



## CITATION AND NOTIFICATION OF PENALTY

**To:**  
Third Rock Enterprises, Inc.  
James Deen Productions and Baby Panda  
Enterprises and Bryan Sevilla  
and its successors  
1880 Century Park East, Suite 200  
Los Angeles, CA 90067

**Inspection #:** 1111722  
**Inspection Date (s):** 12/08/2015 - 03/02/2016  
**Issuance Date:** 03/09/2016  
**CSHO ID:** A9562  
**Optional Report #:** 002-16  
**Reporting ID:** 0950631

**Inspection Site:**  
5009 Cerrillos Dr.  
Woodland Hills, CA 91364

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.*

**This Citation and Notification of Penalty** (hereinafter Citation) is being issued in accordance with California Labor Code Section 6317 for violations that were found during the inspection/investigation. **This Citation or a copy must be prominently posted upon receipt by the employer at or near the location of each violation until the violative condition is corrected or for three working days, whichever is longer.** Violations of Title 8 of the California Code of Regulations or of the California Labor Code may result in some instances in prosecution for a misdemeanor.

**YOU HAVE A RIGHT** to contest this Citation and Notification of Penalty by filing an appeal with the Occupational Safety and Health Appeals Board. To initiate your appeal, you **must** contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of this Citation. If you miss the 15 working day deadline to appeal, the Citation and Notification of Penalty becomes a final order of the Appeals Board, not subject to review by any court or agency.

**Informal Conference** - You may request an informal conference with the manager of the district office which issued the Citation within 10 working days after receipt of the Citation. However, if the citation is appealed, you may request an informal conference at any time prior to the day of the hearing. Employers are encouraged to schedule a conference at the earliest possible time to assure an expeditious resolution of any issues. At the informal conference, you may discuss the existence of the alleged violation, classification of the violation, abatement date or proposed penalty.

Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an agreement which resolves this matter without litigation or contest.

## APPEAL RIGHTS

The Occupational Safety and Health Appeals Board (Appeals Board) consists of three members appointed by the Governor. The Appeals Board is a separate entity from the Division of Occupational Safety and Health (Division) and employs experienced attorneys as administrative law judges to hear appeals fairly and impartially. To initiate an appeal from a Citation and Notification of Penalty, you must contact the Appeals Board, in writing or by telephone, within 15 working days from the date of receipt of a Citation. After you have initiated your appeal, you must then file a completed appeal form with the Appeals Board, at the address listed below, for each contested citation. Failure to file a completed appeal form with the Appeals Board may result in dismissal of the appeal. Appeal forms are available from district offices of the Division, or from the Appeals Board:

Occupational Safety and Health Appeals Board  
2520 Venture Oaks Way, Suite 300  
Sacramento, CA 95833  
Telephone: (916) 274-5751 or (877) 252-1987  
Fax: (916) 274-5785

If the Citation you are appealing alleges more than one item, you must specify on the appeal form which items you are appealing. You must also attach to the appeal form a legible copy of the Citation you are appealing. In addition, please send a copy of Page 1 of this Citation and Notification of Penalty, the cover sheet.

Among the specific grounds for an appeal are the following: the safety order was not violated, the classification of the alleged violation (e.g., serious, repeat, willful) is incorrect, the abatement requirements are unreasonable or the proposed penalty is unreasonable.

**Important:** You must notify the Appeals Board, not the Division, of your intent to appeal within 15 working days from the date of receipt of the Citation. Otherwise, the Citation and Notification of Penalty becomes a final order of the Appeals Board not subject to review by any court or agency. An informal conference with the Division does not constitute an appeal and does not stay the 15 working day appeal period. If you have any questions concerning your appeal rights, call the Appeals Board, at (916) 274-5751 or (877) 252-1987.

## PENALTY PAYMENT OPTIONS

Penalties are due within 15 working days of receipt of this Citation and Notification of Penalty unless contested. If you are appealing any item of the citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form for payment.

If you are paying electronically, please have the Penalty Remittance Form on-hand when you are ready to make your payment. The company name, inspection number, and Citation number(s) will be required in order to ensure that the payment is accurately posted to your account. Please go to [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html) to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check, return one copy of the Citation, along with the Notice of Proposed Penalties Sheet and the Penalty Remittance Form and mail to:

Department of Industrial Relations  
Cashier, Accounting Office  
P. O. Box 420603  
San Francisco, CA 94142-0603

CAL/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

## NOTIFICATION OF CORRECTIVE ACTION

For violations which you do not contest, you should notify the Division of Occupational Safety and Health promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation and Notification of Penalty. Please inform the district office listed on the Citation by submitting the Cal/OSHA 160 and/or 161 forms with the abatement steps you have taken and the date the violation was abated, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. The adjusted penalty for serious and general violations has already been reduced by 50% on the presumption that the employer will correct the violations by the abatement date. **If the Cal/OSHA 161 is not received in the district office within 10 days following the abatement date, the abatement credit is revoked, causing the penalty to double.**

**Note:** Return the Cal/OSHA 160/161 forms to the district office listed on the Citation and as shown below:

Division of Occupational Safety and Health  
Santa Ana District Office  
2000 E. McFadden Avenue, Suite 122  
Santa Ana, CA 92705  
Telephone: (714) 558-4451  
Fax: (714) 558-2035

## EMPLOYEE RIGHTS

**Employer Discrimination Unlawful** - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under Labor Code Section 6310 or 6311. An employee who believes that he/she has been discriminated against may file a complaint no later than six (6) months after the discrimination occurred with the Division of Labor Standards Enforcement.

**Employee Appeals** - An employee or authorized employee's representative may, within 15 working days of the issuance of a citation, special order, or order to take special action, appeal to the Occupational Safety and Health Appeals Board the reasonableness of the period of time fixed by the Division of Occupational Safety and Health (Division) for abatement. An employee appeal may be filed with the Appeals Board or with the Division. No particular format is necessary to initiate the appeal, but the notice of appeal must be in writing.

If an Employee Appeal is filed with the Division, the Division shall note on the face of the document the date of receipt, include any envelope or other proof of the date of mailing, and promptly transmit the document to the Appeals Board. The Division shall, no later than 10 working days from receipt of the Employee Appeal, file with the Appeals Board and serve on each party a clear and concise statement of the reasons why the abatement period prescribed by it is reasonable.

Employee Appeal Forms are available from the Appeals Board, or from a district office of the Division.

**Employees Participation in Informal Conference** - Affected employees or their representatives may notify the District Manager that they wish to attend the informal conference. If the employer objects, a separate informal conference will be held.

## DISABILITY ACCOMMODATION

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the programs of the Division of Occupational Safety and Health, should contact the Disability Accommodation Coordinator at the local district office or the Statewide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The Statewide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY - Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing or conference.

**State of California**

Department of Industrial Relations  
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**Inspection #:** 1111722  
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**Issuance Date:** 03/09/2016  
**CSHO ID:** A9562  
**Optional Report #:** 002-16



**Citation and Notification of Penalty**

**Company Name:** Third Rock Enterprises, Inc.  
**Establishment DBA:** James Deen Productions and Baby Panda Enterprises and Bryan Sevilla and its successors  
**Inspection Site:** 5009 Cerrillos Dr.  
Woodland Hills, CA 91364

Citation 1 Item 1 Type of Violation: **Regulatory**

§340. Contents and Posting Requirements of CAL/OSHA Notice.

Each employer must post at least one Notice (CAL/OSHA Notice) in each establishment in a conspicuous place where notices to employees are customarily posted. "Establishment" as used in this regulation means a single physical location where business is conducted or where services or industrial operations are performed. Where employers are engaged in activities which are physically dispersed such as construction or transportation, the notice required by this section shall be posted at each location to which employees report each day. Where employees do not usually work at, or report to, a single establishment, such notice or notices shall be posted at the location or locations from which the employees operate to carry out their activities.

Prior to and during the course of the inspection, including, but not limited to, on January 12, 2016, the Employer failed to post in a conspicuous location in the establishment (5009 Cerrillos Dr. Woodland Hills) at least one Notice (Cal/OSHA Notice) as required by this section.

**Date By Which Violation Must be Abated:** April 13, 2016  
**Proposed Penalty:** \$350.00

**State of California**

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Citation 1 Item 2 Type of Violation: **Regulatory**

§14300.29 Forms.

(a) Basic Requirement. You must use Cal/OSHA 300, 300A, and 301 forms, or equivalent forms, for recordable injuries and illnesses. The Cal/OSHA Form 300 is called the Log of Work-Related Injuries and Illnesses, the Cal/OSHA Form 300A is called the Summary of Work-Related Injuries and Illnesses, and the Cal/OSHA Form 301 is called the Injury and Illness Incident Report.

Reference: Appendix A - G for Title 8 Sections §§14300 - 14300.48  
Appendix A Cal/OSHA Log 300; and  
Appendix B Cal/OSHA Log 300A; and  
Appendix C Cal/OSHA Log 301

Prior to and during the course of the inspection, including, but not limited to, on January 12, 2016, the Employer failed to use a Cal/OSHA 300, 300A and 301 form, or equivalent forms, for recordable injuries and illnesses.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**April 13, 2016**  
**\$350.00**

**State of California**

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**Citation and Notification of Penalty**

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Woodland Hills, CA 91364

Citation 1 Item 3 Type of Violation: **Regulatory**

§ 14300.40. Providing Records to Government Representatives.

(a) Basic requirement. When an authorized government representative asks for the records you keep under the provisions of this article, you must provide within four (4) business hours, access to the original recordkeeping documents requested as well as, if requested, one set of copies free of charge.

Reference: §14300.40(b) The government representatives authorized to receive the records are:

- (A) A representative of the Chief of the Division of Occupational Safety and Health, or of the Director of the Department of Health Services; and
- (B) A representative of the Secretary of the U.S. Department of Labor conducting an inspection or investigation under the Act; and
- (C) A representative of the Secretary of the U.S. Department of Health and Human Services (including the National Institute for Occupational Safety and Health - NIOSH) conducting an investigation under Section 20(b) of the Act;

Prior to and during the course of the inspection, including, but not limited to, on December 8, 2015, December 14, 2015, and December 16, 2015, the Employer failed to:

- (1) provide access to the original recordkeeping documents when requested; and
- (2) provide one set of copies free of charge, as requested by an authorized representative of the Chief of the Division of Occupational Safety and Health.

<b>Date By Which Violation Must be Abated:</b>	<b>March 21, 2016</b>
<b>Proposed Penalty:</b>	<b>\$350.00</b>

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**Citation and Notification of Penalty**

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Citation 1 Item 4 Type of Violation: **General**

§3400. Medical Services and First Aid.

(c) There shall be adequate first-aid materials, approved by the consulting physician, readily available for employees on every job. Such materials shall be kept in a sanitary and usable condition. A frequent inspection shall be made of all first-aid materials, which shall be replenished as necessary.

Prior to and during the course of the inspection, including, but not limited to, on January 12, 2016, the Employer failed to ensure there were adequate first-aid materials, approved by the consulting physician, and that first-aid materials were readily available for employees on every job.

**Date By Which Violation Must be Abated:** April 13, 2016  
**Proposed Penalty:** \$350.00



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Citation 1 Item 5 Type of Violation: **General**

§ 5193. Bloodborne Pathogens.

(f) Hepatitis B Vaccination and Bloodborne Pathogen Post-exposure Evaluation and Follow-up.

(1) General.

(A) The employer shall make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, and post-exposure evaluation and follow-up for bloodborne pathogens exposure to all employees who have had an exposure incident. When an employer is also acting as the evaluating health care professional, the employer shall advise an employee following an exposure incident that the employee may refuse to consent to post-exposure evaluation and follow-up from the employer-healthcare professional. When consent is refused, the employer shall make immediately available to exposed employees a confidential medical evaluation and follow-up from a healthcare professional other than the exposed employee's employer.

Prior to and during the course of the inspection, including, but not limited to, on October 20, 2015 and November 16, 2015, the Employer failed to:

(1) make the hepatitis B vaccine and vaccination series to all employees who have occupational exposure; and

(2) make available a post-exposure evaluation and follow-up for bloodborne pathogens exposure to all employees who have had an exposure incident.

Date By Which Violation Must be Abated:  
Proposed Penalty:

March 21, 2016  
\$875.00

**State of California**

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**Citation and Notification of Penalty**

**Company Name:** Third Rock Enterprises, Inc.  
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**Inspection Site:** 5009 Cerrillos Dr.  
Woodland Hills, CA 91364

Citation 2 Item 1 Type of Violation: **Serious**

§3203. Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:

- (1) Identify the person or persons with authority and responsibility for implementing the Program.
- (2) Include a system for ensuring that employees comply with safe and healthy work practices. Substantial compliance with this provision includes recognition of employees who follow safe and healthful work practices, training and retraining programs, disciplinary actions, or any other such means that ensures employee compliance with safe and healthful work practices.
- (3) Include a system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal.
- (4) Include procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices. Inspections shall be made to identify and evaluate hazards:
- (5) Include a procedure to investigate occupational injury or occupational illness.
- (6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:
- (7) Provide training and instruction:

Prior to and during the course of the inspection, including, but not limited to, on December 8, 2015, the Employer failed to establish in writing, implement and maintain an effective Injury and Illness

Prevention Program (Program), as required by this section, including, but not limited to:

(1) Employer failed to maintain an effective Program by failing to identify the person or persons with authority and responsibility for implementing the Program; and

(2) Employer failed to implement and maintain an effective system for ensuring that employees comply with safe and healthy work practices; and

(3) Employer failed to implement and maintain an effective system for communicating with employees in a form readily understandable by all affected employees on matters relating to occupational safety and health, including provisions designed to encourage employees to inform the employer of hazards at the worksite without fear of reprisal; and

(4) Employer failed to implement and maintain effective procedures for identifying and evaluating work place hazards including scheduled periodic inspections to identify unsafe conditions and work practices, particularly for employees exposed to sexually transmitted infections (STI) during the production activities associated with adult content videos or media; and

(5) Employer failed to implement and maintain effective procedures to investigate occupational injury or occupational illness; and

(6) Employer failed to implement and maintain effective methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard, particularly for employees exposed to sexually transmitted infections (STI) during the production activities associated with adult content videos or media, including, but not limited to, using condoms; and

(7) Employer failed to provide effective training and instruction to all new employees, and to all new employees given job assignments for which training has not previously been received, particularly for employees exposed to sexually transmitted infections (STI) during the production activities associated with adult content videos or media.

**Date By Which Violation Must be Abated:**

**March 21, 2016**

**Proposed Penalty:**

**\$21600.00**

**State of California**

Department of Industrial Relations  
Division of Occupational Safety and Health  
Santa Ana District Office  
2000 E. McFadden Avenue, Suite 122  
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**Citation and Notification of Penalty**

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Citation 3 Item 1 Type of Violation: **Serious**

§5193. Bloodborne Pathogens.

(c) Exposure Response, Prevention and Control.

(1) Exposure Control Plan.

(A) Each employer having an employee(s) with occupational exposure as defined by subsection(b) of this section shall establish, implement and maintain an effective Exposure Control Plan which is designed to eliminate or minimize employee exposure and which is also consistent with Section 3203.

Reference: §5193(b) Definitions. "Occupational Exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Prior to and during the course of the inspection, including, but not limited to, on December 8, 2015, the Employer failed to establish in writing, implement and maintain an effective Exposure Control Plan (ECP) that contained all of the elements as required by this section, designed to eliminate or minimize employee occupational exposure to blood or Other Potentially Infectious Material (OPIM).

**Date By Which Violation Must be Abated:** **March 21, 2016**  
**Proposed Penalty:** **\$18000.00**

**State of California**

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Citation 4 Item 1 Type of Violation: **Serious**

§ 5193. Bloodborne Pathogens.

(d) Methods of Compliance.

(1) General. Universal precautions shall be observed to prevent contact with blood or OPIM. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

Prior to and during the course of the inspection, including, but not limited to, on September 2, 2015, September 14, 2015, and November 16, 2015, the Employer failed to observe universal precautions in accordance with this section, which exposed employees to blood and Other Potentially Infectious Material (OPIM) during the production activities associated with adult content videos or media.

**Date By Which Violation Must be Abated:** **March 21, 2016**  
**Proposed Penalty:** **\$18000.00**

**State of California**

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Citation 5 Item 1 Type of Violation: **Serious**

§ 5193. Bloodborne Pathogens.

(d) Methods of Compliance.

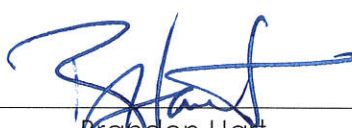

(2) Engineering and Work Practice Controls -General Requirements.

(A) Engineering and work practice controls shall be used to eliminate or minimize employee exposure.

Prior to and during the course of the inspection, including, but not limited to, on September 2, 2015, September 14, 2015 and November 16, 2015, the Employer failed to require the use of engineering controls (condoms) and work practice controls (condoms) in accordance with this section to eliminate or minimize employee exposure to blood or Other Potentially Infectious Material (OPIM) during the production activities associated with adult content videos or media.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**March 21, 2016**  
**\$18000.00**

  
Brandon Hart |   
Compliance Officer | Regional Manager

State of California  
Department of Industrial Relations  
Division of Occupational Safety and Health  
Santa Ana District Office  
2000 E. McFadden Avenue, Suite 122  
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Phone: (714) 558-4451 Fax: (714) 558-2035



## NOTICE OF PROPOSED PENALTIES

**Company Name:** Third Rock Enterprises, Inc.  
**Establishment DBA:** James Deen Productions and Baby Panda Enterprises and Bryan Sevilla and its successors  
**Inspection Site:** 5009 Cerrillos Dr., Woodland Hills, CA 91364  
**Mailing Address:** 1880 Century Park East, Suite 200, Los Angeles, CA 90067  
**Issuance Date:** 03/09/2016  
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### Summary of Penalties for Inspection Number 1111722

Citation 1 Item 1, Regulatory	\$350.00
Citation 1 Item 2, Regulatory	\$350.00
Citation 1 Item 3, Regulatory	\$350.00
Citation 1 Item 4, General	\$350.00
Citation 1 Item 5, General	\$875.00
Citation 2 Item 1, Serious	\$21600.00
Citation 3 Item 1, Serious	\$18000.00
Citation 4 Item 1, Serious	\$18000.00
Citation 5 Item 1, Serious	\$18000.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$77875.00</b>

Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this citation, remittance is still due on all items that are not appealed. Enclosed for your use is a Penalty Remittance Form.

If you are paying electronically: Please have this form on-hand when you are ready to make your payment. The company name, reporting ID and Citation number(s) will be required to ensure that the payment is accurately posted to your account. Please go to [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html) to access the secure payment processing site. **Additionally, you must also mail the Penalty Remittance Form to the address below.**

If you are paying by check: Mail this Notice of Proposed Penalties, the Penalty Remittance Form, along with a copy of the Citation and Notification of Penalty to:

DEPARTMENT OF INDUSTRIAL RELATIONS  
CASHIER, ACCOUNTING OFFICE  
P. O. BOX 420603  
SAN FRANCISCO, CA 94142-0603



Cal/OSHA does not agree to any restrictions, conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions or endorsements do not exist.

**DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH – CAL/OSHA  
Accounting Office - Cashiering Unit  
P.O. Box 420603  
San Francisco, CA 94142-0603  
Phone (415) 703-4291 or (415) 703-4308 Fax (415) 703-3037**

**Please mail or fax this form back to the above address to properly credit your payment.**

**PENALTY REMITTANCE FORM**

<b>CIVIL PENALTY INFO</b>	<b>INSPECTION NO.:</b> 1111722	<b>REPORTING ID:</b> 0950631
<b>ESTABLISHMENT NAME:</b>	Third Rock Enterprises, Inc.	<b>FEIN/SEIN:</b> UNKNOWN
<b>CONTACT PERSON:</b>	David Jacob	
<b>PHONE NO.:</b>	UNKNOWN	<b>FAX NO.:</b> UNKNOWN
<b>SITE ADDRESS:</b>	5009 Cerrillos Dr., Woodland Hills, CA 91364	
<b>MAILING ADDRESS:</b>	1880 Century Park East, Suite 200, Los Angeles, CA 90067	

**CITATION INFORMATION:** Penalties are due within 15 working days of receipt of this notification unless contested. If you are appealing any item of this Citation, remittance is still due on all items that are not appealed.

**PAYMENT INSTRUCTIONS:**

- Put a "✓" next to the Citation(s) that you are paying.
- Write the amount paid in the "AMOUNT PAID" column.
- Please indicate the "TOTAL AMOUNT PAID".

✓	SUMMARY OF PENALTIES PAID	AMOUNT PAID
	Citation 1 Item 1, Regulatory	\$
	Citation 1 Item 2, Regulatory	\$
	Citation 1 Item 3, Regulatory	\$
	Citation 1 Item 4, General	\$
	Citation 1 Item 5, General	\$
	Citation 2 Item 1, Serious	\$
	Citation 3 Item 1, Serious	\$
	Citation 4 Item 1, Serious	\$
	Citation 5 Item 1, Serious	\$
	<b>TOTAL AMOUNT PAID</b>	<b>\$</b>

**TYPE OF PAYMENT ENCLOSED**

<b>Fill in the check, e-check reference, or money order information below:</b>	
CHECK # _____ ENCLOSED IN THE AMOUNT OF:	\$
E-CHECK REFERENCE # _____ PAID IN THE AMOUNT OF:	\$
MONEY ORDER # _____ ENCLOSED IN THE AMOUNT OF:	\$

Please make check or money order payable to Department of Industrial Relations - Cal/OSHA and mail to the Cashier, Accounting Office, at the above address. Reference the Inspection Number on the "memo" portion of your check or money order. Note: For your convenience, the Department of Industrial Relations accepts electronic payments at [www.dir.ca.gov/dosh/CalOSHA\\_PaymentOption.html](http://www.dir.ca.gov/dosh/CalOSHA_PaymentOption.html). **Again, please mail or fax this form to the above address or fax number to ensure payments are properly credited.**

DEPARTMENT OF INDUSTRIAL RELATIONS  
Division of Occupational Safety and Health  
Santa Ana District Office  
2000 E. McFadden Avenue, Suite 122  
Santa Ana, CA 92705  
Tel. # (714) 558-4451 Fax # (714) 558-2035



**EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF  
REGULATORY AND/OR GENERAL VIOLATIONS**

Third Rock Enterprises, Inc.  
James Deen Productions and Baby Panda Enterprises and Bryan Sevilla  
1880 Century Park East, Suite 200  
Los Angeles, CA 90067

The law requires that violations observed during the inspection completed on 03/02/2016 of the place of employment located at 5009 Cerrillos Dr., Woodland Hills, CA be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by completing, signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities. **Failure to timely complete and return this form may result in issuance of a citation and civil penalty for violation of 8 CCR 340.4(c).**

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

This signed statement or a summary shall be posted for three working days at or near each place the regulatory and/or general violation(s) referred to in the citation occurred.

PLEASE COMPLETE AND MAIL BY **March 21, 2016**

**LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO CORRECT EACH CITATION & ITEM NUMBER OF THE UNSAFE CONDITIONS AND DATE OF ABATEMENT.**

Citation 1 Item 3  
Citation 1 Item 5

Continued on additional page

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8 CCR Section 340.4(g).  Yes  No

This certifies that all the unsafe conditions listed in the Division's citation dated March 9, 2016 have now been corrected and all submitted abatement information is accurate.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

OFFICE USE ONLY			
Compliance Safety and Health Officer:	_____	Date:	_____
District Manager:	_____	Date:	_____
[ ] Close/Comments			
RID: 0950631	Inspection Nr: 1111722	CSHO ID: A9562	Optional Report Nr: 002-16

DEPARTMENT OF INDUSTRIAL RELATIONS  
 Division of Occupational Safety and Health  
 Santa Ana District Office  
 2000 E. McFadden Avenue, Suite 122  
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**EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF  
 REGULATORY AND/OR GENERAL VIOLATIONS**

Third Rock Enterprises, Inc.  
 James Deen Productions and Baby Panda Enterprises and Bryan Sevilla  
 1880 Century Park East, Suite 200  
 Los Angeles, CA 90067

The law requires that violations observed during the inspection completed on 03/02/2016 of the place of employment located at 5009 Cerrillos Dr., Woodland Hills, CA be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by completing, signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities. **Failure to timely complete and return this form may result in issuance of a citation and civil penalty for violation of 8 CCR 340.4(c).**

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

This signed statement or a summary shall be posted for three working days at or near each place the regulatory and/or general violation(s) referred to in the citation occurred.

PLEASE COMPLETE AND MAIL BY **April 13, 2016**

**LIST THE SPECIFIC MEASURES & EQUIPMENT TAKEN TO CORRECT EACH CITATION & ITEM NUMBER OF THE UNSAFE CONDITIONS AND DATE OF ABATEMENT.**

- Citation 1 Item 1 \_\_\_\_\_
- Citation 1 Item 2 \_\_\_\_\_
- Citation 1 Item 4 \_\_\_\_\_

Continued on additional page

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8 CCR Section 340.4(g).  Yes  No

This certifies that all the unsafe conditions listed in the Division's citation dated March 9, 2016 have now been corrected and all submitted abatement information is accurate.

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_

Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

OFFICE USE ONLY			
Compliance Safety and Health Officer: _____		Date: _____	
District Manager: _____		Date: _____	
[ ] Close/Comments			
RID: 0950631	Inspection Nr: 1111722	CSHO ID: A9562	Optional Report Nr: 002-16

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Santa Ana District Office
2000 E. McFadden Avenue, Suite 122
Santa Ana, CA 92705
Tel. # (714) 558-4451 Fax # (714) 558-2035



EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS
Citation 2 Item 1

Third Rock Enterprises, Inc.
James Deen Productions and Baby Panda Enterprises and Bryan Sevilla
1880 Century Park East, Suite 200
Los Angeles, CA 90067

The law requires that violations observed during the inspection completed on 03/02/2016 of the place of employment located at 5009 Cerrillos Dr., Woodland Hills, CA be abated (corrected) within the time limit specified on the citation. Labor Code 6320(b) requires that you submit this signed statement under penalty of perjury that you have complied with the abatement terms. If you have filed a timely appeal of this citation, the abatement date is stayed during the appeal process, and the Signed Statement need not be submitted at this time. In addition, if there are problems beyond your control that prevent you from meeting the abatement date, contact the Division as soon as possible so that a request for extension can be considered.

Pursuant to Title 8 CCR 336(e)(3), you are not eligible for a 50% reduction of the civil penalty assessed for this serious violation because of the extent and likelihood for the serious violation are rated high.

THIS FORM MUST BE RECEIVED AT THE ABOVE ADDRESS ON OR BEFORE
March 21, 2016

This signed statement shall be posted for three (3) working days at or near each place the serious violation referred to in the citation occurred.

In a separate attachment, please list and describe the specific measures taken and equipment used to abate each serious violation, and also attach supporting evidence:

- For each citation, provide the citation number, number of instances, abatement date, and a description of the specific measures taken to abate the serious citation.
List the evidence attached to this form proving that the measures were taken and the violations were fully abated. Examples of suitable evidence include, but are not limited to, photographs and copies of attendance sign-in sheets, written procedures, and receipts for payment of services or equipment.
Evidence is attached

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). Yes No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at \_\_\_\_\_, California by
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
Name: \_\_\_\_\_ Title: \_\_\_\_\_

OFFICE USE ONLY
Compliance Safety and Health Officer: \_\_\_\_\_ Date: \_\_\_\_\_
District Manager: \_\_\_\_\_ Date: \_\_\_\_\_
[ ] Close/Comments
RID: 0950631 Inspection Nr: 1111722 CSHO ID: A9562 Optional Report Nr: 002-16

Date mailed or delivered: March 9, 2016

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Occupational Safety and Health
Santa Ana District Office
2000 E. McFadden Avenue, Suite 122
Santa Ana, CA 92705
Tel. # (714) 558-4451 Fax # (714) 558-2035



EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS

Third Rock Enterprises, Inc.
James Deen Productions and Baby Panda Enterprises and Bryan Sevilla
1880 Century Park East, Suite 200
Los Angeles, CA 90067

The law requires that violations observed during the inspection completed on 03/02/2016 of the place of employment located at 5009 Cerrillos Dr., Woodland Hills, CA be abated (corrected) within the time limit specified. Labor Code 6320(b) requires that you submit this signed statement under penalty of perjury that you have complied with the abatement terms.

You are eligible for a 50% reduction of the civil penalty assessed for this serious violation pursuant to Labor Code 6319(g). However, the Division shall not grant such a reduction unless it receives an "EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF SERIOUS VIOLATIONS" together with sufficient supporting evidence acceptable to the Division, if necessary to prove abatement, within 10 working days after the end of the abatement period - regardless of whether you appeal the serious citations. If there are problems beyond your control that prevent you from meeting the abatement date, contact the Division as soon as possible so that a request for extension can be considered.

THIS FORM MUST BE RECEIVED AT THE ABOVE ADDRESS ON OR BEFORE
March 21, 2016

This signed statement shall be posted for three (3) working days at or near each place the serious violation referred to in the citation occurred.

In a separate attachment, please list and describe the specific measures taken and equipment used to abate each serious violation, and also attach supporting evidence:

- For each citation, provide the citation number, number of instances, abatement date, and a description of the specific measures taken to abate the serious citation.
List the evidence attached to this form proving that the measures were taken and the violations were fully abated. Examples of suitable evidence include, but are not limited to, photographs and copies of attendance sign-in sheets, written procedures, and receipts for payment of services or equipment.

Evidence is attached

All affected employees and their representatives have been informed about abatement activities referenced in this document in conformance with 8CCR Section 340.4(g). Yes No

I have reviewed the foregoing statement and declare under penalty of perjury that it is true and correct to the best of my knowledge and all submitted abatement information is accurate.

Executed at \_\_\_\_\_, California by
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
Name: \_\_\_\_\_ Title: \_\_\_\_\_

OFFICE USE ONLY
Compliance Safety and Health Officer: \_\_\_\_\_ Date: \_\_\_\_\_
District Manager: \_\_\_\_\_ Date: \_\_\_\_\_
[ ] Close/Comments
RID: 0950631 Inspection Nr: 1111722 CSHO ID: A9562 Optional Report Nr: 002-16

Date mailed or delivered: March 9, 2016

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare the following:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action. My place of employment and business address is 2000 E. McFadden Avenue, Suite 122, Santa Ana, CA 92705.

On **March 9, 2016**, I served the attached *Citations and Notification of Penalty*, (Cal/OSHA Form 2) along with *Employer's Signed Statement of Abatement* (Cal/OSHA Form(s) 160 and 161), by placing the original in a sealed envelope to the persons named below at the address set out immediately below each respective name, and by sealing and depositing said envelope in the United States Mail with postage thereon fully prepaid, in the United States mail at 2000 E. McFadden Avenue, Santa Ana, CA 92705 addressed as:

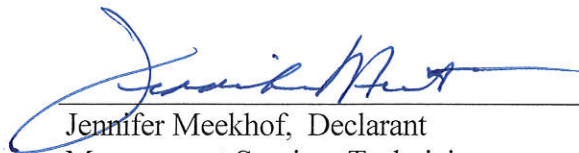
**Third Rock Enterprises, Inc.**  
**Attn: Bryan Sevilla**  
**5009 Cerrillos Dr.**  
**Woodland Hills, CA 91364**

**Gerber & Co., Inc.**  
**Attn: Michael Stone**  
**1880 Century Park East Ste. 200**  
**Los Angeles, CA 90067-1600**

Courtesy Copy to:  
**Mr. Michael Fattarosi, Esq. ([Michael@fattlegal.com](mailto:Michael@fattlegal.com))**  
**Mr. Bryan Sevilla, Owner ([thirdrockbs@gmail.com](mailto:thirdrockbs@gmail.com))**

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on **March 9, 2016** at Santa Ana, California.



\_\_\_\_\_  
Jennifer Meekhof, Declarant  
Management Services Technician