

Metzger Law Group

Practice Concentrated in Toxic
Tort & Environmental Litigation

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December 14, 2010

VIA FIRST-CLASS U.S. MAIL

TO ALL ALLEGED VIOLATORS IDENTIFIED
IN EXHIBIT "A" ATTACHED HERETO

**RE: NOTICE OF PROPOSITION 65, CALIFORNIA HEALTH & SAFETY CODE
SECTION 25249.6, VIOLATIONS: EXPOSURE OF CONSUMERS TO
CARCINOGENIC SUBSTANCES WITHOUT FIRST GIVING WARNINGS**

Dear Gentlepersons:

This firm represents the Council for Education and Research on Toxics ("CERT"), a California public benefit corporation whose charitable purposes are education and research regarding toxic substances.

This letter constitutes notice that Brad Barry Company, Ltd., Bristol Farms, Caribou Coffee Company, Inc., Costco Wholesale Corporation, DD IP Holder LLC, Dunkin' Brands, Inc., Dunkin' Donuts, LLC, F. Gaviña & Sons, Inc., The Folgers Coffee Company, Food 4 Less of California, Inc., Food 4 Less Holdings, Inc., Food 4 Less Merchandising, Inc., Food 4 Less of Southern California, Inc., Godiva Chocolatier, Inc., Green Mountain Coffee Roasters, Inc., Illy Caffè North America, Inc., International Coffee & Tea, LLC, The J.M. Smucker Company, Kraft Foods Inc., The Kroger Co., Massimo Zanetti Beverage USA, Inc., Melitta U.S.A., Inc., Nestle USA, Inc., Newman's Own Organics-The Second Generation, Inc., Peet's Coffee & Tea, Inc., Ralphs Grocery Company, Rowland Coffee Roasters, Inc., Safeway Inc., Sam's West, Inc., Sara Lee Corporation, Seattle's Best Coffee LLC, Smucker Foodservice Inc., Sprouts Farmers Markets, LLC, Starbucks Corporation, Starbucks Holding Company, Stater Bros. Markets, SUPERVALU INC., Target Corporation, TC Global, Inc., Trader Joe's Company, Trader Joe's East Inc., Vilore Foods Company, Inc., Wal-Mart Stores, Inc., Whole Foods Market California, Inc., Whole Foods Market, Inc., have violated and continue to violate provisions of the California Safe Drinking Water and Toxic Enforcement Act of 1986, Health & Safety Code § 25249.5 *et seq* (commonly known as California's Proposition 65). Specifically, the above named entities have violated and continue to violate Health & Safety Code § 25249.6, which provides: "No person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual"

General Information: Pursuant to 22 California Code of Regulations § 12903(b)(1), attached hereto is a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary," as prepared by the Office of Environmental Health Hazard Assessment of the California Environmental Protection Agency.

Description of Violation: Since June 2002, and continuing to the present, the above named entities have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the above named entities' acrylamide-containing, coffee. Testing of the above named entities' coffee has shown that even a single, small (12-ounce) serving of coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level ("NSRL") for acrylamide established by California's Office of Environmental Health Hazard Assessment ("OEHHA"). Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn California consumers purchasing their coffee that their coffee contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California to cause cancer.

Noticing Entity: The noticing entity is the Council for Education and Research on Toxics ("CERT"), a California public benefit corporation whose charitable purposes are education and research regarding toxic substances. The responsible person within the noticing entity is Raphael Metzger, CERT's General Counsel, to whom all communications should be directed at the following address and telephone number:

Metzger Law Group
Raphael Metzger, Esq.
401 E. Ocean Blvd., Suite 800
Long Beach, CA 90802
ph: 562-437-4499
fax: 562-436-1561

Names of Violators: The violators are: Brad Barry Company, Ltd.; Bristol Farms; Caribou Coffee Company, Inc.; Costco Wholesale Corporation; DD IP Holder LLC; Dunkin' Brands, Inc.; Dunkin' Donuts, LLC; F. Gaviña & Sons, Inc.; The Folgers Coffee Company; Food 4 Less of California, Inc.; Food 4 Less Holdings, Inc.; Food 4 Less Merchandising, Inc.; Food 4 Less of Southern California, Inc.; Godiva Chocolatier, Inc.; Green Mountain Coffee Roasters, Inc.; Illy Caffè North America, Inc.; International Coffee & Tea, LLC; The J.M. Smucker Company; Kraft Foods Inc.; The Kroger Co.; Massimo Zanetti Beverage USA, Inc.; Melitta U.S.A., Inc.; Nestle USA, Inc.; Newman's Own Organics-The Second Generation, Inc.; Peet's Coffee & Tea, Inc.; Ralphs Grocery Company; Rowland Coffee Roasters, Inc.; Safeway Inc.; Sam's West, Inc.; Sara Lee Corporation; Seattle's Best Coffee LLC; Smucker Foodservice Inc.; Sprouts Farmers Markets, LLC; Starbucks Corporation; Starbucks Holding Company; Stater Bros. Markets; SUPERVALU INC.; Target Corporation; TC Global, Inc.; Trader Joe's Company; Trader Joe's East Inc.; Vilore Foods Company, Inc.; Wal-Mart Stores, Inc.; Whole Foods Market California, Inc.; and Whole Foods Market, Inc.

Time of Violations: The violations of California Health & Safety Code § 25249.6 are numerous and have been continuous and uninterrupted since approximately June 2002 to the present throughout the State of California. The timing of the violations is such that they occurred every moment that every individual within the State of California purchased and thereafter ingested acrylamide from the coffee produced, distributed, and/or sold by the above named entities, without first receiving the required Proposition 65 warnings.

Listed Chemicals: The carcinogenic chemical in the coffee produced, distributed, and/or sold by the above named entities which is the subject of the named entities' Proposition 65 violations is acrylamide, CAS No. 79-06-1, which was first listed at 22 California Code of Regulations § 1200(b) as a chemical known to the State of California to cause cancer on January 1, 1990.

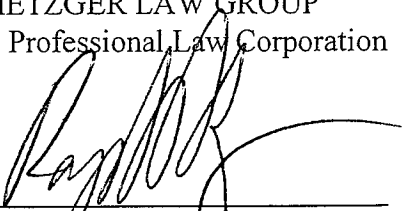
Consumer Product Exposure Description: Since June 2002, and continuing to the present, the above named entities have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the coffee produced, distributed, and/or sold by the above named entities. Tests have shown that the even a single, small (12-ounce) serving of the above named entities' coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level ("NSRL") for acrylamide established by California's Office of Environmental Health Hazard Assessment ("OEHHA"). Acrylamide is a toxic chemical known to the State of California to cause cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as

a carcinogen, pursuant to Health & Safety Code § 25249.6, the above named entities were, and are, required to warn consumers of their coffee in California that the coffee that they produce, distribute, and/or sell contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the above named entities violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California to cause cancer. The above named entities' Proposition 65 violations are particularly egregious and hazardous given the high concentrations of acrylamide contained in their coffee and given the fact that most consumers of coffee drink more than a single, small (12-ounce) serving of coffee per day.

Conclusion. Proposition 65 requires that notice and intent to sue be given to a violator sixty (60) days before suit is filed. By this letter, CERT gives notice of the foregoing violations to the above named entities, and to the appropriate governmental authorities. If the above named entities wish to resolve this matter before CERT files suit, they should contact counsel at the above-mentioned address and telephone number. Otherwise, suit will be filed after sixty (60) days have elapsed. We look forward to your prompt action terminating the exposures of California consumers to the toxic hazards of acrylamide contained in your coffee, or providing the required and necessary warnings regarding the acrylamide contained in your coffee.

Very truly yours,

METZGER LAW GROUP
A Professional Law Corporation



By: Raphael Metzger, Esq.
General Counsel of CERT

cc: all governmental authorities per attached proof of service
attachments: Exhibit "A" - List of Alleged Violators; Summary of Proposition 65; Certificate of Merit; Proof of Service by Mail

Exhibit A
(List of Alleged Violators)

Mr. Robert S. Greene
CEO & President
Brad Barry Company, Ltd.
14020 Central Ave., #580
Chino, CA 91710

Mr. Edmund K. Davis
CEO & President
Bristol Farms
915 E. 230th Street
Carson, CA 90745

Mr. Michael Tattersfield
CEO & President
Caribou Coffee Company, Inc.
3900 Lakebreeze Avenue North
Brooklyn Center, MN 55429

Mr. James D. Sinegal
CEO
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027

DD IP Holder LLC
130 Royall Street
Canton, MA 02021

Mr. Nigel Travis
CEO & President
Dunkin' Brands, Inc.
Dunkin' Donuts LLC
130 Royall Street
Canton, MA 02021

Mr. Pedro Gaviña
CEO & President
F. Gaviña & Sons, Inc.
2700 Fruitland Ave.
Vernon, CA 90058

CEO/President
The Folgers Coffee Company
1 Strawberry Lane
Orrville, OH 44667

CEO/President
The Folgers Coffee Company
6210 Center Hill Road
Cincinnati, OH 45202

Mr. Michael J. Donnelly
President
Food 4 Less of California, Inc.
Food 4 Less Holdings, Inc.
Food 4 Less Merchandising, Inc.
Food 4 Less of Southern California, Inc.
1100 W. Artesia Blvd.
Compton, CA 90220

Mr. James A. Goldman
CEO
Godiva Chocolatier, Inc.
355 Lexington Avenue
16th Floor
New York, NY 10017

Mr. James A. Goldman
CEO
Godiva Chocolatier, Inc.
P.O. Box 7000
Wyomissing, PA 19610

Mr. Lawrence Blanford
CEO
Green Mountain Coffee Roasters, Inc.
33 Coffee Lane
Waterbury, VT 05676

Mr. Lawrence Blanford
CEO
Green Mountain Coffee Roasters, Inc.
P.O. Box 607
Waterbury, VT 05676

Mr. Gregory C. Fea
CEO & President
Illy Caffe North America, Inc.
800 Westchester Avenue
Suite S440
Rye Brook, NY 10573

Illy Caffe North America, Inc.
C/O: E.C. Marschner
Fox Horan & Camerini LLP
825 Third Avenue
New York, NY 10022

Mr. Melvin Elias
CEO & President
International Coffee & Tea, LLC
1945 S. La Cienega Blvd.
Los Angeles, CA 90034

Mr. Timothy P. Smucker
Mr. Richard K. Smucker
Co-CEOs
The J.M. Smucker Company
One Strawberry Lane
Orrville, OH 44667

Ms. Irene B. Rosenfeld
CEO
Kraft Foods Inc.
Three Lakes Drive
Northfield, IL 60093

Mr. David B. Dillon
CEO
The Kroger Co.
1014 Vine Street
Cincinnati, OH 45202

Mr. Massimo Zanetti
CEO
Massimo Zanetti Beverage USA, Inc.
200 Port Centre Pkwy.
Portsmouth, VA 23704

Mr. Martin T. Miller
President
Melitta U.S.A., Inc.
13925 58th St. N.
Clearwater, FL 33760

Mr. Bradley Alford
CEO
Nestle USA, Inc.
800 N. Brand Blvd.
Glendale, CA 91203

Mr. Bradley Alford
CEO
Nestle USA, Inc.
383 Main Ave., 5th Floor
Norwalk, CT 06851

Ms. Nell Newman
President
Newman's Own Organics-
The Second Generation, Inc.
7010 Soquel SR STE 200
Aptos, CA 95003

Mr. Patrick Odea
CEO & President
Peet's Coffee & Tea, Inc.
1400 Park Ave.
Emeryville, CA 94608

Mr. Michael J. Donnelly
President
Ralphs Grocery Company
1100 W. Artesia Blvd.
Compton, CA 90220

Mr. Jose Enrique Souto
CEO
Rowland Coffee Roasters, Inc.
5605 NW 82nd Avenue
Doral, FL 33166

Mr. Steven A. Burd
CEO & President
Safeway Inc.
5918 Stoneridge Mall Rd.
Pleasanton, CA 94588

Mr. Steven A. Burd
CEO & President
Safeway Inc.
P.O. Box 99
Pleasanton, CA 94566

Mr. Brian C. Cornell
CEO & President
Sam's West, Inc.
702 SW 8th Street
Bentonville, AR 72716

Mr. Marcel H.M. Smits
CEO
Sara Lee Corporation
3500 Lacey Road
Downers Grove, IL 60515

Ms. Michelle Gass
President
Seattle's Best Coffee LLC
2401 Utah Avenue South
Suite 800, MS-LA1
Seattle, WA 98134

Mr. Richard K. Smucker
CEO
Smucker Foodservice, Inc.
1 Starwberry Lane
Orrville, OH 44667

Mr. Shon Boney
CEO & President
Sprouts Farmers Markets, LLC
11811 N. Tatum Blvd., Suite 2400
Phoenix, AZ 85028

Mr. Howard Schultz
CEO & President
Starbucks Corporation
2401 Utah Avenue South
Suite 800, MS-LA1
Seattle, WA 98134

Mr. John Culver
President
Starbucks Holding Company
2401 Utah Avenue South
Suite 800, MS-LA1
Seattle, WA 98134

Mr. Jack H. Brown
CEO
Stater Bros. Markets
P.O. Box 150
San Bernardino, CA 92408

Mr. Jack H. Brown
CEO
Stater Bros. Markets
301 S. Tippecanoe Ave.
San Bernardino, CA 92408

Mr. Craig R. Heckert
CEO & President
SUPERVALU INC.
11840 Valley View Road
Eden Prairie, MN 55344

Mr. Gregg Steinhafel
CEO & President
Target Corporation
1000 Nicollet Mall, TPS-2672
Minneapolis, MN 55403

Mr. Carl W. Pennington
Chairman
TC Global, Inc.
3100 Airport Way South
Seattle, WA 98134

Mr. Dan Bane
CEO
Trader Joe's Company
Trader Joe's East Inc.
800 S. Shamrock Avenue
Monrovia, CA 91016

Mr. Marco A. Mena
President
Vilore Foods Company, Inc.
8220 San Lorenzo
Laredo, TX 78042

Mr. Michael T. Duke
CEO & President
Wal-Mart Stores, Inc.
702 SW 8th Street
MS #0555
Bentonville, AR 72716

Mr. David Lannon
President
Whole Foods Market California, Inc.
5980 Horton Street, Suite 200
Emeryville, CA 94608

Mr. David Lannon
President
Whole Foods Market California, Inc.
550 Bowie Street
Austin, TX 78703

Mr. John Mackey
Mr. Walter Robb
Co-CEOs
Whole Foods Market, Inc.
550 Bowie Street
Austin, TX 78703

CERTIFICATE OF MERIT
Health and Safety Code Section 25249.6

I, Raphael Metzger, hereby declare:

1. I am an attorney at law, duly licensed and authorized to practice law in the State of California.

2. Unless the context indicates otherwise, I have personal knowledge of the matters set forth hereinafter and, if called as a witness, I would competently testify thereto.

3. I am General Counsel for the noticing party, Council for Education and Research on Toxics, a California corporation whose charitable purposes are education and research regarding toxic substances.

4. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings regarding the acrylamide contained in their coffee.

5. Council for Education and Research on Toxics alleges that since June 2002, and continuing to the present, the entities identified in the attached sixty-day notice have exposed and continue to expose California consumers purchasing coffee to high levels of acrylamide — a toxic chemical contained in the coffee produced, distributed and/or sold by the above named entities. Exposures to acrylamide unavoidably occurred via ingestion whenever a consumer purchased and thereafter consumed the acrylamide-containing coffee of the entities identified in the attached sixty-day notice. Testing of the coffee produced, distributed, and/or sold by the entities identified in the attached sixty-day notice has shown that even a single, small (12-ounce) serving of their coffee contains anywhere from 4 to well over 100 times more acrylamide than the No Significant Risk Level (“NSRL”) for acrylamide established by California’s Office of Environmental Health Hazard Assessment (“OEHHA”). Acrylamide is a toxic chemical known to the State of California to cause

cancer and has been listed since January 1990 as a carcinogen on the list of carcinogenic chemicals published by the Governor of the State of California at 22 California Code of Regulations § 1200(b). Because acrylamide is listed in Proposition 65 as a carcinogen, pursuant to Health & Safety Code § 25249.6, the entities named in the attached sixty-day notice were, and are, required to warn California consumers purchasing their coffee that their coffee contains a chemical known by the State of California to cause cancer before exposing said consumers to acrylamide contained therein. Since June 2002, the entities identified in the attached sixty-day notice violated and continue to violate California Health & Safety Code § 25249.6 by exposing numerous individuals within the State of California to acrylamide without first giving clear and reasonable warnings to said individuals that their coffee contains a chemical known by the State of California to cause cancer.

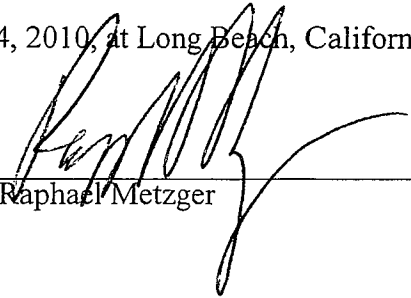
6. I have consulted with an expert who has reviewed facts, studies, and other data regarding the presence of, concentration of, and exposure to acrylamide from the coffee produced, distributed and/or sold by the entities identified in the attached sixty-day notice. The expert that I consulted has the relevant and appropriate experience and expertise to review said facts, studies, and data because this expert holds a Ph.D. in toxicology, has published a number of peer-reviewed articles regarding risk assessment in general and acrylamide risk assessment in particular, and is employed as a senior researcher who regularly performs risk assessments and who supervises and lectures Ph.D. and masters thesis students in the areas of toxicology and risk assessment.

7. Based on the information obtained through my consultation, and on all other information in my possession, I believe that exposures to high levels of acrylamide unavoidably occurred via ingestion whenever a consumer purchased and consumed the coffee of the entities identified in the attached sixty-day notice from approximately June 2002, and continuing to the present. I also believe, based on my consultation and the information in my possession, that there is a reasonable and meritorious case for a private action, pursuant to Health & Safety Code §25249.7(d). I understand that “reasonable and meritorious case for private action” means that information provides a credible basis that all elements of the private action can be established and

that the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

8. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code Section 25249.7(h)(2), i.e., (1) the identity of the person consulted with and relied on by the certifier, and (2) the facts and other data reviewed by that person.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed December 14, 2010, at Long Beach, California.


Raphael Metzger

PROOF OF SERVICE BY U.S. MAIL
(Our File No. 9703)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of 18 and not a party to this matter. My business address is 401 E. Ocean Blvd., Suite 800, Long Beach, CA 90802. On December 14, 2010, I served the within **Notice of Proposition 65, California Health & Safety Code § 25249.6 Violations: Exposure of Consumers to Carcinogenic Substances Without First Giving Warnings; Certificate of Merit; and Statement entitled "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary"** on the following violators and governmental attorneys who are required to be served copies of said notice, by placing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the U.S. mail at Long Beach, CA, addressed as follows:

Edmond G. Brown, Jr.
Office of the Attorney General
1515 Clay Street, 20th Floor
Oakland, CA 94612-0550

District Attorney
Butte County
25 County Center Drive
Oroville, CA 95965

District Attorney
Imperial County
940 Main Street, Suite 102
El Centro, CA 92243

Carmen A. Trutanich
Office of the City Attorney
800 City Hall East
200 North Main Street
Los Angeles, CA 90012

District Attorney
Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney
Inyo County
P.O. Box D
Independence, CA 93526

Jan Goldsmith
Office of the City Attorney
Civic Center Plaza
1200 Third Ave., #1620
San Diego, CA 92101

District Attorney
Colusa County
346 5th Street, Suite 101
Colusa, CA 95932

District Attorney
Kern County
1215 Truxtun Avenue
Bakersfield, CA 93301

Dennis J. Herrera
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

District Attorney
Contra Costa County
900 Ward Street
Martinez, CA 94553

District Attorney
Kings County
1400 West Lacey Boulevard
Hanford, CA 93230

Richard Doyle
Office of the City Attorney
200 E. Santa Clara St., 16th Floor
San Jose, CA 95113-1905

District Attorney
Del Norte County
450 H Street, Room 171
Crescent City, CA 95531

District Attorney
Lake County
255 North Forbes Street
Lakeport, CA 95453

District Attorney
Alameda County
1225 Fallon Street, Suite 900
Oakland, CA 94612

District Attorney
El Dorado County
515 Main Street
Placerville, CA 95667

District Attorney
Lassen County
220 South Lassen Street, Suite 8
Susanville, CA 96130

District Attorney
Alpine County
270 Laramie Street
P.O. Box 248
Markleeville, CA 96120

District Attorney
Fresno County
2220 Tulare Street, Suite 1000
Fresno, CA 93721

District Attorney
Los Angeles County
210 West Temple St., Suite 18000
Los Angeles, CA 90012-3210

District Attorney
Amador County
708 Court Street
Jackson, CA 95642

District Attorney
Glenn County
P. O. Box 430
Willows, CA 95988

District Attorney
Madera County
209 West Yosemite Avenue
Madera, CA 93637

District Attorney
Humboldt County
825 5th Street, 4th Floor
Eureka, CA 95501

District Attorney
Marin County
3501 Civic Center Dr., Rm. 130
San Rafael, CA 94903

District Attorney
Mariposa County
5101 Jones Street
P.O. Box 730
Mariposa, CA 95338

District Attorney
Mendocino County
P.O. Box 1000
Ukiah, CA 95482

District Attorney
Merced County
650 W. 20th St.
Merced, CA 95340

District Attorney
Modoc County
204 S. Court St., STE. 202
Alturas, CA 96101

District Attorney
Mono County
P.O. Box 617
Bridgeport, CA 93517

District Attorney
Monterey County
P.O. Box 1131
Salinas, CA 93902

District Attorney
Napa County
Carithers Building
931 Parkway Mall
Napa, CA 94559

District Attorney
Nevada County
110 Union St.
Nevada City, CA 95959

District Attorney
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401 Civic.Center Drive West
Santa Ana, CA 92701

District Attorney
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Roseville, CA 95678

District Attorney
Plumas County
520 Main St., Rm. 404
Quincy, CA 95971

District Attorney
Riverside County
3960 Orange Street
Riverside, CA 92501

District Attorney
Sacramento County
901 G Street
Sacramento, CA 95814

District Attorney
San Benito County
419 4th Street
Hollister, CA 95023-3801

District Attorney
San Bernardino County
316 N. Mountain View Ave
San Bernardino, CA 92415-0004

District Attorney
San Diego County
Hall of Justice
330 W. Broadway
San Diego, CA 92101

District Attorney
San Francisco County
Hall of Justice
850 Bryant Street, Room 322
San Francisco, CA 94103

District Attorney
San Joaquin County
P.O. Box 990
Stockton, CA 95201-0990

District Attorney
San Luis Obispo
1035 Palm St., Room 450
San Luis Obispo, CA 93408

District Attorney
San Mateo County
400 County Center, 3rd Floor
Redwood City, CA 94063

District Attorney
Santa Barbara County
1112 Santa Barbara Street
Santa Barbara, CA 93101

District Attorney
Santa Clara County
70 West Hedding St., West Wing
San Jose, CA 95110

District Attorney
Santa Cruz County
701 Ocean Street, Rm. 200
Santa Cruz, CA 95060

District Attorney
Shasta County
1355 West Street
Redding, CA 96001

District Attorney
Sierra County
100 Courthouse Square, 2nd Floor
P.O. Box 457
Downieville, CA 95936

District Attorney
Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney
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675 Texas Street, Suite 4500
Fairfield, CA 94533-6340

District Attorney
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Santa Rosa, CA 95403

District Attorney
Stanislaus County
832 12th Street, Suite 300
Modesto, CA 95354

District Attorney
Sutter County
446 2nd Street, Suite 102
Yuba City, CA 95991

District Attorney
Tehama County
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Red Bluff, CA 96080

District Attorney
Trinity County
11 Court St.
P.O. Box 310
Weaverville, CA 96093

District Attorney
Tulare County
221 S. Mooney Blvd., Rm 224
Visalia, CA 93291

District Attorney
Tuolumne County
423 N. Washington St.
Sonora, CA 95370

District Attorney
Ventura County
800 S. Victoria Ave.
Ventura, CA 93009

District Attorney
Yolo County
301 Second Street
Woodland, CA 95695

District Attorney
Yuba County
215 5th Street
Marysville, CA 95901

Mr. Robert S. Greene
CEO & President
Brad Barry Company, Ltd.
14020 Central Ave., #580
Chino, CA 91710

Mr. Edmund K. Davis
CEO & President
Bristol Farms
915 E. 230th Street
Carson, CA 90745

Mr. Michael Tattersfield
CEO & President
Caribou Coffee Company, Inc.
3900 Lakebreeze Avenue North
Brooklyn Center, MN 55429

Mr. James D. Sinegal
CEO
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027

DD IP Holder LLC
130 Royall Street
Canton, MA 02021

Mr. Nigel Travis
CEO & President
Dunkin' Brands, Inc.
Dunkin' Donuts LLC
130 Royall Street
Canton, MA 02021

Mr. Pedro Gaviña
CEO & President
F. Gaviña & Sons, Inc.
2700 Fruitland Ave.
Vernon, CA 90058

CEO/President
The Folgers Coffee Company
1 Strawberry Lane
Orrville, OH 44667

CEO/President
The Folgers Coffee Company
6210 Center Hill Road
Cincinnati, OH 45202

Mr. Michael J. Donnelly
President
Food 4 Less of California, Inc.
Food 4 Less Holdings, Inc.
Food 4 Less Merchandising, Inc.
Food 4 Less of Southern California,
Inc.
1100 W. Artesia Blvd.
Compton, CA 90220

Mr. James A. Goldman
CEO
Godiva Chocolatier, Inc.
355 Lexington Avenue
16th Floor
New York, NY 10017

Mr. James A. Goldman
CEO
Godiva Chocolatier, Inc.
P.O. Box 7000
Wyomissing, PA 19610

Mr. Lawrence Blanford
CEO
Green Mountain Coffee Roasters,
Inc.
33 Coffee Lane
Waterbury, VT 05676

Mr. Lawrence Blanford
CEO
Green Mountain Coffee Roasters,
Inc.
P.O. Box 607
Waterbury, VT 05676

Mr. Gregory C. Fea
CEO & President
Illy Caffè North America, Inc.
800 Westchester Avenue
Suite S440
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed December 14, 2010, at Long Beach, California.

Nina S. Vidal, Declarant