

1 LEXINGTON LAW GROUP
Mark N. Todzo, State Bar No. 168389
2 Howard Hirsch, State Bar No. 213209
503 Divisadero Street
3 San Francisco, CA 94117
Telephone: (415) 913-7800
4 Facsimile: (415) 759-4112
mtodzo@lexlawgroup.com
5 hhirsch@lexlawgroup.com

6 Attorneys for Plaintiff
CENTER FOR ENVIRONMENTAL HEALTH

ENDORSED
FILED
ALAMEDA COUNTY

MAY 23 2014

CLERK OF THE SUPERIOR COURT
By MARGARET J. DOWNL
Deputy

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF ALAMEDA

11 CENTER FOR ENVIRONMENTAL HEALTH,) Case No. RG 11-600721
12 a non-profit corporation,)
13 Plaintiff,) **C.C.P. §474 AMENDMENT TO**
14 v.) **SECOND AMENDED COMPLAINT**
15)
16 AERODYNAMIC AVIATION, *et al.*,)
17 Defendants.)

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1 On October 20, 2011, Plaintiff Center for Environmental Health (“CEH”) filed its
2 original Complaint in *CEH v. Aerodynamic Aviation, et al.*, Alameda County Superior Court
3 Case No. RG 11-600721 (“*Aerodynamic Aviation Case*”). On October 25, 2011, CEH filed its
4 First Amended Complaint in the *Aerodynamic Aviation Case* (“First Amended Complaint”), and
5 on July 17, 2012, CEH filed its Second Amended Complaint in the *Aerodynamic Aviation Case*
6 (“Second Amended Complaint”).

7 Pursuant to California Code of Civil Procedure §474, CEH hereby amends the
8 Second Amended Complaint by inserting the name DOWNSTREAM AVIATION, LP in place of
9 the reference to DOE 1 in each place that it appears in the Second Amended Complaint.

10 Downstream Aviation, LP distributes, sells and/or uses Avgas in California. Downstream
11 Aviation, LP distributes Avgas in California including, but not limited to Napa County Airport
12 and Van Nuys Airport. Downstream Aviation, LP exposes individuals living and/or working
13 near airports to which it distributes Avgas, including but not limited to Napa County Airport and
14 Van Nuys Airport to Lead without first providing such individuals with clear and reasonable
15 warnings.

16 Date: May 23, 2014

17 Respectfully submitted,

18 LEXINGTON LAW GROUP

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22 Mark N. Todzo
23 Attorneys for Plaintiff
24 CENTER FOR ENVIRONMENTAL
25 HEALTH
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PROOF OF SERVICE

I declare that:

I am employed in San Francisco County, California. I am over the age of 18 years and not a party to the within cause; my business address is 503 Divisadero Street, San Francisco, CA 94117. My electronic notification address is jbanister@lexlawgroup.com.

On May 23, 2014, I served true copies of the following document:

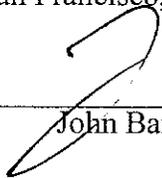
C.C.P. §474 AMENDMENT TO SECOND AMENDED COMPLAINT

I transmitted via electronic mail the document listed above to the electronic mail addresses set forth below at 10 :16 a.m. on May 23, 2014:

Please see attached service list.

The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on May 23, 2014, at San Francisco, California.

Signed: _____

John Banister

SERVICE LIST
CEH v. Aerodynamic Aviation, et al.
Case No. RG 11-600721

ATTORNEY	DEFENDANT REPRESENTED
<p>Trenton H. Norris Jeremy M. McLaughlin Arnold & Porter LLP Three Embarcadero Center, 7th Floor San Francisco, CA 94111-4024 Trent.Norris@aporter.com Jeremy.McLaughlin@aporter.com</p>	<p>Air 88, Inc., d/b/a CrownAir Aviation; AirFlite, Inc.; Airport Property Partners LLC d/b/a APP Jet Center; American Airports Corp.; Ameriflyers of California, erroneously sued as American Flyers; Atlantic Aviation Corp.; Atlantic Aviation FBO, Inc.; Atlantic Aviation of Santa Monica, LP; Avantair, Inc.; Aviation Consultants, Inc. d/b/a San Luis Jet Center; Business Jet Center Oakland, L.P.; California in Nice, Inc. d/b/a Nice Air; Castle & Cooke Aviation Services, Inc.; Channel Islands Aviation, Inc.; CrownAir Holdings, Inc.; Eastern Aviation Fuels, Inc.; Encore Jet Center, LLC; KaiserAir, Inc.; Loyd's Aviation; Maguire Aviation Group, LLC; Napa Jet Center, Inc.; Pacific States Aviation Inc.; Rossi Aircraft, Inc.; Sacramento International Jet Center, Inc.; Signature Flight Support Corp.; Sun Air Jets, LLC; Van Nuys Skyways, Inc. d/b/a Million Air Burbank</p>
<p>Daniel J. Herling Michelle Gillette Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 44 Montgomery Street, 36th Floor San Francisco, CA 94104 djherling@mintz.com mgillette@mintz.com</p>	<p>Air Petro Corporation; World Fuel Services Corporation</p>
<p>Alex Yastremski Bob Seidel Vlada Varenyk Linx Industries 307 5th Avenue 17th Floor New York, New York 10016 Alex@linxind.com bscidel@jfijets.com Vlada@linxind.com</p>	<p>Air Rutter International, LLC</p>

<p>Christopher D. Banys Richard Lin Eric Sidebotham BANYS, P.C. 1032 Elwell Court, Suite 100 Palo Alto, CA 94303 cdb@banyspc.com rcl@banyspc.com ejs@banyspc.com</p>	<p>Amelia Reid Aviation, LLC</p>
<p>Bruce Nye Christine Thomas Adams Nye Becht LLP 222 Kearny Street, 7th Floor San Francisco, CA 94108 bnye@adamsnye.com cthomas@adamsnye.com calendar@adamsnye.com</p>	<p>Avfuel Corporation, Inc.</p>
<p>James J. Regan Lorne Lilienthal Regan & Associates 2522 Artesia Boulevard, Suite 200 Redondo Beach, CA 90278 jregan@reganlaw.com llilienthal@reganlaw.com</p>	<p>South Bay Aviation, Inc.</p>