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FILED
YOLO SUPERIOR COURT
SEP 06 2018
BY D. KRAUSE
DEPUTY

7 *Attorneys for People of the State of California*
8 *Plaintiff's Counsel Continued on Attachment A*

9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF YOLO

11 THE PEOPLE OF THE STATE OF CALIFORNIA,) Case No. **CN18-1578**
12)
13 Plaintiff,) COMPLAINT FOR INJUNCTIVE
14) RELIEF, CIVIL PENALTIES, AND
15) OTHER RELIEF
16)
17) (Health & Saf. Code, §§ 25100 et seq.,
18) 25249.5 et seq.; Bus. & Prof. Code, § 17200
19) et seq.)
20)
21) *Exempt from fees per Gov. Code, § 6103*
22)
23)
24)
25)
26)
27)
28)
Defendants.)

21 Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA, allege the following based on
22 information and belief:

23 **PLAINTIFF**

24 1. The People bring this action by and through Jeff W. Reisig, District Attorney of Yolo
25 County; Nancy E. O'Malley, District Attorney of Alameda County; Diana Becton, District Attorney
26 of Contra Costa County; Jackie Lacey, District Attorney of Los Angeles County; Allison Haley,
27 District Attorney of Napa County; R. Scott Owens, District Attorney of Placer County; Michael A.
28 Hestrin, District Attorney of Riverside County; Gregory D. Totten, District Attorney of Ventura

1 County; Lisa A. Smittcamp, District Attorney of Fresno County; Michael N. Feuer, City Attorney of
2 Los Angeles; Dean D. Flippo, District Attorney of Monterey County; Tony Rackaukas, District
3 Attorney of Orange County; Anne Marie Schubert, District Attorney of Sacramento County; Mara
4 W. Elliott, City Attorney of San Diego; Summer Stephan, District Attorney of San Diego County;
5 Joyce E. Dudley, District Attorney of Santa Barbara County; Jeffrey F. Rosen, District Attorney of
6 Santa Clara County; Jill R. Ravitch, District Attorney of Sonoma County; George Gascón, District
7 Attorney of San Francisco County; Dan Dow, District Attorney of San Luis Obispo County; Edward
8 S. Berberian, Jr., District Attorney of Marin County; and Stephen M. Wagstaffe, District Attorney of
9 San Mateo County (collectively, “the People”).

10 2. The People bring this action to, among things, enjoin Defendant from violating
11 Chapters 6.5 and 6.95 of Division 20 of the Health and Safety Code, and to impose civil penalties
12 against Defendant.

13 3. The People may bring a civil action to enjoin any violation of Chapter 6.5 of Division
14 20 of the Health and Safety Code (“Chapter 6.5”), and may seek civil penalties for any violation of
15 Chapter 6.5. (Health & Saf. Code, § 25182; see also Health & Saf. Code, §§ 25181, 25189,
16 25189.2.)

17 4. The People may bring a civil action to enjoin any violation of Health and Safety Code
18 sections 25504 to 25508.2, inclusive, and Section 25511 (collectively, “Chapter 6.95”), and may seek
19 civil penalties for any violation of Chapter 6.95. (Health & Saf. Code, § 25515.7; see also Health &
20 Saf. Code, §§ 25515, 25515.6.)

21 5. The People may bring a civil action to enjoin any person who engages, has engaged,
22 or proposes to engage in unfair competition, as defined in Business and Professions Code section
23 17200, and may seek civil penalties for each act of unfair competition. (Bus. & Prof. Code, §§
24 17203, 17204, 17206.)

25 6. The People bring this action without prejudice to any other action or claim that the
26 People may have based on separate, independent, and unrelated violations arising out of matters or
27 allegations that are not set forth in this Complaint.

28 ///

1 **DEFENDANT**

2 7. Defendant WHOLE FOODS MARKET CALIFORNIA, INC., is now, and at all times
3 mentioned in this Complaint was, a California corporation.

4 8. Defendant MRS. GOOCH'S NATURAL FOOD MARKETS, INC., is now, and at all
5 times mentioned in this Complaint was, a California corporation.

6 9. Defendant WFM-WO, INC., is now, and at all times mentioned in this Complaint
7 was, a Delaware corporation.

8 10. At all times relevant, Defendants WHOLE FOODS MARKET CALIFORNIA, INC.,
9 MRS. GOOCH'S NATURAL FOOD MARKETS, INC., and WFM-WO, INC., owned, operated,
10 licensed, or leased, in their own capacity or through affiliates, grocery stores in Yolo County and
11 other locations throughout California. These stores are collectively referred to as the "Facilities." A
12 list of the locations of the Facilities is attached as Exhibit A.

13 11. At all times relevant, Defendants stocked, stored, and offered for sale hazardous
14 materials at and from these Facilities. These hazardous materials include, but are not limited to,
15 batteries, electronic devices, ignitable liquids, aerosol products, cleaning agents, and other
16 flammable, reactive, toxic, and corrosive materials. Defendants also generated regulated quantities
17 of hazardous waste at each of the Facilities as a result of their business practices.

18 12. At all times relevant, Defendants were legally responsible for compliance with the
19 provisions of the Health and Safety Code, including Chapters 6.5 and 6.95, at the Facilities;
20 Defendants controlled and were responsible for the operations of the Facilities, and aided, abetted,
21 and acted in concert with persons who exercised control over those operations, including, but not
22 limited to, all acts and omissions relating to the management of hazardous materials and hazardous
23 waste at the Facilities; and Defendants failed to take appropriate steps to prevent and correct the
24 violations alleged in this Complaint, despite having the power, authority, and notice sufficient to do
25 so.

26 13. Defendants are "persons," as defined in Health and Safety Code section 25118 and
27 Business and Professions Code section 17201, and are "businesses," as defined in Health and Safety
28 Code section 25501(c).

1 Response Plans and Inventory Law. To better inform the public and to assist emergency responders,
2 Chapter 6.95 has, for over thirty (30) years, mandated that basic information on the location, type,
3 quantity, and the health risks of hazardous materials handled, used, stored, or disposed of in the state,
4 which could be accidentally released into the environment, be made available to firefighters, health
5 officials, planners, public safety officers, health care providers, regulatory agencies, and other
6 interested persons.

7 **ENFORCEMENT AUTHORITY**

8 20. Business and Professions Code section 17206 imposes civil liability for any act of
9 unfair competition, as defined in Business and Professions Code section 17200.

10 21. Section 25189 of the Health and Safety Code imposes civil liability for any negligent
11 or intentional violation of the HWCL and for any violation of any permit, rule, regulation, standard,
12 or requirement issued or promulgated pursuant to the HWCL. Section 25189.2 of the Health and
13 Safety Code is an alternative strict-liability provision that creates liability for any violation of the
14 HWCL and for any violation of any permit, rule, regulation, standard, or requirement issued or
15 promulgated pursuant to the HWCL.

16 22. Section 25515, subdivision (b), of the Health and Safety Code imposes civil liability
17 for any knowing violation of Sections 25504 to 25508.2, inclusive, and Section 25511, of the Health
18 and Safety Code. Section 25515, subdivision (a), of the Health and Safety Code is an alternative
19 strict-liability provision that imposes civil liability for any violation of Sections 25504 to 25508.2,
20 inclusive, and Section 25511, of the Health and Safety Code.

21 23. Business and Professions Code section 17203 authorizes the Court to issue an order
22 that enjoins any person who engages, has engaged, or proposes to engage in unfair competition, as
23 defined in Business and Professions Code section 17200.

24 24. Health and Safety Code section 25181 authorizes the Court to issue an order that
25 enjoins any ongoing or potential violation of the HWCL or of any applicable rule, regulation, permit,
26 standard, requirement, or order issued or promulgated pursuant to the HWCL.

27 25. Health and Safety Code section 25515.6 authorizes the Court to issue an order that
28 enjoins any ongoing or potential violation of Chapter 6.95.

1 Complaint, and Defendants reasonably could have taken action to prevent them.

2 33. Defendants have violated provisions of the following statutes and regulations at the
3 Facilities within the time period applicable to this action: Chapter 6.5 of the Health and Safety Code
4 (section 25100 et seq.), Chapter 6.95 of the Health and Safety Code (section 25500 et seq.); Business
5 and Professions Code section 17200 et seq., and regulations, permits, rules, standards, and
6 requirements associated with these statutes.

7 34. Defendants caused or performed each of the acts and/or omissions alleged below in
8 violation of California law in the ownership and/or operation of some or all of the Facilities:

- 9 a. Disposed, or caused the disposal, of hazardous waste at a point not authorized by
10 law, in violation of Health and Safety Code sections 25189 and 25189.2,
11 including, without limitation, to any trash, dumpster, drain, sink, or toilet at any of
12 the Facilities, and onto the surface or subsurface of the ground at any unauthorized
13 location, or at a landfill or transfer station not authorized to receive hazardous
14 waste;
- 15 b. Transported, or caused to be transported, any hazardous waste to an unauthorized
16 location in California, in violation of Health and Safety Code section 25189.5;
- 17 c. Transported, transferred custody of, or caused to be transported in California
18 hazardous waste using a transporter that was not registered to transport hazardous
19 waste, in violation of Health and Safety Code section 25163;
- 20 d. Failed to determine if a generated waste—including, but not limited to, items
21 returned by customers to the Facilities and wastes generated at the Facilities—
22 were hazardous wastes, in violation of California Code of Regulations, title 22,
23 sections 66262.11 and 66260.200(c);
- 24 e. Failed to properly manage, identify the date of accumulation, and label containers
25 of hazardous waste at the Facilities, in violation of California Code of
26 Regulations, title 22, section 66262.34;
- 27 f. Failed to lawfully and timely dispose of all accumulated hazardous waste at each
28 Facility, in violation of California Code of Regulations, title 22, section 66262.34;

- 1 g. Unlawfully stored, handled, and accumulated hazardous waste, in violation of
2 Health and Safety Code section 25123.3 and California Code of Regulations, title
3 22, sections 66262.34 and 66265.173;
- 4 h. Failed to conduct inspections of hazardous waste storage areas at each Facility, in
5 violation of California Code of Regulations, title 22, sections 66262.34 and
6 66265.174;
- 7 i. Failed to timely cause to be prepared and filed with the Department of Toxic
8 Substance Control (“DTSC”) a hazardous waste manifest for all hazardous waste
9 that is transported, or submitted for transportation, for offsite handling, treatment,
10 storage, disposal, or any combination thereof, from any Facility, in violation of
11 Health and Safety Code section 25160(b)(3) and California Code of Regulations,
12 title 22, section 66262.23;
- 13 j. Failed to contact the owner or operator of a designated facility that was to receive
14 hazardous waste from Defendants to determine the status of the hazardous waste,
15 in the event Defendants had not received a copy of the manifest signed by all
16 transporters and the facility operator within thirty-five (35) days of the date the
17 waste was accepted by the initial transporter, in violation of Health and Safety
18 Code section 25160(b)(3) and California Code of Regulations, title 22, section
19 66262.42;
- 20 k. Failed to timely notify the DTSC by filing an exception report concerning the
21 treatment, storage, or disposal facility’s failure to return any executed manifest, in
22 violation of Health and Safety Code section 25160(b)(3) and California Code of
23 Regulations, title 22, section 66262.42;
- 24 l. Failed to prepare and maintain copies of hazardous-waste manifests for three (3)
25 years, in violation of California Code of Regulations, title 22, section 66262.40.
- 26 m. Failed to segregate incompatible hazardous-waste items, in violation of California
27 Code of Regulations, title 22, section 66265.177;
- 28 n. Failed to comply with employee training obligations pertaining to the handling of

1 hazardous waste at the Facilities, in violation of California Code of Regulations,
2 title 22, section 66262.34(d) and 40 C.F.R. section 262.16(b)(9)(iii);

- 3 o. Failed to properly manage, mark, and store universal waste at each Facility in
4 violation of the standards for universal waste management found in California
5 Code of Regulations, title 22, sections 66273.33 through 66273.36; or in the
6 alternative, failed to manage such waste as hazardous waste in violation of
7 Chapter 6.5 and its implementing regulations in California Code of Regulations,
8 title 22, including, but not limited to, section 66262.34;
- 9 p. Failed to keep a record of each shipment of universal waste sent from each
10 Facility, in violation of California Code of Regulations, title 22, section 66273.39;
11 or in the alternative, failed to manage such waste as hazardous waste in violation
12 of Chapter 6.5 and its implementing regulations in California Code of
13 Regulations, title 22, including, but not limited to, section 66262.34;
- 14 q. Failed to treat returned or discarded non-empty aerosol cans at the Facilities as
15 universal waste or hazardous waste, in violation of California Code of
16 Regulations, title 22, section 66273.1 et seq.;
- 17 r. Failed to establish, implement, or submit to the responsible "California Unified
18 Program Agency" (as defined in Health and Safety Code sections 25123.7(b) and
19 25404(a)), a hazardous materials business plan for each of the Facilities, in
20 violation of Health and Safety Code sections 25505, 25507, and 25508, and
21 California Code of Regulations, title 19, section 2650;
- 22 s. Failed to implement, maintain, and comply with an employee-training program on
23 hazardous materials meeting the requirements of Health and Safety Code section
24 25505(a)(4), and California Code of Regulations, title 19, section 2659; and
- 25 t. Failed to immediately report any release or threatened release of a reportable
26 quantity of any hazardous material from any Facility into the environment, in
27 violation of Health and Safety Code section 25510.

28 35. Defendants' noncompliance with the above statutes and regulations threatened, and

1 continues to threaten, public health, public safety, and the environment. The People's stated claims
2 against Defendants in this Complaint do not include claims for performance of cleanup, corrective
3 action, or response action for any actual past or future releases, spills, or disposals of hazardous
4 waste or hazardous substances that were caused or contributed to by Defendants at or from the
5 Facilities.

6 **FIRST CAUSE OF ACTION**

7 **(Disposal of Hazardous Waste at a Point Not Authorized)**

8 **(Health & Saf. Code, §§ 25189, 25189.2)**

9 36. The People reallege all previous paragraphs.

10 37. Health and Safety Code sections 25189 and 25189.2 prohibit the disposal, or causing
11 of the disposal, of hazardous waste at a point not authorized under Chapter 6.5. Section 25189,
12 subdivisions (c) and (d), respectively, prohibits the intentional and negligent disposal of hazardous
13 waste at an unauthorized point, and section 25189.2, subdivision (c), prohibits the disposal of
14 hazardous waste at an unauthorized point as a matter of strict liability.

15 38. Defendants violated Chapter 6.5 by, among other things, disposing and causing the
16 disposal of hazardous waste at and from the Facilities to unauthorized points, in violation of Health
17 and Safety Code sections 25189 and 25189.2; and unless enjoined by order of the Court, Defendants
18 may or will continue committing these acts.

19 39. Each disposal of hazardous waste at an unauthorized point discovered within five
20 years of commencing this action, exclusive of any applicable tolling periods and those set forth in
21 paragraph 16 above, and each day the waste was allowed to remain at such point without the
22 immediate filing of a report of the deposit with the DTSC, subjects Defendants to a separate and
23 additional civil penalty under Health and Safety Code section 25189, or alternatively, under section
24 25189.2.

25 40. Based on the above, the People request injunctive relief against Defendants under
26 Health and Safety Code section 25181, and civil penalties under Health and Safety Code sections
27 25189 or 25189.2, as described in the People's prayer for relief.

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1 **SECOND CAUSE OF ACTION**

2 **(Unauthorized Transportation of Hazardous Waste)**

3 **(Health & Saf. Code, §§ 25163, 25189, 25189.2; Cal. Code Regs., tit. 22, § 66263.23)**

4 41. The People reallege all previous paragraphs.

5 42. Health and Safety Code section 25163 prohibits the transportation of hazardous waste
6 without a valid registration from the DTSC. California Code of Regulations, title 22, section
7 66263.23(b) prohibits the transportation of hazardous waste to a location not permitted or otherwise
8 authorized by the DTSC to receive the waste.

9 43. Defendants engaged in the transportation of hazardous waste from the Facilities to
10 unauthorized locations without a valid registration from the DTSC, in violation of Health and Safety
11 code section 25163 and California Code of Regulations, title 22, section 66263.23; and unless
12 enjoined by order of the Court, Defendants may or will continue committing these acts.

13 44. Each act of unauthorized transportation of hazardous waste without a valid
14 registration discovered within five years of commencing this action, exclusive of any applicable
15 tolling periods and those set forth in paragraph 16 above, subjects Defendants to a separate and
16 additional civil penalty under Health and Safety Code section 25189, or alternatively, under section
17 25189.2.

18 45. Based on the above, the People request injunctive relief against Defendants under
19 Health and Safety Code section 25181, and civil penalties under Health and Safety Code section
20 25189 or 25189.2, as described in the People's prayer for relief.

21 **THIRD CAUSE OF ACTION**

22 **(Violation of Hazardous Waste Handling and Storage Requirements)**

23 **(Health & Saf. Code Chapter 6.5 (§ 25100 et seq.); Cal. Code Regs., tit. 22, § 66260.1 et seq.)**

24 46. The People reallege all previous paragraphs.

25 47. Health and Safety Code sections 25189 and 25189.2 prohibit improper hazardous
26 waste handling and storage in violation of Chapter 6.5.

27 48. Defendants violated the requirements of Chapter 6.5 and its implementing regulations
28 at California Code of Regulations, title 22, section 66260.1 et seq., applicable to the Facilities, by

1 committing the acts and omissions alleged in paragraph 33; and unless enjoined by order of the
2 Court, Defendants may or will continue committing these acts and omissions.

3 49. Each violation of the requirements of Chapter 6.5 and its implementing regulations at
4 California Code of Regulations, title 22, section 66260.1 et seq., discovered within five years of
5 commencing this action, exclusive of any applicable tolling periods and those set forth in paragraph
6 16 above, subjects Defendants to a separate and additional civil penalty under Health and Safety
7 Code section 25189, or alternatively, under section 25189.2.

8 50. Based on the above, the People request injunctive relief against Defendants under
9 Health and Safety Code section 25181, and civil penalties under Health and Safety Code section
10 25189 or 25189.2, as described in the People's prayer for relief.

11 **FOURTH CAUSE OF ACTION**

12 **(Violations of Hazardous Materials Release Response Plans and Inventory Laws)**

13 **(Health & Saf. Code Chapter 6.95 (§ 25500 et seq.); Cal. Code Regs., tit. 19, § 2650 et seq.)**

14 51. The People reallege all previous paragraphs.

15 52. Chapter 6.95 of Division 20 of the Health and Safety Code (section 25500 et seq.)
16 require businesses to, among other things, provide training to employees, retain training records, and
17 maintain applicable permits and hazardous materials response plans and inventories.

18 53. Defendants failed to comply with Chapter 6.95 and its implementing regulations at
19 California Code of Regulations, title 19, section 2650 by, among other things, failing to maintain the
20 required hazardous materials response plans and inventories, training records, and applicable permits
21 required for the Facilities; and unless enjoined by order of the Court, Defendants may or will
22 continue in the course of conduct as alleged in this Complaint.

23 54. Each violation of Health and Safety Code sections 25504 to 25508.2, inclusive, and
24 section 25511, and any applicable permit, rule, regulation, standard, or requirement issued or
25 promulgated pursuant to those sections, discovered within five years of commencing this action,
26 exclusive of any applicable tolling periods and those set forth in paragraph 16 above, subjects
27 Defendants to a separate and additional civil penalty under Health and Safety Code section 25515(b),
28 or alternatively, under section 25515(a).

1 Business and Professions Code section 17200, including those acts alleged in this Complaint;

2 4. Assess a civil penalty against Defendants for each violation of Health and Safety
3 Code section 25189, or alternatively, section 25189.2, in an amount according to proof;

4 5. Assess a civil penalty against Defendants for each violation of Health and Safety
5 Code section 25515(b), or alternatively, section 25515(a), in an amount according to proof;

6 6. Assess a civil penalty against Defendants under Business and Professions Code
7 section 17206 for each act of unfair competition, in an amount according to proof;

8 7. Award the People their costs of suit, including costs of investigation; and

9 8. Grant such other relief as the Court deems just and equitable.

10
11 Dated: September 6, 2018

Respectfully submitted,

12
13 JEFF W. REISIG, District Attorney
14 County of Yolo, State of California

15
16 By: _____

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EXHIBIT A

Exhibit A

| Address | City | County |
|-------------------------------|---------------|--------------|
| 1025 Gilman Street | Berkeley | Alameda |
| 3000 Telegraph Ave | Berkeley | Alameda |
| 5200 Dublin Blvd | Dublin | Alameda |
| 3111 Mowry Avenue | Fremont | Alameda |
| 230 Bay Place | Oakland | Alameda |
| 2085 Diamond Blvd, Suite 125 | Concord | Contra Costa |
| 3502 Mt Diablo Blvd | Lafayette | Contra Costa |
| 6035 Giant Rd | Richmond | Contra Costa |
| 100 Sunset Dr | San Ramon | Contra Costa |
| 1333 E Newell Ave | Walnut Creek | Contra Costa |
| 2941 Ygnacio Valley Road | Walnut Creek | Contra Costa |
| 650 W Shaw Ave | Fresno | Fresno |
| 239 N Crescent Dr | Beverly Hills | Los Angeles |
| 760 South Sepulveda Blvd | El Segundo | Los Angeles |
| 331 N Glendale Ave | Glendale | Los Angeles |
| 6550 E Pacific Coast | Long Beach | Los Angeles |
| 1050 Gayley Ave | Los Angeles | Los Angeles |
| 11666 National Blvd | Los Angeles | Los Angeles |
| 11737 San Vicente Blvd | Los Angeles | Los Angeles |
| 2520 Glendale Blvd | Los Angeles | Los Angeles |
| 6350 W 3rd St | Los Angeles | Los Angeles |
| 770 S Grand Ave | Los Angeles | Los Angeles |
| 19340 Rinaldi St | Northridge | Los Angeles |
| 3751 E Foothill Blvd | Pasadena | Los Angeles |
| 465 S Arroyo Pkwy | Pasadena | Los Angeles |
| 12746 Jefferson Blvd | Playa Vista | Los Angeles |
| 405 North Pacific Coast Hwy | Redondo Beach | Los Angeles |
| 24130 Valencia Blvd | Santa Clarita | Los Angeles |
| 2121 Cloverfield Blvd | Santa Monica | Los Angeles |
| 1425 Montana Ave | Santa Monica | Los Angeles |
| 2201 Wilshire Blvd | Santa Monica | Los Angeles |
| 500 Wilshire Blvd | Santa Monica | Los Angeles |
| 12905 Riverside Dr | Sherman Oaks | Los Angeles |
| 4520 Sepulveda Blvd | Sherman Oaks | Los Angeles |
| 18700 Ventura Blvd., Unit 190 | Tarzana | Los Angeles |
| 2655 Pacific Coast Hwy | Torrance | Los Angeles |
| 225 Lincoln Blvd | Venice | Los Angeles |
| 5000 Pacific Blvd | Vernon | Los Angeles |
| 1955 E 48th St | Vernon | Los Angeles |
| 2370 E 48th St | Vernon | Los Angeles |
| 2376 E 48th St | Vernon | Los Angeles |

Exhibit A

| Address | City | County |
|--------------------------------|------------------|-----------------|
| 2307 E 49th St | Vernon | Los Angeles |
| 7871 Santa Monica Blvd | West Hollywood | Los Angeles |
| 21347 Ventura Blvd | Woodland Hills | Los Angeles |
| 414 Miller Ave | Mill Valley | Marin |
| 731 East Blithedale | Mill Valley | Marin |
| 790 De Long Avenue | Novato | Marin |
| 340 Third St | San Rafael | Marin |
| 800 Del Monte Center | Monterey | Monterey |
| 3682 Bel Aire Plaza | Napa | Napa |
| 3301 Imperial Hwy | Brea | Orange |
| 7881 Edinger Ave., Suite A-150 | Huntington Beach | Orange |
| 8525 Irvine Center Drive | Irvine | Orange |
| 283 Broadway St | Laguna Beach | Orange |
| 23932 Aliso Creek Road | Laguna Niguel | Orange |
| 415 Newport Center Dr | Newport Beach | Orange |
| 2847 Park Ave | Tustin | Orange |
| 1001 Galleria Blvd | Roseville | Placer |
| 44-459 Town Center Way | Palm Desert | Riverside |
| 270 Palladio Pkwy | Folsom | Sacramento |
| 4315 Arden Way | Sacramento | Sacramento |
| 2600 Via De La Valle #100 | Del Mar | San Diego |
| 687 South Coast Highway 101 | Encinitas | San Diego |
| 8825 Villa La Jolla Drive | La Jolla | San Diego |
| 711 University Ave | San Diego | San Diego |
| 1150 Ocean Ave | San Francisco | San Francisco |
| 1765 California St | San Francisco | San Francisco |
| 2001 Market Street | San Francisco | San Francisco |
| 3950 24th St | San Francisco | San Francisco |
| 399 4th St | San Francisco | San Francisco |
| 450 Rhode Island St | San Francisco | San Francisco |
| 690 Stanyan St | San Francisco | San Francisco |
| 2101 Jerrold Ave | San Francisco | San Francisco |
| 1531 Fromm Ranch Way, San Luis | San Luis Obispo | San Luis Obispo |
| 1250 Jefferson Ave | Redwood City | San Mateo |
| 1010 Park Place | San Mateo | San Mateo |
| 3761 State Street | Santa Barbara | Santa Barbara |
| 1690 South Bascom Ave | Campbell | Santa Clara |
| 20955 Stevens Creek | Cupertino | Santa Clara |
| 4800 El Camino Real | Los Altos | Santa Clara |
| 15980 Los Gatos Blvd | Los Gatos | Santa Clara |
| 774 Emerson St | Palo Alto | Santa Clara |

Exhibit A

| Address | City | County |
|----------------------------------|---------------|-------------|
| 1140 Blossom Hill Rd | San Jose | Santa Clara |
| 777 The Alameda | San Jose | Santa Clara |
| 2732 Augustine Drive, Suite 1600 | Santa Clara | Santa Clara |
| 621 E Washington St | Petaluma | Sonoma |
| 1181 Yulupa Ave | Santa Rosa | Sonoma |
| 390 Coddington Mall | Santa Rosa | Sonoma |
| 6910 McKinley St | Sebastopol | Sonoma |
| 201 West Napa St | Sonoma | Sonoma |
| 650 Town Center Drive | Oxnard | Ventura |
| 740 N Moorpark Rd | Thousand Oaks | Ventura |
| 500 First St | Davis | Yolo |