIES**

City	Address	State	City	Address	State
Cathedral City	68-956 Perez Road	CA	Ontario	2268 Mountain Ave.	CA
Chula Vista	15 North 4th Avenue	CA	Orange	2341 North Tustin Ave.	CA
Corona	1431 South Rimpau	CA	Palm Desert	77920 Wolf Rd.	CA
Costa Mesa	2931 Bristol Street	CA	Rancho Cucamonga	11849 Foothill Ave, Ste. E	CA
El Cajon	1220 North Magnolia St.	CA	Riverside	3939 Tyler Ave.	CA
Encinitas	133 N. El Camino Real #A	CA	Rocklin	4155 Rocklin Rd.	CA
Escondido	602 N. Escondido Blvd.	CA	San Bernardino	414 Redlands Blvd.	CA
Fullerton	2020 E. Orangethorpe Ave.	CA	San Diego	5710 Kearny Villa Rd.	CA
Hemet	101 East Florida Ave.	CA	San Diego	1103 Morena Blvd.	CA
Huntington Beach	17445 Beach Blvd.	CA	San Juan Capistrano	31894 Suite 2B Plaza Dr.	CA
La Habra	1450 South Harbor Blvd.	CA	Stanton	8615 Katella Ave.	CA
Laguna Niguel	27450 Alicia Pkwy.	CA	Temecula	27250 Madison, Ste. F	CA
Mission Viejo	24164 Alicia Pkwy.	CA	Tustin	2400 East 17th St.	CA
Modesto	1944 W. Orangeburg Ave.	CA	Vista	611 Sycamore Ave.	CA
Moreno Valley	23030 Sunnymead Blvd.	CA			