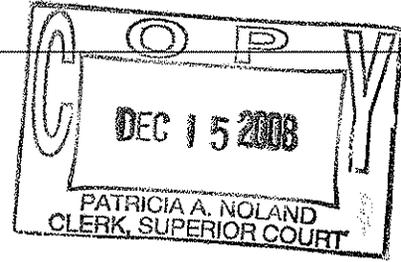


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12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

13 **IN AND FOR THE COUNTY OF PIMA**

14 **C20098607**

15 STATE OF ARIZONA, *ex rel.*
16 TERRY GODDARD, Attorney
17 General,

No. _____

**COMPLAINT FOR INJUNCTIVE AND
OTHER RELIEF**

18 Plaintiff,
19 vs.

Unclassified Civil

20 Mattel, Inc. and Fisher-Price, Inc.,
21 Defendants.

LESLIE B. MILLER

22 Plaintiff State of Arizona, by and through its attorney, alleges the following:

23 **JURISDICTION AND VENUE**

24 1. The State of Arizona brings this action pursuant to the Arizona Consumer Fraud
25 Act, A.R.S. § 44-1521 *et seq.*, to obtain restitution, declaratory and injunctive relief, civil
26 penalties, attorneys' fees and costs, investigative expenses and other relief to prevent the
27 unlawful acts and practices alleged in this Complaint and to remedy the consequences of such
28 unlawful practices.

2. Venue is proper in Pima County, Arizona.

3. The Superior Court has jurisdiction to enter appropriate orders, both prior to and
following a determination of liability, pursuant to A.R.S. § 44-1528.

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PARTIES

4. Plaintiff is the State of Arizona, *ex rel.* Terry Goddard, who is authorized to bring this action under the Arizona Consumer Fraud Act, A.R.S. § 44-1521 *et seq.*

5. Defendant Mattel, Inc. is a corporation organized and existing under the laws of the state of Delaware, with a principal place of business at 333 Continental Boulevard, El Segundo, California, 90245-5012.

6. Defendant Fisher-Price, Inc. is a corporation organized and existing under the laws of the state of Delaware, with a principal place of business at 636 Girard Avenue, East Aurora, NY 14052-1824. Fisher-Price, Inc. is a subsidiary of Mattel, Inc.

BACKGROUND

7. Mattel, Inc. and Fisher-Price, Inc. (collectively "Defendants") design, manufacture, sell and offer to sell children's products worldwide. Defendants introduce into commerce, distribute, and import into the United States for sale to the public such children's products either directly or through distributors. Defendants also contract with wholesale customers, to allow those customers to directly import into the United States from Defendants' facilities located outside the United States such children's products for sale to the public.

8. Children are exposed to Defendants' and others' children's products in a variety of settings, including but not limited to: a) in rough and tumble play; b) in situations in which children may put such products into their mouths; c) in situations in which children may break off and ingest pieces of such products; and d) in situations in which children may come into contact with such products for extended periods of time, exposing themselves to the products externally through skin contact or internally by placing their hands into their mouths after handling or otherwise touching the products.

9. In order to ensure that children will not be at unreasonable risk of harm while handling or otherwise coming into contact with children's products, these products are subject to regulation by the United States and the State of Arizona, other state and local authorities, and international safety agencies.

1 10. In the United States, the federal Consumer Product Safety Act, 15 U.S.C. §§
2 2051-2084, ("CPSA") was signed into law by the President in 1972. The CPSA created the
3 Consumer Product Safety Commission ("CPSC") and authorized the Commission to
4 promulgate rules declaring a consumer product to be a "banned hazardous product" if the
5 product presents an unreasonable risk of injury that is not otherwise addressed by the CPSA.
6 CPSA, § 8; 15 U.S.C. § 2057.

7 11. Pursuant to that authority, the CPSC has ruled that paint and similar surface-
8 coating materials that contain lead or lead compounds, and in which the lead content is in
9 excess of 0.06 percent¹ (referred to as "lead-containing paint") are banned hazardous products
10 under CPSA sections 8 and 9 (15 U.S.C. §§ 2057, 2058); 16 C.F.R. 1303.1.

11 12. The Consumer Product Safety Commission has further ruled that toys and
12 other articles intended for use by children that bear "lead-containing paint" are "banned
13 hazardous products." 16 C.F.R. 1303.4; 16 C.F.R. 1303.1(a)(1). The Commission stated that it
14 issued the ban because "there is an unreasonable risk of lead poisoning in children associated
15 with lead content of over 0.06 percent in paints and coatings to which children have access."
16 16. C.F.R. 1303.1 (c). The Commission's regulation banning lead-containing paint, and
17 banning toys and other articles intended for use by children that bear lead-containing paint, has
18 been in effect since 1976. *See* 48 U.S.C. 4801, *et seq.*

19 13. Under the CPSA, it is "unlawful for any person to . . . manufacture for sale,
20 offer for sale, distribute in commerce, or import into the United States any consumer product
21 which has been declared a banned hazardous product by a rule under this Act." CPSA, § 19; 15
22 U.S.C. § 2068 (a)(2).

23 14. Arizona's Consumer Fraud Act, A.R.S. § 44-1521 *et seq.*, provides that "the act,
24 use or employment by any person of any deception, deceptive act or practice, fraud, false
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26
27 ¹ The standard of 0.06 percent is also otherwise referred to and defined as 600 parts per million ("ppm").
28

1 pretense, false promise, misrepresentation, or concealment, suppression or omission of any
2 material fact with intent that others rely upon such concealment, suppression or omission, in
3 connection with the sale or advertisement of any merchandise whether or not any person has in
4 fact been misled, deceived or damaged thereby.” A.R.S. 44-1522(A).

5 **ALLEGATIONS**

6 15. On August 2, 2007, the CPSC, in cooperation with defendant Fisher-Price,
7 announced a voluntary recall in the United States of approximately 967,000 units of Fisher-
8 Price children’s toys manufactured in China between April 19, 2007 and July 6, 2007, for
9 excessive levels of lead in surface paints. A true copy of the recall notice is attached hereto as
10 Exhibit A.

11 16. On August 14, 2007, the CPSC, in cooperation with defendant Mattel,
12 announced a voluntary recall in the United States of approximately 253,000 units of children’s
13 toys manufactured in China, for levels of lead in surface paints in excess of federal standards.
14 A true copy of the recall notice is attached hereto as Exhibit B.

15 17. On September 4, 2007, the CPSC, in cooperation with defendant Mattel,
16 announced a voluntary recall in the United States of approximately 675,000 units of children’s
17 toys manufactured in China between September 30, 2006 and August 20, 2007, for surface
18 paints on the toys that contained excessive levels of lead prohibited under federal law. A true
19 copy of the recall notice is attached hereto as Exhibit C.

20 18. On September 4, 2007, the CPSC, in cooperation with defendant Fisher-Price,
21 announced two separate voluntary recalls in the United States, of approximately 90,000 units
22 and 8,900 units of children’s toys manufactured in China, for excessive levels of lead in surface
23 paints on the toys. A true copy of the recall notice is attached hereto as Exhibit D.

24 19. On October 25, 2007, the CPSC, in cooperation with defendant Fisher-Price,
25 announced a voluntary recall in the United States of approximately 38,000 units of children’s
26 toys manufactured in China, for excessive levels of lead which violated the federal standard
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1 prohibiting lead paint on children's toys. A true copy of the recall notice is attached hereto as
2 Exhibit E.

3 20. Defendants manufactured and caused to be introduced into commerce in
4 Arizona children's toys with surface coatings of lead-based/lead-containing paint as defined by
5 state and federal law, certain of which children's products were determined by the CPSC to
6 have violated the federal standard prohibiting lead paint on children's toys.

7 21. The presence of these toys in commerce in Arizona falsely represented
8 Defendants' compliance with the federal standard prohibiting lead paint on children's toys.

9 22. Consumers purchased the toys that violated the federal standard prohibiting lead
10 paint on children's toys.

11 23. The Defendants knew or should have known that their practices in
12 manufacturing, importing, and selling or offering to sell such toys into Arizona constitute
13 deceptive acts or practices in violation of Arizona's Consumer Fraud Act and regulations
14 promulgated there under.

15 **VIOLATIONS OF THE ARIZONA CONSUMER FRAUD ACT**

16 **A. FIRST CLAIM FOR RELIEF**

17 24. The State re-alleges all preceding paragraphs.

18 25. The Arizona Consumer Fraud Act prohibits deceptive acts or practices in the
19 sale or advertisement of any merchandise.

20 26. Beginning in or around August, 2007, and continuing through October, 2007,
21 Defendants, in connection with the sale of children's toys, used or employed deception,
22 deceptive acts or practices, fraud, false pretenses, false promises, misrepresentations or
23 concealment, suppression or omission of material fact with the intent that others rely on such
24 concealment and/or suppression or omission in violation of A.R.S. § 44-1522(A).²

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27 ² A violation of the Consumer Fraud Act means "the act, use or employment by any person of any deception,

28 (continued ...)

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27. These acts include, but are not limited to, deceptively inducing consumers to purchase children's toys that contained impermissible levels of lead.

28. Defendants have engaged in a pattern and practice of misrepresentations and deceptive conduct in the sale of goods to consumers.

B. SECOND CLAIM FOR RELIEF

1. The State re-alleges all preceding paragraphs as though fully set forth herein.

2. With regard to the foregoing violations, Defendants knew or should have known that the above acts and practices violated the Consumer Fraud Act, and those violations were, therefore, willful within the meaning of A.R.S. § 44-1531(A).³

(... continued)

deceptive act or practice, fraud, false pretense, false promise, misrepresentation, or concealment, suppression or omission of any material fact with intent that others rely upon such concealment, suppression or omission, in connection with the sale or advertisement of any merchandise whether or not any person has in fact been misled, deceived or damaged thereby." *A.R.S. 44-1522(A)*. For purposes of the Consumer Fraud Act, "[m]erchandise" means any objects, wares, goods, commodities, intangibles, real estate, or services." *A.R.S. § 44-1521(5)*.

³ "[A] wilful violation occurs when the party committing the violation knew or should have known that his conduct was of the nature prohibited by § 44-1522." *A.R.S. § 44-1531(B)*.

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PRAYER FOR RELIEF

WHEREFORE, the State respectfully requests that the Court:

1. Prohibit Defendants from violating the Consumer Fraud Act, A.R.S. § 44-1521 *et seq.*, as it is currently written or as may be amended in the future.
2. Order Defendants, jointly and severally, to pay to the State of Arizona a civil penalty of up to \$10,000.00 for each violation of the Arizona Consumer Fraud Act pursuant to A.R.S. § 44-1531.
3. Order Defendants, jointly and severally, to reimburse the Attorney General for the costs of investigation and reasonable attorneys' fees pursuant to A.R.S. § 44-1534.
4. Order such other and further relief as the Court deems proper.

DATED this 15th day of December, 2008.

TERRY GODDARD
Attorney General



Taren M. Ellis
Assistant Attorney General
Attorneys for Plaintiffs

EXHIBIT A

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
August 2, 2007
Release #Final 8/2/2007

Firm's Recall Hotline: (800) 916-4498
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

Fisher-Price Recalls Licensed Character Toys Due To Lead Poisoning Hazard

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer products. Consumers should stop using recalled products immediately unless otherwise instructed. (To access color photos of the following recalled products, see CPSC's Web site at www.cpsc.gov.)

Name of Products: Sesame Street, Dora the Explorer, and other children's toys

Units: About 967,000

Importer: Fisher-Price Inc., of East Aurora, N.Y.

Hazard: Surface paints on the toys could contain excessive levels of lead. Lead is toxic if ingested by young children and can cause adverse health effects.

Incidents/Injuries: None reported.

Description: The recalled involves various figures and toys that were manufactured between April 19, 2007 and July 6, 2007 and were sold alone or as part of sets. The model names and product numbers for the recalled toys, which are all marked with "Fisher-Price," are listed below. The toys also have a date code between 109-7LF and 187-7LF marked on the product.

Sold at: Retail stores nationwide from May 2007 through August 2007 for between \$5 and \$40.

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Fisher-Price. Consumers will need to return the product and will receive a voucher for a replacement toy of the consumer's choice (up to the value of the returned product).

Customer Contact: For additional information visit the firm's Web site at www.service.mattel.com or contact Fisher-Price at (800) 916-4498.

Product List:

33662 ELMO LIGHT UP MUSICAL PAL
33664 BIG BIRD LIGHT UP MUSICAL PAL
39038 ELMO TUB SUB
87946 ELMO KEYBOARD
90609 ELMO COLLECTIBLE
90612 ZOE COLLECTIBLE
90614 BIG BIRD COLLECTIBLE
93068 ELMO BOOM BOX
93307 PRESS N GO ELMO
93492 COOKIE SAXOPHONE
93615 SPLASH TUB PUZZLE

33663 ERNIE LIGHT UP MUSICAL PAL
34658 ELMO STACKING RINGS
39054 SESAME STREET SHAPE SORTER
90267 ERNIE SPLASHIN' FUN TRIKE
90611 COOKIE COLLECTIBLE,
90613 ERNIE COLLECTIBLE
90745 CONSTRUCTION PLAYSET
93107 ACTION FIRE ENGINE
93308 REV & GO COOKIE MONSTER
93493 ELMO'S GUITAR
93780 MUSIC AND LIGHTS PHONE

B7554 COUNT TO BEAT ELMO
B7987 ELMO IN THE GIGGLE BOX
B9620 DORA'S TALKING HOUSE

B7888 SHAKE, GIGGLE & ROLL
B7989 SILLY PARTS TALKING ELMO

C6908 DORA, BACKPACK, PERRITO FIGURE PACK

C6909 DIEGO FIGURE PACK

C6911 BOOTS, TICO FIGURE PACK

G5112 SING WITH ELMO'S GREATEST HITS

H2943 GROW WITH ME ELMO SPRINKLER

H3344 BIRTHDAY DORA

H5570 ELMO & PALS (ELMO, ZOE, BIGBIRD)

H4628 WATER FUN TOTE

H8237 BLUE 3 PACK FIGURES IN TUBE

H9124 CHEF DORA

H9186 GIGGLE GRABBER ERNIE

C6910 SWIPER FIGURE PACK

G3825 DORA TALKING VAMONOS VAN

G9717 GIGGLE DOODLER

H3343 COUSIN DAISY

H5569 ELMO & PALS (ELMO, COOKIE, ERNIE)

H4187 DORA FIGURES IN TUBE,

H8236 DORA 3 PACK FIGURES IN TUBE,

H8238 SPONGE BOB 3 PACK FIGURES IN TUBE

H9125 BEDTIME DORA

H9188 GIGGLE GRABBER OSCAR THE GROUCH

J0338 DIEGO TALKING FIELD JOURNAL

J0344 GO DIEGO GO DEEP SEA RESCUE

J0346 GO DIEGO GO TALKING RESCUE 4 X 4

J5936 GIGGLE GRABBER CHEF COOKIE MONSTER

J6537 SESAME STREET GIGGLE TOOLBELT

J6763 ROYAL BOOTS AND TICO

J7983 SESAME STREET TUB POTS & PANS

J9692 DORA'S TALKING PONY PLACE

K3414 DIEGO - TALKING GADGET BELT

K3580 FAIRYTALE ADVENTURE DORA

K4140 TOUCAN MOTORCYCLE RESCUE

J0343 GO DIEGO GO ANTARCTIC RESCUE

J0345 GO DIEGO GO MOUNTAIN RESCUE

J5935 GIGGLE GRABBER SOCCER ELMO

J6762 QUEEN MAMI

J6765 PRINCE DIEGO

J9518 SESAME STREET GIGGLE DRILL

K0617 TWINS NURSERY

K3571 GO DIEGO GO MOBILE RESCUE UNIT

K4139 GO DIEGO GO DINOSAUR RESCUE

L0305 DORA FIGURE

L3194 SURPRISE INSIDE DIEGO EGGS

L3488 SESAME STREET BIRTHDAY FIGURE PACK

L3507 SESAME STREET - SUPER BOOM BOX

L5202 BIRTHDAY DORA

L8905 PABLO & PALS

M0352 DORA FIGURES DIEGO & BEAR

M0527 SESAME STREET GIGGLE DOODLER

M2051 LETS GO RESCUE CENTER

L3215 SESAME STREET ELMO JACK-IN-THE-BOX

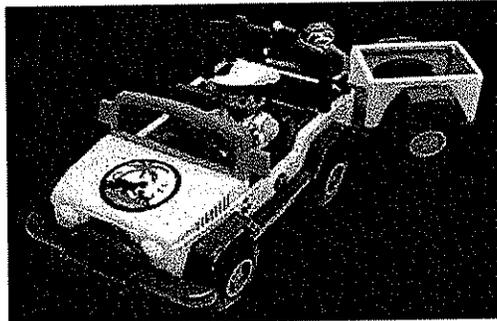
L5813 DIEGO TUB TRIKE

M0351 DORA FIGURES DORA & KITTY

M0524 GO DIEGO GO TALKING GADGET

M0732 DORA'S TALKING HOUSE

M2052 FAIRYTALE CASTLE



Above are three examples of the recalled products

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270 or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

EXHIBIT B

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE

August 14, 2007

Release #07-270

Firm's Recall Hotline: (800) 916-4997

CPSC Recall Hotline: (800) 638-2772

CPSC Media Contact: (301) 504-7908

Mattel Recalls "Sarge" Die Cast Toy Cars Due To Violation of Lead Safety Standard

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately.

Name of Product: "Sarge" die cast toy cars

Units: About 253,000

Importer: Mattel Inc., of El Segundo, Calif.

Hazard: Surface paints on the toys could contain lead levels in excess of federal standards. Lead is toxic if ingested by young children and can cause adverse health effects.

Incidents/Injuries: None reported.

Description: The recall involves die cast "Sarge" 2 ½ inch toy cars. The toy looks like a military jeep and measures about 2 ½ inches long by 1 inch high by 1 inch wide. The recalled toy has the markings "7EA" and "China" on the bottom. The "Sarge" toy car is sold alone or in a package of two, and may have the product number M1253 (for single cars) and K5925 (for cars sold as a set) printed on the packaging. The cars marked "Thailand" are not included in this recall.

Sold at: Retail stores nationwide from May 2007 through August 2007 for between \$7 and \$20 (depending on whether they were sold individually or in sets).

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Mattel. Consumers will need to return the product to receive a replacement toy.

Consumer Contact: For additional information, contact Mattel at (800) 916-4997 anytime or visit the firm's Web site at www.service.mattel.com.



Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at www.cpsc.gov/talk.html. To join a CPSC email subscription list, please go to www.cpsc.gov/cpsclist.aspx. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

EXHIBIT C

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
September 04, 2007

Firm's Recall Hotline: (888) 496-8330
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

Mattel Recalls Various Barbie® Accessory Toys Due to Violation of Lead Paint Standard

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed. (To access color photos of the following recalled products, see CPSC's Web site at www.cpsc.gov.)

Name of Product: Various Barbie Accessory Toys

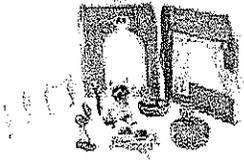
Units: About 675,000

Importer: Mattel Inc., of El Segundo, Calif.

Hazard: Surface paints on the toys contain excessive levels of lead which is prohibited under federal law. Lead is toxic to young children and can cause adverse health effects.

Incidents/Injuries: None reported.

Description: The recall involves various Barbie accessory toys that were manufactured between September 30, 2006 and August 20, 2007. The model names, product numbers and affected date code numbers are listed in the chart below. The product and date code numbers are printed on the largest component of the toy sets.

Product	Product Number	Date Code Number	Product Photo
Barbie® Dream Puppy House™ (lead paint on dog)	J9485	286-6JX through 365-6JX or 001-7JX through 232-7JX <i>(product number and date code are marked on the bottom of the house)</i>	
Barbie® Dream Kitty Condo™ Playset (lead paint on cat)	J9486	286-6JX through 365-6JX or 001-7JX through 232-7JX <i>(product number and date code are marked on the bottom of the house)</i>	
Barbie® Table and Chairs Kitchen Playset (lead paint on dog, chip platter,	K8606	All <i>(product number is marked under the table)</i>	

dinner plates)			
Barbie® Bathtub and Toilet Playset (lead paint on cat)	K8607	All (product number is marked under the tub)	
Barbie® Living Room Playset (lead paint on cat)	K8608	All (product number is marked on the cushion label)	
Barbie® Desk and Chair Bedroom Playset (lead paint on dog)	K8609	All (product number is marked under the desk)	
Barbie® Living Room Playset (lead paint on purse)	K8613	All (product number is marked under the table)	

Sold at: Retail stores nationwide from October 2006 through August 2007 for about \$10.

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Mattel for instructions on how to receive a free replacement toy of equal value.

Consumer Contact: For additional information, contact Mattel's Fisher-Price hotline at (888) 496-8330 anytime, or visit the firm's Web site at www.mattel.com/safety.

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270 or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

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EXHIBIT D

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
September 04, 2007

Firm's Recall Hotline: (888) 496-8330
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

Fisher-Price Recalls Geo Trax Locomotive Toys Due To Violation of Lead Paint Standard

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed. (To access color photos of the following recalled products, see CPSC's Web site at www.cpsc.gov.)

Name of Product: Geo Trax Locomotive Toys

Units: About 90,000

Importer: Fisher-Price Inc., of East Aurora, N.Y.

Hazard: Surface paints on the toys could contain excessive levels of lead. Lead is toxic if ingested by young children and can cause adverse health effects.

Incidents/Injuries: None reported.

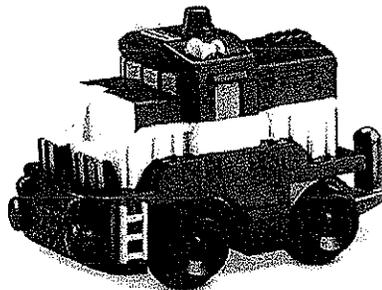
Description: The recall involves the Geo Trax Freightway Transport and Geo Trax Special Track Pack locomotive toys. These toys are red with yellow paint on the ladder and horn details. The recalled models were manufactured between July 31, 2006 and August 20, 2007 and have a date code between 212-6CK through 365-6CK or 001-7CK through 232-7CK marked on the bottom of the product. The packaging on the Freightway Transport model is marked H5705 and the packaging on the Special Track Pack model is marked K3013.

Sold at: Retail stores nationwide from September 2006 through August 2007 for between \$3 and \$16.

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Fisher-Price. Consumers will need to return the product in order to receive a free replacement toy.

Consumer Contact: For additional information, contact Fisher-Price toll-free at (888) 496-8330 anytime or visit the firm's Web site at www.service.mattel.com



The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals – contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270 or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

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News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
September 04, 2007

Firm's Recall Hotline: (888) 496-8330
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

Fisher-Price Recalls Bongo Band Toys Due to Violation of Lead Paint Standard

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed. (To access color photos of the following recalled products, see CPSC's Web site at www.cpsc.gov.)

Name of Product: Big Big World 6-in-1 Bongo Band toys

Units: About 8,900

Importer: Fisher-Price Inc., of East Aurora, N.Y.

Hazard: Surface paints on the toys contain excessive levels of lead, which violates the federal law prohibiting lead paint on children's toys. Lead is toxic if ingested by young children and can cause adverse health effects.

Incidents/Injuries: None reported.

Description: The recalled toys have two bongos, including one with a yellow and green plastic drum base with a blue drum surface. The other bongo is yellow and green plastic drum base with an orange drum surface with "It's a Big, Big World" printed on it. The toys were sold with animal shaped accessories including a monkey, bird, tambourine and drum stick. The toys have product number K9343 inside the orange drum. A date code between 139-7SH and 232-7SH is printed on the drum's orange ring surface. Bongo Band toys included in this recall must have both the product number and date code.

Sold at: Retail stores nationwide from July 2007 through August 2007 for about \$20.

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Fisher-Price for instructions on returning the product in order to receive a free replacement toy.

Consumer Contact: For additional information, contact Fisher-Price at (888) 496-8330 anytime or visit the firm's Web site at www.mattel.com/safety.



The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270 or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

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EXHIBIT E

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
October 25, 2007

Firm's Recall Hotline: (888) 299-0579
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

Fisher Price Recalls Go Diego Go!™ Boat Toys Due to Violation of Lead Paint Standard

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed. (To access color photos of the following recalled products, see CPSC's Web site at www.cpsc.gov.)

Name of Product: Go Diego Go!™ Animal Rescue Boat

Units: About 38,000 in the U.S.

Importer: Fisher-Price Inc., of East Aurora, N.Y.

Hazard: Surface paints on the toys contain excessive levels of lead, which violates the federal standard prohibiting lead paint on children's toys.

Incidents/Injuries: None reported.

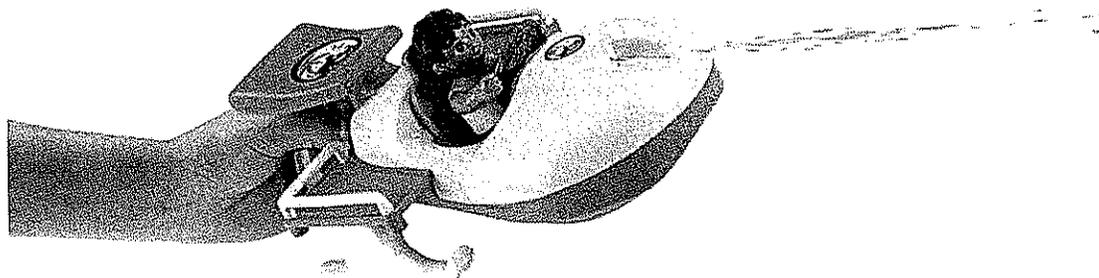
Description: The toy is an orange and yellow boat that squirts water. Cartoon character Diego is in the driver's seat. "Fisher Price," product number K3413, and a date codes between 137-7HF and 223-7HF are marked on the toys.

Sold at: Retail stores nationwide from June 2007 through October 2007 for about \$15.

Manufactured in: China

Remedy: Consumers should immediately take the recalled toys away from children and contact Fisher-Price in order to receive a free replacement toy. Consumers need to return the recalled toy to Fisher-Price.

Consumer Contact: For additional information, contact Fisher-Price at (888) 299-0579 anytime, or visit the firm's Web site at www.service.mattel.com.



The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270 or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

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