



# MEMORANDUM

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**Date:** September 30, 2020

**To:** Kristin Belisle

**Cc:** Craig Hill, Alex Sahd, Matt Brehm, Arlene Naples

**From:** DAS Legal

A handwritten signature in black ink, appearing to be "Craig Hill", is written over the "From:" field.

**Re:** Request to ship Kellytoy prior to obtaining Prop 65 Indemnity

Dear Kristin:

You have requested that certain Kellytoy items be released for shipment to PFJ namely:

- RST19001PETSD – Russ Petooties PDQ
- SQ204FMASTP6 – 4In Squismallow Capsule PDQ

Kellytoy has not, up to the date of this memorandum, provided the following information:

- RST19001PETSD – Russ Petooties PDQ - CPC
- SQ204FMASTP6 – 4In Squismallow Capsule PDQ – PA Stuffed Toy Test

Kellytoy also has no agreement in place to indemnify DAS so that there is no protection for DAS in the event the items were in fact not in compliance with the Consumer Product Safety Act for the CPC documents and the PA Stuffed Toy Testing

That said, Kellytoy is a respected name in the toy industry and was moved from high risk to low risk in our vendor list. We also need to respect that we have made certain promise dates to PFJ that the items would be available in their stores. My assessment is that the risk is small.

Accordingly, the products may ship to PFJ and you may enter this permission into Enable in lieu of the actual required compliance documents. This does not relieve you of the responsibility of obtaining the compliance documents from Kellytoy, which will be accomplished in the next 15 days.