

ENDORSED
FILED
ALAMEDA COUNTY

MAY 30 2012

CLERK OF THE SUPERIOR COURT

By RGILL Deputy

1 NANCY E. O'MALLEY
2 District Attorney of Alameda County
3 KENNETH A. MIFSUD, SBN 144000
4 Senior Deputy District Attorney
5 Consumer and Environmental Protection Division
6 7677 Oakport Street, Suite 650
7 Oakland, CA 94621-1934
8 Telephone: (510) 569-8816

6 JAMES P. WILLET
7 District Attorney of San Joaquin County
8 DAVID J. IREY, SBN 142864
9 Supervising Deputy District Attorney
10 222 E. Weber Ave., Room 202
11 Stockton, CA 95202
12 Telephone: (209) 468-2400

Attorneys for Plaintiff, People of the State of California
[Additional Plaintiff's Counsel Continued on Attachment A]

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF ALAMEDA

15
16 **PEOPLE OF THE STATE OF
CALIFORNIA,**

17 Plaintiff,

18 v.

19
20 **COSTCO WHOLESALE
CORPORATION,**

21 Defendant.
22

Case No.

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

(Health & Saf. Code, Div. 20, Chapters 6.5 and
6.95; Bus. & Prof. Code § 17200, et seq.)

23
24 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA ("People"), based on
25 information and belief, alleges as follows:

26 **PLAINTIFF**

27 1. The People bring this action by and through Nancy E. O'Malley, District Attorney
28 of Alameda County; Michael L. Ramsey, District Attorney of Butte County; Mark A. Peterson,

1 District Attorney of Contra Costa County; Elizabeth A. Egan, District Attorney of Fresno County;
2 Paul V. Gallegos, District Attorney of Humboldt County; Lisa S. Green, District Attorney of
3 Kern County; Steve Cooley, District Attorney of Los Angeles County; Edward S. Berberian, Jr.,
4 District Attorney of Marin County; Larry D. Morse, District Attorney of Merced County; Dean D.
5 Flippo, District Attorney of Monterey County; Tony Rackauckas, District Attorney of Orange
6 County; R. Scott Owens, District Attorney of Placer County; Paul Zellerbach, District Attorney of
7 Riverside County; Jan Scully, District Attorney of Sacramento County; Michael A. Ramos,
8 District Attorney of San Bernardino County; Bonnie M. Dumanis, District Attorney of San Diego
9 County; George Gascòn, District Attorney of San Francisco County; James P. Willett, District
10 Attorney of San Joaquin County; Gerald T. Shea, District Attorney of San Luis Obispo County;
11 Stephen M. Wagstaffe, District Attorney of San Mateo County; Jeffrey F. Rosen, District
12 Attorney of Santa Clara County; Bob Lee, District Attorney of Santa Cruz County; Stephen
13 Carlton, District Attorney of Shasta County; Donald A. du Bain, District Attorney of Solano
14 County; Jill R. Ravitch, District Attorney of Sonoma County; Birgit A. Fladager, District
15 Attorney of Stanislaus County; Phillip Cline, District Attorney of Tulare County; Gregory D.
16 Totten, District Attorney of Ventura County; and Jeff W. Reisig, District Attorney of Yolo
17 County (collectively "Prosecutors").

18 2. Pursuant to Health and Safety Code section 25182, the Prosecutors may bring a
19 civil action in the name of the People of the State of California to enjoin any violation of Chapter
20 6.5 of Division 20 of the Health and Safety Code (hereinafter "Chapter 6.5") and to seek civil
21 penalties for violations of the provisions of Chapter 6.5.

22 3. Pursuant to Health and Safety Code sections 25516 and 25516.1, the Prosecutors
23 may bring a civil action in the name of the People of the State of California to enjoin any
24 violation of Health and Safety Code sections 25503.5 to 25505, inclusive, and sections 25508 to
25 25520, inclusive, of Chapter 6.95 of Division 20 of the Health and Safety Code (hereinafter
26 "Chapter 6.95").

27 4. Pursuant to Business and Professions Code sections 17203, 17204, and 17206, the
28 Prosecutors may bring a civil action in the name of the People of the State of California to enjoin

1 any person who engages, has engaged, or proposes to engage in unfair competition, as defined in
2 California Business and Professions Code section 17200, and to seek civil penalties for each act
3 of unfair competition.

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

7 **DEFENDANT COSTCO WHOLESALE CORPORATION**
8 **AND DEFENDANT'S FACILITIES**

9 6. Defendant Costco Wholesale Corporation (hereinafter "Defendant") is now, and at
10 all times mentioned in this Complaint was, a Washington corporation, with its principal corporate
11 offices located in Issaquah, Washington.

12 7. At all times relevant, Defendant has owned or operated Costco Wholesale
13 Corporation warehouses, depots, business centers, stores, tire service centers, and pharmacies in
14 the State of California, including certain Costco Wholesale Corporation warehouses, depots,
15 business centers, tire service centers, and pharmacies that had previously been owned and
16 operated by Defendant and its subsidiaries, affiliates, predecessors and corporate parents
17 (collectively "Defendant's Facilities"). A list of the locations of Defendant's Facilities that are
18 owned or operated by Defendant as of April 27, 2012 is provided in Exhibit A, attached.

19 8. The People are informed and believe and based thereon allege that at all times
20 relevant hereto and as more fully alleged in paragraph 21, below, Defendant has stocked, stored
21 and sold hazardous materials at and from Defendant's Facilities. These hazardous materials
22 include, but are not limited to, pharmaceuticals and over-the-counter medications, bleaches,
23 photoprocessing chemicals, pool chlorine and acids, batteries, electronic devices, mercury-
24 containing lamps, ignitable liquids, aerosol products, oven cleaners and various other cleaning
25 agents, automotive products, and other flammable, reactive, toxic and corrosive materials.
26 Defendant also generated regulated quantities of hazardous waste at each of Defendant's
27 Facilities as a result of various causes, including but not limited to, damage to containers, spills
28 and releases of hazardous materials, pharmaceutical and pharmacy wastes, photo waste

1 containing silver, and various hazardous wastes generated from customer returns of hazardous
2 products.

3 9. At all times relevant hereto, Defendant was and is legally responsible for
4 compliance with the provisions of the Health and Safety Code, including Chapters 6.5 and 6.95 of
5 Division 20, at Defendant's Facilities, as provided by Paragraph 7. The People are informed and
6 believe, and based thereon allege that, at all relevant times, Defendant controlled and was
7 responsible for the operations of Defendant's Facilities and/or aided and abetted or acted in
8 concert with persons who exercised control over those operations including, but not limited to, all
9 acts and omissions relating to the management of hazardous materials and hazardous waste at
10 Defendant's Facilities, and/or that Defendant, or its predecessors, failed to take appropriate steps
11 to prevent and/or correct the violations alleged herein despite having power, authority and notice
12 sufficient to do so.

13 10. Defendant is a "person," as defined in Health and Safety Code section 25118 and
14 Business & Professions Code section 17201, and a "business," as defined in Health and Safety
15 Code section 25501, subdivision (e).

16 11. When reference is made herein to any act or omission of Defendant, such allegation
17 shall include the act or omission of the owners, officers, directors, agents, employees, contractors,
18 affiliates, and/or representatives of those entities, or each of them, engaged in said act or
19 omission.

20 JURISDICTION AND VENUE

21 12. Venue is proper in this county pursuant to Health and Safety Code sections 25183
22 and 25516, in that certain of the violations alleged in the Complaint occurred in the County of
23 Alameda and throughout the State of California. This Court has jurisdiction pursuant to Article 6,
24 section 10 of the California Constitution and section 393 of the Code of Civil Procedure.

25 13. Plaintiff and Defendant have entered into a series of agreements to toll any
26 applicable statutes of limitation. As a result of those agreements, the period of time from
27 December 5, 2011, through the date of the filing of the Complaint herein, inclusive (the "Tolling
28 Period"), will not be included in computing the time limited by any statutes of limitation

1 applicable to the causes of action brought against Defendant based on claims covered by the
2 tolling agreements. Those claims include the claims alleged in this action against Defendant.

3 **STATUTORY AND REGULATORY BACKGROUND**

4 14. The State of California has enacted a comprehensive statutory and regulatory
5 framework for the generation, handling, treatment, storage, transportation, and disposal of
6 hazardous wastes. This framework, contained in Chapter 6.5 of Division 20 of the Health and
7 Safety Code, sections 25100, et seq., and its implementing regulations, which are found at Title
8 22 of the California Code of Regulations section 66260.1, et seq., mandates a “cradle to grave”
9 system known as the Hazardous Waste Control Law (“HWCL”). The HWCL system is
10 maintained to record the generation, registration, tracking, storage, treatment, and disposal of
11 hazardous waste and to provide for the protection of the public and the environment from the
12 potential risks posed by hazardous waste. The State of California has enacted a comprehensive
13 statutory and regulatory framework for the notification, handling, training and spill/release
14 reporting of hazardous materials. This framework is contained in Chapter 6.95 of Division 20 of
15 the Health and Safety Code, sections 25500, et seq., and its implementing regulations, known as
16 the Hazardous Materials Release Response Plans and Inventory Law. In order to better inform
17 the public and to assist emergency responders, Chapter 6.95 has, for over twenty (20) years,
18 mandated that basic information on the location, type, quantity, and the health risks of hazardous
19 materials handled, used, stored, or disposed of in the State, which could be accidentally released
20 into the environment, be made available to firefighters, health officials, planners, public safety
21 officers, health care providers, regulatory agencies and other interested persons.

22 **ENFORCEMENT AUTHORITY**

23 15. Section 25189 of the Health and Safety Code imposes civil liability for any
24 negligent or intentional violation of the HWCL, or for any violation of any permit, rule,
25 regulation, standard, or requirement issued or promulgated pursuant to the HWCL. Section
26 25189.2 is an alternative strict liability provision, which creates liability for any violation of the
27 HWCL, or for any violation of any permit, rule, regulation, standard, or requirement issued or
28 promulgated pursuant to the HWCL.

1 materials are sold to the public in the ordinary course of business. Some of these hazardous
2 materials are used by Defendant at each of Defendant's Facilities in the ordinary course of
3 business. At all times relevant hereto and continuing from and after the date of filing of this
4 Complaint, Defendant also generated regulated quantities of hazardous waste at each of
5 Defendant's Facilities as a result of various causes, including but not limited to, damage to
6 containers, spills and releases of hazardous materials, pharmaceutical and pharmacy waste, photo
7 waste containing silver, and various hazardous wastes generated from customer returns of
8 hazardous products, which must be handled and disposed of as hazardous waste in compliance
9 with the HWCL.

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

17 23. Plaintiff is informed and believes, and thereupon alleges, that at all times relevant
18 to this Complaint, Defendant, at each of Defendant's Facilities, generated hazardous waste during
19 every ninety (90) day period.

20 24. Plaintiff is informed and believes and thereupon alleges that Defendant has
21 violated provisions of the following statutes, including implementing regulations associated with
22 each of the statutes and any related permit, rule, standard, or requirement issued or promulgated
23 pursuant to these statutes, at Defendant's Facilities within the time period applicable to this
24 action: Chapter 6.5 of the Health and Safety Code, sections 25100, et seq., Chapter 6.95 of the
25 Health and Safety Code, sections 25500, et seq., Health and Safety Code sections 117600, et seq.,
26 and Business and Professions Code sections 17200, et seq.

27 ///

28 ///

1 25. Plaintiff alleges that Defendant, at all times relevant hereto, caused and/or
2 performed each of the acts and/or omissions in violation of California law in the ownership and/or
3 operation of some or all of Defendant's Facilities as alleged below:

4 a. Disposed, or caused the disposal of hazardous waste generated from (i) its tire
5 centers; (ii) the use of cleaning and maintenance products at its Facilities; and (iii)
6 nicotine replacement therapies, at a point not authorized nor permitted by DTSC, in
7 violation of Health & Safety Code section 25189.

8 b. Failed to determine, at each Facility, whether each item returned by a customer to that
9 facility is a waste and if so, is a "hazardous waste" as required by California Code of
10 Regulations, title 22, section 66262.11.

11 c. Failed to determine, at each Facility, whether each waste generated at that facility as a
12 result of a spill, container breakage or other means that rendered the product not usable for
13 its intended purpose, was a "hazardous waste" as required by California Code of
14 Regulations, title 22, section 66262.11.

15 d. Failed to manage and timely dispose of all accumulated hazardous waste from each
16 Facility at least one time during every ninety (90) day period.

17 e. Deposited or caused to be deposited, without the permission of the owner, any
18 hazardous substance upon the land of another.

19 f. Failed to timely prepare and file with the DTSC a hazardous waste manifest for all
20 hazardous waste that was transported, or submitted for transportation, for offsite handling,
21 treatment, storage, disposal, or any combination thereof, as provided by Health & Safety
22 Code section 25160(b)(3) and California Code of Regulations, Title 22, section 66262.23;
23 and failed to timely notify the DTSC by filing an exception report concerning the
24 treatment, storage, or disposal facility's failure to return any executed manifest.

25 g. Failed to transport, transfer custody of, or cause to be transported, each hazardous
26 waste using a transporter that was properly licensed and registered to do so, as required by
27 Health & Safety Code section 25163.
28

1 h. In the event of non-receipt of a copy of the manifest with the handwritten signature of
2 the owner or operator of the designated facility, Defendant failed to contact the transporter
3 and/or the owner or operator of the designated facility which was to receive any hazardous
4 waste to determine the status of the hazardous waste within thirty-five (35) days of the
5 date the waste was accepted by the initial transporter, as provided by Title 22 of the
6 California Code of Regulations section 66262.42.

7 i. Failed to maintain a program for the lawful storage, handling and accumulation of
8 hazardous waste, and for the lawful segregation of hazardous-waste items that are in
9 leaking containers, as provided by Health & Safety Code section 25123.3 and California
10 Code of Regulations, Title 22, sections 66262.34, 66265.173 and 66265.177.

11 j. Failed to maintain properly designated and designed hazardous waste storage areas,
12 which included the segregation of hazardous wastes, and failed to conduct weekly
13 inspections of hazardous waste storage areas, at each Facility, as required by California
14 Code of Regulations, Title 22, sections 66262.34 and 66265.174.

15 k. Failed to implement, maintain, and submit to the respective administering agency (as
16 defined in Health and Safety Code sections 25501 and 25502), a complete hazardous
17 materials business plan, as required by Health and Safety Code sections 25504 and 25505
18 and California Code of Regulations, Title 19, section 2729, as applicable.

19 l. Failed to continuously implement, maintain, and submit to the respective
20 administering agency (as defined in Health and Safety Code sections 25501 and 25502), a
21 complete hazardous materials business plan, as required by Health and Safety Code
22 sections 25504 and 25505 and California Code of Regulations, Title 19, section 2729, as
23 applicable.

24 m. Failed to comply with all employee training obligations required by California Code
25 of Regulations, Title 22, section 66265.16, pertaining to the handling of hazardous waste,
26 including, but not limited to, the requirement to maintain for a period of three (3) years, all
27 training documentation for each employee involved in hazardous waste handling at any
28 Facility.

1 n. Failed to properly manage, mark, and store universal waste, as provided by Title 22
2 of the California Code of Regulations sections 66273.1 – 66273.9, 66273.13 - 66273.16
3 (repealer filed 2-4-2009) and sections 66273.33 - 66273.36.

4 o. Failed to keep a record with the information required by section 66273.39,
5 subdivisions (a)(1) - (3), of each shipment of universal waste received at any Facility, as
6 provided by Title 22 of the California Code of Regulations section 66273.39. Such
7 records may be stored electronically.

8 p. Failed to comply with the California Medical Waste Management Act, Health and
9 Safety Code sections 117600, et seq.

10 26. Defendant's noncompliance with the above statutes and regulations threatened
11 public health and safety and the environment.

12 **FIRST CAUSE OF ACTION**

13 (Disposal of Hazardous Waste at a Point not Authorized)
14 (Health & Safety Code, §§ 25189, 25189.2)

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

16 28. Health and Safety Code sections 25189 and 25189.2 prohibit the disposal of
17 hazardous waste at a point not authorized under Chapter 6.5. Section 25189, subdivision (c)
18 prohibits the intentional or negligent disposal of hazardous waste at an unauthorized point, and
19 section 25189.2, subdivision (c) prohibits the disposal of hazardous waste at an unauthorized
20 point as a matter of strict liability.

21 29. Defendant disposed and/or caused the disposal of hazardous waste at and from
22 Defendant's Facilities at unauthorized points, in violation of California Health and Safety Code
23 sections 25189 and 25189.2.

24 30. Each disposal of hazardous waste at an unauthorized point that occurred within
25 five (5) years before the discovery of the facts constituting grounds for commencing the action on
26 these claims, in addition to the Tolling Period set forth in paragraph 13 herein, and each day the
27 waste was allowed to remain at such point without the immediate filing of a report of the deposit
28 with the DTSC, subjects Defendant to a separate and additional civil penalty under Health and
Safety Code section 25189, or alternatively under section 25189.2.

1 \$2,000.00 for each day in which the violation occurred, pursuant to Health and Safety Code
2 section 25514, subdivision (a).

3 44. As a consequence of Defendant's knowing violation of any of these sections,
4 Defendant is liable for a civil penalty that must be imposed for each separate violation in an
5 amount up to \$5,000.00 for each day in which the violation occurred, pursuant to Health and
6 Safety Code section 25514, subdivision (b).

7 45. Based on the above, the People request injunctive relief against Defendant under
8 Health and Safety Code sections 25516 and 25516.2, as described in the People's prayer for
9 relief.

10 **FIFTH CAUSE OF ACTION**

11 (Violations of Unfair Competition Laws)

12 (Business & Professions Code sections 17200, *et seq.*)

13 46. Plaintiff realleges paragraphs 1 through 45, inclusive.

14 47. Within four (4) years of the date of commencement of this action, exclusive of the
15 Tolling Period set forth in paragraph 13 herein, Defendant has engaged in unlawful acts,
16 omissions, and practices that constitute unfair competition within the meaning of Business and
17 Professions Code sections 17200 through 17208 including, but not limited to, the acts or
18 omissions and practices alleged in the First through Fourth Causes of Action, above, and unless
19 enjoined by order of the Court, Defendant may or will continue in the course of conduct as
20 alleged herein.

21 48. Each and every separate act constitutes an unlawful and/or unfair business
22 practice. Each day that Defendant engaged in each separate unlawful act, omission or practice is
23 a separate and distinct violation of Business and Professions Code section 17200.

24 49. Pursuant to Business and Professions Code section 17206, Defendant is liable for
25 civil penalties for each and every separate act of unfair competition as alleged herein.

26 50. Defendant must be immediately and permanently enjoined, pursuant to Business
27 and Professions Code section 17203, from engaging in acts or practices that, as alleged in this
28 Complaint, violate Chapter 6.5 and/or 6.95 of Division 20 of the Health and Safety Code and their
implementing regulations, Health and Safety Code section 117600 *et seq.*, and county and local

1 ordinances pertaining to hazardous waste generator permits, which thereby constitute unfair
2 competition within the meaning of Business and Professions Code section 17200.

3 **PRAYER FOR RELIEF**

4 Based on the above, the People request the following relief as to Defendant:

5 1. A Permanent Injunction requiring Defendant to comply with those provisions of
6 Health and Safety Code, Division 20, Chapter 6.5 and implementing regulations, which
7 Defendant is alleged to have violated;

8 2. A Permanent Injunction requiring Defendant to comply with those provisions of
9 Health and Safety Code, Division 20, Chapter 6.95 and implementing regulations, which
10 Defendant is alleged to have violated;

11 3. A Permanent Injunction, issued pursuant to Business and Professions Code section
12 17203, prohibiting Defendant from engaging in activity that violates the provisions of Chapters
13 6.5 and 6.95 of Division 20 of the Health and Safety Code, and Health and Safety Code sections
14 117600, et seq., as alleged in this Complaint which thereby constitute unfair competition within
15 the meaning of Business and Professions Code section 17200;

16 4. Civil penalties against Defendant for each violation of Health and Safety Code
17 section 25189, or alternatively section 25189.2, in an amount according to proof;

18 5. Civil penalties against Defendant pursuant to Health and Safety Code sections
19 25514 and 25515.2, in an amount according to proof;

20 6. Civil penalties against Defendant pursuant to Business and Professions Code
21 section 17206 for each act of unfair competition, in an amount according to proof;

22 7. Plaintiff's costs of inspection, investigation, attorney's fees, enforcement,
23 prosecution, and suit herein; and

24 ///

25 ///

26 ///

27 ///

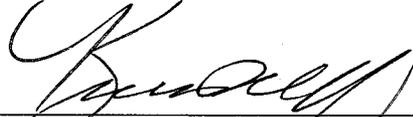
28 ///

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

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

Dated: 5-25-12

NANCY E. O'MALLEY, District Attorney
County of Alameda, State of California

By: 

KENNETH A. MIFSUD
Senior Deputy District Attorney
Attorneys for Plaintiff
The People of the State of California

ATTACHMENT A

Additional Counsel for the Plaintiff

1
2 MICHAEL L. RAMSEY
3 District Attorney of Butte County
4 25 County Center Drive, Suite 245
5 Oroville, CA 95965-3370
6 Telephone: (530) 538-7411

7 MARK A. PETERSON
8 District Attorney of Contra Costa County
9 STACEY GRASSINI, SBN 154937
10 Deputy District Attorney
11 900 Ward Street
12 P.O. Box 670
13 Martinez, CA 94553-0150
14 Telephone: (925) 957-8604

15 ELIZABETH A. EGAN
16 District Attorney of Fresno County
17 MICHAEL BRUMMEL, SBN 236116
18 EDWARD T. BROWNE, SBN 167638
19 Deputy District Attorneys
20 929 L Street
21 Fresno, CA 93721
22 Telephone: (559) 600-3156

23 PAUL V. GALLEGOS
24 District Attorney of Humboldt County
25 825 5th Street
26 Eureka, CA 95501
27 Telephone: (707) 445-7411

28 LISA S. GREEN
District Attorney of Kern County
JOHN T. MITCHELL, SBN 99967
Deputy District Attorney
1215 Truxtun Avenue
Bakersfield, CA 93301
Telephone: (661) 868-2340

1 STEVE COOLEY
2 District Attorney of Los Angeles County
3 DANIEL J. WRIGHT, SBN 129309
4 Deputy District Attorney
5 Consumer Protection Division
6 Environmental Law Section
7 201 N. Figueroa Street, Suite 1200
8 Los Angeles, CA 90012
9 Telephone: (213) 580-3273

7 EDWARD S. BERBERIAN, JR.
8 District Attorney of Marin County
9 ANDRES H. PEREZ, SBN 186219
10 Deputy District Attorney
11 Hall of Justice
12 3501 Civic Center Drive, Room 130
13 San Rafael, CA 94903
14 Telephone: (415) 499-6450

12 LARRY D. MORSE
13 District Attorney of Merced County
14 2222 M. Street
15 Merced, CA 95340
16 Telephone: (209) 385-7383

15 DEAN D. FLIPPO
16 District Attorney of Monterey County
17 ANNE M. MICHAELS, SBN 136134
18 Managing Deputy District Attorney
19 DIJE NDREU, SBN 251278
20 Deputy District Attorney
21 1200 Aguajito Road, Room 301
22 Monterey, CA 93940
23 Telephone: (831) 647-7770

21 TONY RACKAUCKAS
22 District Attorney of Orange County
23 JOSEPH P. D'AGOSTINO, SBN 115774
24 Senior Assistant District Attorney
25 WILLIAM G. FALLON, SBN 190986
26 Deputy District Attorney
27 401 Civic Center Drive West
28 Santa Ana, CA 92701
Telephone: (714) 834-3600

1 R. SCOTT OWENS
District Attorney of Placer County
2 10810 Justice Center Drive, Suite 240
Roseville, CA 95678
3 Telephone: (916) 543-8000
4
5 PAUL ZELLERBACH
District Attorney of Riverside County
6 DEBORAH LUCKY, SBN 175648
Supervising Deputy District Attorney
7 TIFFANY LYNN GRANT, SBN 245956
Deputy District Attorney
8 3960 Orange Street, First Floor
Riverside, CA 92501-3707
9 Telephone: (951) 955-5400
10
11 JAN SCULLY
District Attorney of Sacramento County
12 JANE CRUE, SBN 210122
Deputy District Attorney
Consumer & Environmental Protection Division
13 906 G Street, Suite 700
Sacramento, CA 95814
14 Telephone: (916) 874-6174
15
16 MICHAEL A. RAMOS
District Attorney of San Bernardino County
17 DANIEL SILVERMAN, SBN 224762
Deputy District Attorney
412 W. Hospitality Lane, Suite 301
18 San Bernardino, CA 92415-0023
19 Telephone: (909) 891-3330
20
21 BONNIE M. DUMANIS
District Attorney of San Diego County
22 KAREN I. DOTY, SBN 126448
Deputy District Attorney
Hall of Justice
23 330 W. Broadway, Suite 750
San Diego, CA 92101
24 Telephone: (619) 531-4070
25
26
27
28

1 GEORGE GASCÒN
2 District Attorney of San Francisco County
3 JUNE D. CRAVETT, SBN 105094
4 Chief Deputy District Attorney
5 850 Bryant Street, Room 322
6 San Francisco, CA 94103
7 Telephone: (415) 553-1741

8 GERALD T. SHEA
9 District Attorney of San Luis Obispo County
10 STEVEN D. VON DOHLEN, SBN 182499
11 Deputy District Attorney
12 County Government Center, Room 450
13 San Luis Obispo, CA 93408
14 Telephone: (805) 781-5800

15 STEPHEN M. WAGSTAFFE
16 District Attorney of San Mateo County
17 JOHN E. WILSON, SBN 95602
18 Deputy District Attorney In Charge
19 400 County Center, 3rd Floor
20 Redwood City, CA 94063
21 Telephone: (650) 363-4098

22 JEFFREY F. ROSEN
23 District Attorney of Santa Clara County
24 TINA NUNES OBER, SBN 162750
25 NAHAL IRAVANI-SANI, SBN 169372
26 Deputy District Attorneys
27 County Government Center, West Wing
28 70 W. Hedding Street
San Jose, CA 95110
Telephone: (408) 792-2855

BOB LEE
District Attorney of Santa Cruz County
WILLIAM ATKINSON, SBN 88933
Supervising Assistant District Attorney
701 Ocean Street, Suite 200
Santa Cruz, CA 95060
Telephone: (831) 454-2400

- 1 STEPHEN CARLTON
District Attorney of Shasta County
- 2 ERIN M. DERVIN, SBN 188426
Deputy District Attorney
- 3 1355 West Street
- 4 Redding, CA 96001
Telephone: (530) 245-6300
- 5
- 6 DONALD A. DU BAIN
District Attorney of Solano County
- 7 DIANE MICHELE TAIRA, SBN 179926
Deputy District Attorney
- 8 Consumer and Environmental Crimes Unit
675 Texas Street, Suite 4500 (4th Floor)
- 9 Fairfield, CA 94533-6340
Telephone: (707) 784-6800
- 10
- 11 JILL R. RAVITCH
District Attorney of Sonoma County
- 12 MATTHEW T. CHEEVER, SBN 191783
Deputy District Attorney
- 13 2300 County Center Drive, Suite B-170
Santa Rosa, CA 95403
Telephone: (707) 565-2311
- 14
- 15 BIRGIT A. FLADAGER
District Attorney of Stanislaus County
- 16 832 12th Street, Suite 300
Modesto, CA 95354
Telephone: (209) 525-5550
- 17
- 18
- 19 PHILLIP CLINE
District Attorney of Tulare County
- 20 RODNEY M. BLACO, SBN 212139
Deputy District Attorney
- 21 221 S. Mooney Blvd., Room 224
Visalia, CA 93291
Telephone: (559) 733-6411
- 22
- 23
- 24 GREGORY D. TOTTEN
District Attorney of Ventura County
- 25 MITCHELL F. DISNEY, SBN 138114
Senior Deputy District Attorney
- 26 5720 Ralston Street, Suite 300
Ventura, CA 93003
Telephone (805) 662-1706
- 27
- 28

1 JEFF W. REISIG
District Attorney of Yolo County
2 JONATHAN H. RAVEN, SBN 155825
Chief Deputy District Attorney
3 LARRY BARLLY, SBN 114456
Supervising Deputy District Attorney
4 Consumer Fraud and Environmental Protection Division
301 Second Street
5 Woodland, CA 95695-3415
Telephone: (530) 666-8180

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

EXHIBIT A - FACILITIES LIST

| Store No | Address | City | County | Zip |
|----------|---|------------------|--------------|-------|
| 778 | 43621 Pacific Commons Blvd. | Fremont | Alameda | 94538 |
| 1061 | 28505 Hesperian Blvd. | Hayward | Alameda | 94545 |
| 823 | 22330 Hathaway Avenue | Hayward | Alameda | 94541 |
| 146 | 2800 Independence Drive | Livermore | Alameda | 94550 |
| 118 | 1900 Davis St. | San Leandro | Alameda | 94577 |
| 1011 | 2100 Dr. Martin Luther King Jr. Parkway | Chico | Butte | 95928 |
| 1002 | 2201 Verne Roberts Circle | Antioch | Contra Costa | 94509 |
| 663 | 2400 Monument Blvd. | Concord | Contra Costa | 94518 |
| 21 | 3150 Fostoria Way | Danville | Contra Costa | 94526 |
| 482 | 4801 Central Ave. | Richmond | Contra Costa | 94804 |
| 135 | 380 West Ashlan Blvd. | Clovis | Fresno | 93612 |
| 31 | 4500 West Shaw Ave. | Fresno | Fresno | 93722 |
| 657 | 7100 N Abby St. | Fresno | Fresno | 93720 |
| 125 | 1006 West Wasbash Ave. | Eureka | Humboldt | 95501 |
| 121 | 2030 N. Imperial Ave. | El Centro | Imperial | 92243 |
| 688 | 3800 Rosedale Highway | Bakersfield | Kern | 93308 |
| 643 | 4900 Panama Lane | Bakersfield | Kern | 93313 |
| 428 | 2207 W. Commonwealth | Alhambra | Los Angeles | 91803 |
| 412 | 1220 W. Foothill Blvd. | Azusa | Los Angeles | 91702 |
| 677 | 1051 Burbank Blvd. | Burbank | Los Angeles | 91506 |
| 44 | 21300 Roscoe Blvd. | Canoga Park | Los Angeles | 91304 |
| 679 | 17550 Castleton St. | City of Industry | Los Angeles | 91748 |
| 569 | 6333 Telegraph Rd. | Commerce | Los Angeles | 90040 |
| 671 | 14501 Hindry Avenue | Hawthorne | Los Angeles | 90250 |
| 564 | 12530 Prairie Ave. | Hawthorne | Los Angeles | 90250 |
| 769 | 3560 West Century Blvd. | Inglewood | Los Angeles | 90303 |
| 1050 | 340 Lakewood Center Mall | Lakewood | Los Angeles | 90712 |
| 762 | 1141 West Avenue L | Lancaster | Los Angeles | 93534 |
| 130 | 2901 Los Feliz Blvd. | Los Angeles | Los Angeles | 90039 |
| 479 | 13463 Washington Blvd. | Marina del Rey | Los Angeles | 90292 |
| 459 | 1345 Montebello Boulevard | Montebello | Los Angeles | 90640 |
| 437 | 8810 Tampa Avenue | Northridge | Los Angeles | 91324 |
| 410 | 12324 Hoxie Avenue | Norwalk | Los Angeles | 90650 |
| 1071 | 13550 W. Paxton Street | Pacoima | Los Angeles | 91331 |
| 1015 | 520 N. Lone Hill Ave. | San Dimas | Los Angeles | 91773 |
| 447 | 18649 Via Princesa | Santa Clarita | Los Angeles | 91351 |
| 424 | 2200 E Willow St. | Signal Hill | Los Angeles | 90806 |
| 476 | 2751 Sky Park Drive | Torrance | Los Angeles | 90505 |
| 48 | 6100 Sepulveda Blvd. | Van Nuys | Los Angeles | 91411 |

EXHIBIT A - FACILITIES LIST

| Store No. | Address | City | County | Zip |
|-----------|---------------------------------|---------------------|----------------|-------|
| 117 | 5700 Lindero Canyon Road | West Lake Village | Los Angeles | 91362 |
| 141 | 300 Vintage Way | Novato | Marin | 94945 |
| 142 | 1445 R Street | Merced | Merced | 95340 |
| 472 | 1339 N. Davis Road | Salinas | Monterey | 93907 |
| 131 | 801 Tioga Avenue | Sand City | Monterey | 93955 |
| 748 | 5401 Katella Avenue | Cypress | Orange | 90630 |
| 411 | 17900 Newhope Street | Fountain Valley | Orange | 92708 |
| 418 | 900 South Harbor Blvd. | Fullerton | Orange | 92832 |
| 126 | 11000 Garden Grove Blvd. | Garden Grove | Orange | 92843 |
| 454 | 115 Technology Drive West | Irvine | Orange | 92618 |
| 777 | 101 N. Beach Blvd. | La Habra | Orange | 90631 |
| 28 | 27972 Cabot Road | Laguna Niguel | Orange | 92677 |
| 690 | 27220 Heather Ridge Road | Laguna Niguel | Orange | 92677 |
| 429 | 33961 Doheny Park Road | San Juan Capistrano | Orange | 92675 |
| 122 | 2655 El Camino Real | Tustin | Orange | 92782 |
| 1001 | 2700 Park Ave. | Tustin | Orange | 92782 |
| 445 | 22633 Savi Ranch Parkway | Yorba Linda | Orange | 92887 |
| 29 | 6750 Stanford Ranch Road | Roseville | Placer | 95678 |
| 432 | 480 McKinley St. | Corona | Riverside | 91719 |
| 1032 | 215 Deininger Circle | Corona | Riverside | 92880 |
| 638 | 79795 Highway 111 | La Quinta | Riverside | 92253 |
| 746 | 29315 Central Ave. | Lake Elsinore | Riverside | 92532 |
| 960/961 | 11600 Riverside Drive | Mira Loma | Riverside | 91752 |
| 455 | 12700 Day Street | Moreno Valley | Riverside | 92553 |
| 441 | 72-800 Dinah Shore Drive | Palm Desert | Riverside | 92211 |
| 491 | 26610 Ynez Road | Temecula | Riverside | 92591 |
| 771 | 7000 Auburn Blvd. | Citrus Heights | Sacramento | 95621 |
| 765 | 1800 Cavitt Drive | Folsom | Sacramento | 95630 |
| 438 | 11260 White Rock Road | Rancho Cordova | Sacramento | 95742 |
| 471 | 1600 Expo Parkway | Sacramento | Sacramento | 95815 |
| 464 | 7981 E. Stockton Blvd. | Sacramento | Sacramento | 95823 |
| 1043 | 970 Riverside Parkway, Suite 20 | Sacramento | Sacramento | 95605 |
| 473 | 13111 Peyton Drive | Chino Hills | San Bernardino | 91709 |
| 627 | 16505 Siera Lakes Parkway | Fontana | San Bernardino | 92336 |
| 686 | 9404 Central Avenue | Montclair | San Bernardino | 91763 |
| 678 | 11800 4th Street | Rancho Cucamonga | San Bernardino | 91730 |
| 478 | 1099 E. Hospitality Lane | San Bernardino | San Bernardino | 92408 |
| 1010 | 14555 Valley Center Drive | Victorville | San Bernardino | 92392 |
| 462 | 951 Palomar Airport Rd. | Carlsbad | San Diego | 92009 |

EXHIBIT A - FACILITIES LIST

| Store No | Address | City | County | Zip |
|-------------|-----------------------------|---------------------|-----------------|-------|
| 781 | 1136 Broadway | Chula Vista | San Diego | 91910 |
| 460 | 895 East H Street | Chula Vista | San Diego | 91910 |
| 469 | 8125 Fletcher Parkway | La Mesa | San Diego | 91941 |
| 908 | 1001 W. 19th St. | National City | San Diego | 91950 |
| 910 | 2222 Enrico Fermi | Otay Mesa | San Diego | 92154 |
| 775 | 12155 Tech Center Drive | Poway | San Diego | 92064 |
| 452 | 12350 Carmel Mountain Road | San Diego | San Diego | 92128 |
| 488 | 2345 Fenton Parkway | San Diego | San Diego | 92108 |
| 401 | 4605 Morena Blvd. | San Diego | San Diego | 92117 |
| 578 | 7803 Othello Ave | San Diego | San Diego | 92111 |
| 483 | 650 Gateway Center Drive | San Diego | San Diego | 92102 |
| 400 | 4649 Morena Blvd. | San Diego | San Diego | 92117 |
| 1080 | 725 Center Drive | San Marcos | San Diego | 92069 |
| 403 | 101 Town Center Parkway | Santee | San Diego | 92071 |
| 124 | 1755 Hacienda Drive | Vista | San Diego | 92083 |
| 144 | 450 Tenth Street | San Francisco | San Francisco | 94103 |
| 1091 | 2680 Reynolds Ranch Parkway | Lodi | San Joaquin | 95240 |
| 38 | 1616 E Hammer Lane | Stockton | San Joaquin | 95210 |
| 658 | 3250 W. Grant Line Rd. | Tracy | San Joaquin | 95377 |
| 172/179/210 | 25862 S. Schulte Court | Tracy | San Joaquin | 95377 |
| 1031 | 2440 Daniels St. | Manteca | San Joaquin | 95336 |
| 741 | 1540 Froom Ranch Way | San Luis Obispo | San Luis Obispo | 93401 |
| 147 | 1001 Metro Center Blvd. | Foster City | San Mateo | 94404 |
| 1042 | 2300 Middlefield Road | Redwood City | San Mateo | 94063 |
| 475 | 1600 El Camino Real | South San Francisco | San Mateo | 94080 |
| 422 | 451 S. Airport Blvd. | South San Francisco | San Mateo | 94080 |
| 474 | 7095 Market Place Drive | Goleta | Santa Barbara | 93117 |
| 24 | 1335 South Bradley Road | Santa Maria | Santa Barbara | 93454 |
| 760 | 7251 Camino Arroyo | Gilroy | Santa Clara | 95020 |
| 143 | 1000 North Rengstorff | Mountain View | Santa Clara | 94043 |
| 470 | 5301 Almaden Expressway | San Jose | Santa Clara | 95118 |
| 1004 | 1709 Automation Parkway | San Jose | Santa Clara | 95131 |
| 148 | 2201 Senter Road | San Jose | Santa Clara | 95112 |
| 129 | 1601 Coleman Ave. | Santa Clara | Santa Clara | 95050 |
| 423 | 150 Lawrence Station Rd. | Sunnyvale | Santa Clara | 94086 |
| 149 | 220 Sylvania Ave. | Santa Cruz | Santa Cruz | 95060 |
| 133 | 1300 Dana Drive | Redding | Shasta | 96003 |
| 453 | 5101 Business Center Drive | Fairfield | Solano | 94585 |
| 694 | 1051 Hume Way | Vacaville | Solano | 95687 |

EXHIBIT A - FACILITIES LIST

| Store No | Address | City | County | Zip |
|--|--------------------------------------|--------------|----------------|-------|
| 132 | 198 Plaza Drive | Vallejo | Solano | 94591 |
| 659 | 5901 Redwood Drive | Rohnert Park | Sonoma | 94928 |
| 41 | 1900 Santa Rosa Ave. | Santa Rosa | Sonoma | 95407 |
| 661 | 3801 Pelandale Avenue | Modesto | Stanislaus | 95356 |
| 782 | 2955 North Tegner Road | Turlock | Stanislaus | 95380 |
| 1017 | 1405 W. Cameron Ave. | Visalia | Tulare | 93277 |
| 420 | 2001 E. Ventura Blvd. | Oxnard | Ventura | 93030 |
| 128 | 2660 Park Center Drive | Simi Valley | Ventura | 93065 |
| 1003 | 2299 Bronze Star Dr. | Woodland | Yolo | 95776 |
| RELOCATED (see relocated locations above) | | | | |
| 136 | 2100 Dr. Martin Luther King Jr. Pkwy | Chico | Butte | 95928 |
| 137 | 2201 Verne Roberts Circle | Antioch | Contra Costa | 94509 |
| 822 | 6881 8th Street | Buena Park | Orange | 90620 |
| 22 | 14601 Valley Center Drive | Victorville | San Bernardino | 92392 |
| 787 | 7130 Miramar Road Suite #300A | San Diego | San Diego | 92126 |
| 416 | 725 Center Drive | San Marcos | San Diego | 92069 |
| 409 | 2300 Middlefield Road | Redwood City | San Mateo | 94063 |
| 134 | 3750 S. Mooney | Visalia | Tulare | 93277 |