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## NEWS RELEASE

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### **PROPOSED SETTLEMENT WITH CBS AND TOY RETAILERS TO GIVE REFUNDS FOR 'CSI' TOY FINGERPRINT KITS THAT MAY CONTAIN ASBESTOS**

[Request Claim Form at [www.csitoyssettlement.com](http://www.csitoyssettlement.com)]

Public Justice and the Asbestos Disease Awareness Organization announced today that a proposed settlement of a nationwide class action against CBS Broadcasting, Inc. and major toy retailers, if approved, will give cash refunds to consumers and effectively implement a nationwide recall of toy science kits, based on the popular "CSI" television drama series, that may contain asbestos. Requests for claim forms may be submitted at [www.csitoyssettlement.com](http://www.csitoyssettlement.com).

The toy kits -- the CSI: Crime Scene Investigation Fingerprint Examination Kit (CSI Exam Kit) and the CSI: Crime Scene Investigation Forensic Lab Kit (CSI Lab Kit) -- were made by now-bankrupt Planet Toys, Inc. and licensed by the television giant CBS. Tests conducted by the Asbestos Disease Awareness Organization (ADAO) in 2007 of the white fingerprint powder in the toy kits found tremolite, one of the deadliest forms of asbestos.

The settlement, which is subject to court approval, provides cash refunds to consumers throughout the U.S. who bought, or received as a gift, one or more CSI Exam Kits or Lab Kits sold by CBS, Toys "R" Us, Hammacher Schlemmer, Walgreens, Amazon.com, Buy.com, Sears, Kmart, and QVC. Consumers seeking refunds must submit a claim form to a claims administrator by January 14, 2010, and have the option of sending the toy kits to the claims administrator at no cost.

Planet Toys, the kits' manufacturer, is not part of the settlement because it filed for Chapter 7 bankruptcy protection in March 2009.

"We urge everyone to get these products out of your homes and away from children, and to send in your claim form to get a refund," said Public Justice's Victoria Ni, co-counsel in the case.

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In November 2007, ADAO publicly released findings from an 18-month study it commissioned that tested over 250 commonly found consumer products for asbestos. Three independent, government-certified laboratories participating in the study confirmed the presence of asbestos in the white fingerprint powder of the CSI Exam Kit. ADAO is a nonprofit organization founded in 2004 and dedicated to raising public awareness about the dangers of asbestos exposure and often deadly asbestos-related disease.

“We were aghast to find asbestos in a children’s toy,” said ADAO Executive Director and co-founder Linda Reinstein. “Even though the dangers of asbestos have been well-documented for more than 100 years, we’re still finding asbestos in common household products. That’s simply unacceptable.”

With Public Justice as counsel, ADAO met with representatives from CBS and Planet Toys in December 2007 to discuss its findings about the fingerprint powder. As a result, Planet Toys asked retailers to stop sales of the CSI Exam Kit pending further investigation. But the company refused to stop sales of the CSI Lab Kit, which contained the same fingerprint powder, and refused to voluntarily recall the products from consumers’ homes.

The ADAO test results also helped spark action by the Connecticut Department of Consumer Protection (DCP), which commissioned its own testing and confirmed the presence of asbestos in the white fingerprint powder in the CSI Exam Kit. The DCP announced a recall and embargo of the product statewide in mid-December 2007. The DCP told Connecticut consumers to return the product for a refund or store credit and encouraged any consumer not satisfied with retailer response to file a complaint.

The proposed class action settlement provides that, in addition to paying for consumer refunds and the cost of shipping for returned toys, the companies will pay the costs of notice and claims administration, and a \$30,000 *cy pres* award to ADAO.

If approved, the settlement would resolve the class action pending in New York and a related lawsuit filed in California state court citing violations of a state law known as “Prop 65.” Prop 65 requires businesses to give a “clear and reasonable warning” to California consumers if a product contains a chemical known to cause cancer or birth defects, such as asbestos.

The settlement was given preliminary approval by a New York federal court in May, and awaits final approval.

There is no known safe level of asbestos exposure. If inhaled, microscopic asbestos particles can penetrate lung tissue and stay there permanently, causing serious, even deadly, respiratory illnesses or cancer that might not manifest until decades after initial exposure.

For more information about the settlement, go to [www.csitoyssettlement.com](http://www.csitoyssettlement.com) or [www.publicjustice.net](http://www.publicjustice.net).

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**Public Justice** is America’s public interest law firm. Dedicated to using trial lawyers’ and other attorneys’ skills and resources to advance the public good, Public Justice is supported by – and can call on -- a nationwide network of more than 3,000 of the nation’s top lawyers to pursue precedent-setting and socially significant litigation. It has a wide-ranging litigation docket in the areas of consumer rights, worker safety, civil rights and liberties, toxic torts, environmental protection, and access to the courts. Public Justice is the principal project of The Public Justice Foundation, a not-for-profit membership organization headquartered in Washington, DC, with a West Coast office in Oakland, California. The Public Justice web site address is [www.publicjustice.net](http://www.publicjustice.net).

**Asbestos Disease Awareness Organization (ADAO)** was founded by asbestos victims and their families in 2004. ADAO seeks to give asbestos victims and concerned citizens a united voice to help ensure that their rights are fairly represented and protected, while raising public awareness about the dangers of asbestos exposure and often deadly asbestos related diseases. ADAO is an independent volunteer organization. For more information visit [www.asbestosdiseaseawareness.org](http://www.asbestosdiseaseawareness.org).