



November 4, 2015

Trish Gerken
Senior Legal Analyst
Office of the Attorney General
2550 Mariposa Mall, Rm. 5090
Fresno, CA 93721
Fax: (559) 488-7387

**RE: COMMENT ON PROPOSED AMENDMENTS TO REGULATIONS CONCERNING
PROPOSITION 65 ENFORCEMENT ACTIONS BROUGHT BY PRIVATE PARTIES**

Dear Ms. Gerken;

We are glad that the Office of the Attorney General is willing to amend a law that has thus far led to frivolous lawsuits, higher costs of selling goods in California, and warnings that are so ubiquitous that they are generally ignored by California residents. We support the Attorney General's proposed amendments to the law and view them as a step in the right direction for California and its consumers.

With the rise of predatory lawyers and groups purporting to act for the public benefit, more and more frivolous lawsuits have been initiated with the goal of settling alleged Prop 65 violations for gain, with little or no money or benefit going to the state of California. We support the proposed amendments requiring that plaintiffs specify the activities to be funded as well as the amount of funding to be used from each settlement payment. Greater scrutiny will help to ensure that funds are used more appropriately and for the benefit of Californians.

We also support limiting the amount of additional settlement payments to the amount of any non-contingent civil penalty. We feel that the amendment could go even further to ensure that the funds were used to benefit California and not just to enrich bounty hunter lawyers and the like. As 75% of civil penalties are required to be provided to the OEHHA, a similar requirement for these additional settlement payments would serve the purpose and intent of Proposition 65 while at the same time discouraging the filing of frivolous, shakedown lawsuits.

We fully support your proposed amendments and thank you for your time and consideration. We look forward to a Proposition 65 that more closely matches its intended goals.

Sincerely,

Joeann Valle, Executive Director