

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LASHAWN SHARPE, JIM CASTORO
and STEVE DAILEY, individually and on
behalf of all others similarly situated,

Plaintiffs,

-against-

A & W CONCENTRATE COMPANY and
KEURIG DR PEPPER,

Defendants.

Case No.: 1:19-cv-00768-BMC

**DECLARATION OF MICHAEL REESE IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT
AND MOTION FOR PAYMENT OF ATTORNEY FEES AND REIMBURSEMENT OF
CLASS COUNSEL'S EXPENSES TO CLASS COUNSEL AND PAYMENT OF SERVICE
AWARDS TO THE CLASS REPRESENTATIVES**

I, Michael R. Reese, pursuant to 28 U.S.C. §1746 and under penalty of perjury, hereby declares as follows:

1. I am the founder and managing partner of Reese LLP, which is one of the court-appointed co-lead Class Counsel¹ in this matter. I am a member in good standing of the bar of the United States District Court for the Eastern District of New York and numerous other federal district and appellate courts. I am also a member of good standing of the state bars of New York and California.

2. I respectfully submit this declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Plaintiffs' Motion for Payment of Attorney Fees and Reimbursement of Expenses to Class Counsel and Payment of Service Awards to the Class Representatives. Except as otherwise noted, the facts set forth in this declaration are based in part upon my personal knowledge, and I would competently testify to them if called upon to do so.

3. Reese LLP is one of the court-appointed co-lead class counsel in this litigation. Reese LLP has extensive class action experience. Reese LLP has been appointed as class counsel in numerous class actions, including, but not limited to: *Salerno v. Kirk's Natural, LLC*, case no. 1:21-cv-04987-BMC (E.D.N.Y.); *Luib v. Henkel Consumer Goods Inc.*, case no. 17-cv-03021-BMC (E.D.N.Y.); *Worth v. CVS Pharmacy, Inc.*, case no. 16-cv-00498 (E.D.N.Y.); *Berkson v. Gogo, LLC*, case no. 1:14-cv-01199-JBW-LB (E.D.N.Y.); *Frohberg v. Cumberland Packaging Corp.*, case no. 1:14-cv-0748-RLM (E.D.N.Y.); *In re Frito-Lay N.A. "All-Natural" Sales & Marketing Litig.*, MDL No. 2413, master case no. 12-md-02413-RRM-RLM (E.D.N.Y.); *In re Vitaminwater Sales and Marketing Practices Litig.*, MDL No. 2215, master case no. 11-md-2215-

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Settlement Agreement, which is attached hereto.

DLI-RML (E.D.N.Y.); *All-Star Carts and Vehicles Inc. v. BFI Canada Income Fund*, 08-CV-1816 LDW (E.D.N.Y.); *Cicciarella v. Califia Farms, LLC*, 7:19-cv-08785-CS (S.D.N.Y.); *Rapaport-Hecht v. Seventh Generation, Inc.*, 14-cv-9087-KMK (S.D.N.Y.); *Chin v. RCN Corporation*, 08-cv-7349 RJS (S.D.N.Y.); *Holve v. McCormick & Co., Inc.*, 6:16-cv-06702-FPG-MJP (W.D.N.Y.); *In re Fairlife Milk Products Marketing and Sales Practices Litig.*, MDL No. 2909, master case no. 19-cv-3924 (N.D. Ill.); *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, MDL No. 2887, master case no. 19-md-2887-JAR-TT (D. Kansas); *Howerton v. Cargill, Inc.*, case no. 13-cv-0336 (D. Hawaii); *Vizcarra v. Unilever United States, Inc.*, case no. 4:20-cv-02777-YGR (N.D. Cal.); *Rosen v. Unilever United States Inc.*, case no. 09-02563 JW (N.D. Cal.); and *Yoo v. Wendy's Corp.*, case no. 07-4515 (C.D. Cal.) (Reese LLP “has conducted the litigation and achieved the Settlement with skill, perseverance and diligent advocacy”). A copy of Reese LLP’s firm resume is attached hereto as Exhibit 1.

4. As described below in detail, I have been personally involved in all aspects of Reese LLP’s work in this litigation, including the following: significant motion practice that involved two motions to dismiss, two motions for summary judgment, motions to compel discovery, two motions for class certification, a motion to decertify; extensive discovery that involved document requests, interrogatories, requests for admission, review of voluminous document production from Defendants, and no less than nineteen (19) depositions – both of fact and expert witnesses; several all-day mediation sessions with esteemed mediators – first with the Hon. John Mott (Ret.) and then the Hon. Wayne Andersen (Ret.) – that resulted in the Settlement; briefing of the Motion for Preliminary Approval that this Court granted; and briefing of the Motion for Final Approval. Reese LLP has vigorously represented the interests of the Settlement Class Members throughout the course of the litigation and settlement process.

5. Based on my extensive experience, I believe the Settlement to be an outstanding outcome for consumers, and I believe it is fair, reasonable, and adequate under Federal Civil Procedure Rule 23.

REESE LLP EXPENDED SIGNIFICANT TIME ON THE MATTER

A. Initiation of the Actions and Subsequent Complaints

6. On February 7, 2019, Plaintiff LaShawn Sharpe filed a putative class action complaint in the United States District Court for the Eastern District of New York, *Sharpe et al. v. A&W Concentrate Co. et al.*, Case No. 19-cv-00768-BMC. This complaint was later amended on April 10, 2020, to add Jim Castoro and Christine Cooney² as additional plaintiffs. On April 10, 2020, Plaintiff Steve Dailey filed a putative class action complaint in the United States District Court for the Northern District of California, *Dailey v. A&W Concentrate Co. et al.*, Case No. 4:20-cv-02732-JST (“*Dailey Action*”). Both the *Sharpe Action* and the *Dailey Action* are based on the allegation that the “Made With Aged Vanilla” claim on Defendants’ Products was misleading to a reasonable consumer because the Products contained ethyl vanillin, which is an artificial vanilla flavoring.

B. Extensive Motion Practice

7. This matter arises out of Defendants’ manufacture, advertising, labeling, sale, and distribution of Defendants’ Products, namely A&W root beer and cream soda beverages labeled as “Made With Aged Vanilla”, which are alleged to have misled consumers due to the fact that the main source of the vanilla flavor in the Products was not vanilla extract but rather ethyl vanillin – a cheap, synthetic artificial vanilla flavor.

² Christine Cooney was subsequently dismissed as a plaintiff on May 7, 2021.

8. This matter was hard fought by Defendants from inception to settlement.

9. Specifically, Defendants filed no less than two motions for summary judgment; two motions to dismiss; several motions for reconsideration; motions to strike; motions to exclude experts; opposed class certification; and then moved to decertify. Additional motion practice involved motions to compel discovery from Defendants. This extensive motion practice by Defendants, much of which was repetitive without advancing the litigation, consumed a great amount of time and resources of Reese LLP. *See e.g. Sharpe v. A&W Concentrate Co.*, 481 F. Supp.3d 94, 105 (E.D.N.Y. 2021) (Court noting the “multiplying motion practice” by Defendants).

C. Extensive Discovery

10. The Parties engaged in extensive discovery. Both sides served each other with numerous discovery requests, including requests for document production, interrogatories, and requests for admission. Additionally, no less than nineteen (19) depositions occurred in this litigation, both of fact and expert witnesses. Each of the three court-appointed Class Representatives were deposed.

C. Mediations and Ultimate Settlement of the Above-Captioned Action

11. The Parties engaged in multiple mediation sessions led by Reese LLP, first with the Hon. John Mott (Ret.), and then several sessions with the Hon. Wayne Andersen (Ret.).

12. On January 19, 2023, the Parties conducted the last of three serious and informed arms-length negotiations before the Hon. Wayne Andersen (Ret.).

13. Soon after the conclusion of the mediation, Judge Andersen made a mediator’s proposal, which the Parties accepted on February 1, 2023.

14. The terms of Judge Andersen’s proposal accepted by the Parties were memorialized in the Settlement Agreement filed with the Court. Furthermore, pursuant to Federal Civil

Procedure Rule 23(e)(3), the Parties have no other agreements regarding the action other than those terms in the Settlement Agreement and on payment of fees and expenses as discussed immediately below in paragraph 15.

15. Reese LLP negotiated an amount for fees and costs only after agreement as to the relief for the class. Indeed, the Parties did not come to an agreement on fees and costs until August 17, 2023, when the Parties agreed that Class Counsel would seek – and Defendants would not oppose - \$3,225,000 for Class Counsel’s fees and expenses.

D. Settlement Agreement, Terms of Settlement, Preliminary Approval, Response of the Class to the Settlement

16. Reese LLP negotiated and drafted the Settlement Agreement. Reese LLP also drafted the motion for preliminary approval, which this Court granted on June 5, 2023. Reese LLP has worked closely with the court-appointed claims administration during the notice and claims period and has responded to questions from several class members. Reese LLP drafted the motion for final approval.

17. The objective in filing the Action was to compensate Settlement Class Members damaged by the alleged misrepresentations. Through the Settlement Agreement, Class Counsel achieved substantial relief for the Settlement Class. The Settlement requires Defendants to pay up to fifteen million dollars (\$15,000,000) that will be used to pay the claims of Settlement Class Members; the costs of notice; the costs of claims administration; payment of Class Counsel’s attorney fees and expenses; and service awards to each of the three Class Representatives. Each Settlement Class Member can receive a minimum of \$5.50 (even without proof purchase) and up to \$25.00 (with proof of purchase). Thus, the Settlement is an outstanding result for Plaintiffs and the members of the Settlement Class.

18. Reese LLP has worked steadfastly to reach a fair, reasonable, and adequate Settlement. Plaintiffs and Reese LLP believe the claims the Settlement resolves are strong and have merit. Plaintiffs and Reese LLP conducted a thorough investigation and evaluation of the claims and defenses throughout the pendency of the case. Prior to agreeing to the Settlement, Reese LLP conducted extensive discovery, through interrogatories, requests for admission, review of Defendants' document production, and depositions of numerous fact and expert witnesses. Reese LLP also engaged in significant motion practice, as detailed above. Additionally, in the process of litigating the Actions, Reese LLP conducted significant research on the consumer protection statutes at issue, as well as the overall legal landscape, to determine the likelihood of success and reasonable parameters under which courts have approved settlements in comparable cases. Through this investigation, motion practice, discovery, and ongoing analysis, Reese LLP obtained an understanding of the strengths and weaknesses of the Actions. Reese LLP recognizes, however, that significant expense and risk are associated with continuing to prosecute the claims through trial and any appeals and recognizes that, as with any litigation, the Actions involve uncertainties as to their outcome.

19. Defendants continue to deny all of Plaintiffs' allegations and have stated that, but for the Settlement, they would continue to seek decertification. Should this matter proceed, Defendants will continue to vigorously defend themselves on the merits. Indeed, at the time of settlement, Defendants had pending both a motion to decertify and a motion for summary judgment. If Defendants were successful on either motion, Settlement Class Members would receive no recovery at all. Continued litigation would include both of these pending motions, trial, and appeals. Defendants would continue to challenge Plaintiffs at every litigation step, presenting significant risks of ending the litigation while increasing costs to Plaintiffs and the Settlement

Class Members. Further litigation presents no guarantee for recovery, let alone a recovery greater than the recovery for which the Settlement provides.

20. The relief for which the Settlement Agreement provides is within the range of reasonableness, especially in light of the best possible recovery and in light of all the attendant risks of litigation. The gravamen of the Actions is that Defendant is deceiving consumers by misrepresenting the source of the vanilla flavor in their root beer and cream soda Products. Furthermore, the cash compensation, to which eligible Settlement Class Members will be entitled, goes a significant way toward compensating Settlement Class Members for the damages they incurred on account of Defendants' allegedly deceptive representations about the Products. Defendants charge a premium over its competitors of up to 28% per product, which equates to up to a \$2.10 price premium. *See* Declaration and Expert Report of J. Michael Dennis, Ph.D., dated October 13, 2021 (ECF No. 98-3) at pp. 343-546. The Settlement Agreement provides that Settlement Class Members shall receive a minimum cash payment of \$5.50, and then \$0.50 for each product thereafter for which proof of purchase has been provided, up to \$25.00. Thus Settlement Class Members will receive nearly full compensation for their injury.

21. While Plaintiffs and Class Counsel believe the claims are strong, continuation of this litigation poses significant risks. While continuation of the litigation might not result in an increased benefit to the Settlement Class, it would lead to substantial expenditure by both Parties. In negotiating and evaluating the Settlement, Plaintiffs and Reese LLP have taken these costs and uncertainties into account, as well as the delays inherent in complex class action litigation. Taking into account the risks and benefits Plaintiffs have outlined above, the Settlement falls within the "range of reasonableness." Reese LLP have achieved the best possible recovery considering the merits of the Settlement weighed against the cost and risks of further litigation. Reese LLP believes

this Settlement provides significant relief to the Settlement Class Members and is fair, reasonable, adequate, and in the best interests of the Settlement Class.

22. The response of the Class to the Settlement has been overwhelmingly positive. To date, no Class Member has objected. And only one person has opted out of the Class Settlement. In contrast, as of August 18, 2023, more than 220,000 Class Members have made claims, with several months to go before the end of the Claims Period.

E. Lodestar and Expenses

23. The schedule below is a summary of the amount of time spent by the attorneys of Reese LLP who were involved in this litigation. The lodestar calculation is based on Reese LLP's current billing rates that have been accepted by courts in other class litigation. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

REESE LLP LODESTAR

From Inception to August 18, 2023

Name/Position	Position	Total Hours	Hourly Rate	Total Lodestar
Michael R. Reese	Managing Partner	1850	\$1500	\$2,775,000
Sue J. Nam	Senior Partner	730	\$1350	\$985,500
TOTAL LODESTAR		2580		\$3,760,500

24. This case has also involved considerable expenses. Below is a chart of the expenses incurred in this litigation.

EXPENSES

CATEGORY	TOTAL AMOUNT PER CATEGORY	
Filing Fees (E.D.N.Y. and N.D. Cal.)	\$804.00	
Survey Work: Propeller Insights (for survey cited in complaints)	\$2,200.00	
Pro Hac Vice Filing Fees	\$310.00	
Court hearing transcripts: 8-25-21	\$191.88	
Deposition Costs: Travel to Boston for deposition of Dana Krueger (defendants' expert): Amtrak from NYC to Boston: \$311.00	\$17,726.53	
Transcript Costs: A&W Concentrate Co. 30(b)(6) Witness \$1,649.55 Kami Aho \$1,862.70 Scott Bertelson \$1,222.35 Gerard Campbell \$582.00 Stefanie Conrad \$763.74 Derek Dabrowski \$1,130.35 Steve Dailey \$594.25 Dr. Jessie David \$1,644.05 Tim Greenlee \$1,776.50 Dr. Daphna Havkin-Frenkel \$335.89 Steve Kramer \$527.05 Dana Krueger \$675.50 Henry Lambert \$1,078.15 Matthew Lecky \$1,035.90 Kyle Reed \$195.00 Dr. David Reibstein \$1,751.40 Lashawn Sharpe \$591.15		
Experts: Dr. J. Michael Dennis: \$180,811.75 Dr. Daphna Havkin-Frenkel \$20,400.00		\$211,211.75
Lab Reports: Alliance Technologies, LLC \$1,650.59 Rutgers University Labs \$1,800.00		\$3,450.59
Mediation: Hon. John Mott (Ret.) of JAMs: \$5,576.00 Hon. Wayne Andersen (Ret.) of JAMs: \$25,745.75		\$31,321.75
Costs of Notice: (contested class certification motion)		\$39,550.00
TOTAL:		\$306,766.50

25. This matter was conducted completely on a contingency basis with Class Counsel bearing the entire risk of the litigation. To date, Class Counsel has not been paid for either their work on this matter or the expenses incurred.

F. Significant Work and Role of the Three Class Representatives

26. Reese LLP is not representing clients with interests at odds with the interests of the Settlement Class Members.

27. Each Class Representative performed important and valuable services for the benefit of the Settlement Class. Each met, conferred, and corresponded with Class Counsel as needed for this litigation. In addition, each of the Class Representatives responded to written discovery and sat for their depositions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 18, 2023 in New York, New York.

/s/ Michael R. Reese
Michael R. Reese

EXHIBIT 1

REESE LLP

Reese LLP represents consumers in a wide array of class action litigation throughout the nation. The attorneys of Reese LLP are skilled litigators with years of experience in federal and state courts. Reese LLP is based in New York, New York with offices also in California and Minnesota.

Recent and current cases litigated by the attorneys of Reese LLP on behalf of consumers include the following:

In re Fairlife Milk Products Marketing and Sales Practices Litig., case no. 1:19-cv-03924 (N.D. Illinois)(case involving milk products allegedly mislabeled); *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas)(case involving contaminated pet food); *Hasemann v. Gerber Products Co.*, case no. 15-cv-02995-MKB-RER (E.D.N.Y.)(case involving misrepresentation of health benefits of baby formula in violation of New York consumer protection laws); *Worth v. CVS Pharmacy, Inc.*, case no. 16-cv-00498 (E.D.N.Y.)(class action for alleged misrepresentations regarding health benefits of dietary supplement); *Roper v. Big Heart Pet Brands, Inc.*, case no. 19-cv-00406-DAD (E.D. Cal.)(class action regarding pet food); *Ackerman v. The Coca-Cola Co.*, 09-CV-0395 (JG) (RML) (E.D.N.Y.)(class action for violation of California and New York's consumer protection laws pertaining to health beverages); *Rapaport-Hecht v. Seventh Generation, Inc.*, 14-cv-9087-KMK (S.D.N.Y.)(class action for violation of California and New York's consumer protection laws pertaining to personal care products); *Berkson v. GoGo, LLC*, 14-cv-1199-JWB-LW (E.D.N.Y.)(class action regarding improper automatic renewal clauses); *Chin v. RCN Corporation*, 08-cv-7349 RJS (S.D.N.Y.)(class action for violation of Virginia's consumer protection law by I.S.P. throttling consumers' use of internet); *Bodoin v. Impeccable L.L.C.*, Index No. 601801/08 (N.Y. Sup. Ct.)(individual action for conspiracy and fraud); *Huyer v. Wells Fargo & Co.*, 08-CV-507 (S.D. Iowa)(class action for violation of the RICO Act pertaining to mortgage related fees); *Murphy v. DirecTV, Inc.*, 07-CV-06545 FMC (C.D. Cal.)(class action for violation of California's consumer protection laws); *Bain v. Silver Point Capital Partnership LLP*, Index No. 114284/06 (N.Y. Sup. Ct.)(individual action for breach of contract and fraud); *Siemers v. Wells Fargo & Co.*, C-05-4518 WHA (N.D. Cal.)(class action for violation of § 10(b) of the Securities Exchange Act of 1934 pertaining to improper mutual fund fees); *Dover Capital Ltd. v. Galvex Estonia OU*, Index No. 113485/06 (N.Y. Sup. Ct.)(individual action for breach of contract involving an Eastern European steel company); *All-Star Carts and Vehicles Inc. v. BFI Canada Income Fund*, 08-CV-1816 LDW (E.D.N.Y.)(class action for violation of the Sherman Antitrust Act pertaining to waste hauling services for small businesses on Long Island); *Petlack v. S.C. Johnson & Son, Inc.*, 08-CV-00820 CNC (E.D. Wisconsin)(class action for violation of Wisconsin consumer protection law pertaining to environmental benefits of household cleaning products); *Wong v. Alacer Corp.*, (San Francisco Superior Court)(class action for violation of California's consumer protection laws pertaining to deceptive representations regarding health benefits of dietary supplement's ability to improve immune system); *Howerton v. Cargill, Inc.* (D. Hawaii)(class action for violation of various consumer protection laws regarding sugar substitute); *Yoo v. Wendy's International, Inc.*, 07-CV-04515 FMC (C.D. Cal.)(class action for violation of California's consumer protection laws pertaining to adverse health effects of partially hydrogenated oils in popular food products).

The Attorneys of Reese LLP

Michael R. Reese

Mr. Reese is the founding partner of Reese LLP where he litigates consumer protection class actions. Prior to entering private practice, Mr. Reese served as an assistant district attorney at the Manhattan District Attorney's Office where he served as a trial attorney prosecuting violent and white-collar crime.

Victories by Mr. Reese and his firm include a \$21 million class settlement in *In re Fairlife Milk Products Marketing and Sales Practices Litig.*, case no. 1:19-cv-03924-RMD (N.D. Illinois); a \$12.5 million dollar class settlement in *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas) for pet owners who bought contaminated pet food; a \$6.1 million class action settlement in *Howerton v. Cargill, Inc.* (D. Hawaii) for consumers of Truvia branded sweetener; a \$6.4 million class action settlement in the matter of *Wong v. Alacer Corp.* (S.F. Superior Court) for consumers of Emergen-C branded dietary supplement; and, a \$25 million dollar settlement for mortgagees in *Huyer v. Wells Fargo & Co.* (S.D. Iowa).

Mr. Reese and his firm are frequently appointed as co-lead counsel in multi-district litigations, including, but not limited to *In re Fairlife Milk Products Marketing and Sales Practices Litig.*; case no. 1:19-cv-03924-RMD (N.D. Illinois); *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas); *In re Vitaminwater Sales and Marketing Practices Litig.*, case no. 11-md-2215-DLI-RML (E.D.N.Y.); and, *In re Frito-Lay N.A. "All-Natural" Sales & Marketing Litig.*, case no. 12-md-02413-RRM-RLM (E.D.N.Y.).

Mr. Reese is a frequent lecturer and author on issues of class actions. Mr. Reese co-hosts an annual two day conference with Professor Michael Roberts of UCLA that includes panels on class action litigation; presents on class action litigation at the annual conference of the Consumer Brands Association; and, presents regularly at the Union Internationale des Advocats Annual Congress.

Recent articles on class actions appear in publications by the American Bar Association; the Union Internationale des Advocats; and the Illinois State Bar Association.

Mr. Reese is also an executive committee member of the Plaintiffs' Class Action Roundtable, where he lectures on an annual basis on issues related to class actions.

Mr. Reese is a member of the state bars of New York and California as well as numerous federal district and appellate courts. Mr. Reese received his juris doctorate from the University of Virginia in 1996 and his bachelor's degree from New College in 1993.

Sue J. Nam

Ms. Nam is based in New York where she focuses on consumer class actions. Ms. Nam also runs the appellate practice at the firm and has represented clients before the Second and Ninth Circuits, as well as The Court of Appeals in New York. Ms. Nam also specialized in copyright law and represents photographers and other visual artists who have had their copyright protected works infringed.

Prior to joining the firm, Ms. Nam was the General Counsel for NexCen Brands, Inc., a publicly traded company that owned a portfolio of consumer brands in food, fashion and homeware.

Previously, Ms. Nam was Intellectual Property Counsel and Assistant Corporate Secretary at Prudential Financial, Inc., and she was an associate specializing in intellectual property and litigation at the law firms of Brobeck Phleger & Harrison LLP in San Francisco, California and Gibson Dunn & Crutcher LLP in New York, New York.

Ms. Nam clerked for the Second Circuit prior to joining private practice.

Ms. Nam received her juris doctorate from Yale Law School in 1994. She received a bachelor's degree with distinction from Northwestern University in 1991.

Carlos F. Ramirez

Mr. Ramirez is an accomplished trial attorney based in New York, where he focuses his practice on the litigation of consumer class actions. Prior to entering private practice in 2001, Mr. Ramirez served as an Assistant District Attorney at the Manhattan District Attorney's Office where he served as a trial attorney prosecuting both violent and white-collar crimes.

Previous and current consumer fraud class actions litigated by Mr. Ramirez include *Hasemann v. Gerber Products Co.*, case no. 15-cv-02995-MKB-RER (E.D.N.Y.)(case involving misrepresentation of health benefits of baby formula in violation of New York consumer protection laws); *Coe v. General Mills, Inc.*, No. 15-cv-5112-TEH (N.D. Cal.) (involving false advertisement claims relating to the Cheerios Protein breakfast cereal); *In re Santa Fe Natural Tobacco Company Marketing & Sales Practices Litigation*, 16-md-2695-JB/LF (D.N.M.)(involving the deceptive marketing of cigarettes as "natural" and "additive free"); and, *Lamar v. The Coca-Cola Company, et al.*, No. 17-CA-4801 (D.C. Superior Ct.) (involving the deceptive marketing of sugar drinks as safe for health).

Mr. Ramirez is a member of the state bars of New York and New Jersey. He is also a member of the bars of the U.S. District Courts for the Eastern District of New York and Southern District of New York. Mr. Ramirez received his juris doctorate from the Fordham University School of Law in 1997 and his bachelor's degree from CUNY-Joh Jay College in 1994.

George V. Granade II

Mr. Granade is a partner at Reese LLP based in Los Angeles, California, where he focuses on consumer class actions. Cases Mr. Granade has worked on include: *Barron v. Snyder's-Lance, Inc.*, No. 0:13-cv-62496-JAL (S.D. Fla.); *In re: Frito-Lay North America, Inc. "All Natural" Litigation*, No. 1:12-md-02413-RRM-RLM (E.D.N.Y.) (involving "SunChips," "Tostitos," and "Bean Dip" products labeled as "natural" and allegedly containing genetically-modified organisms); and *Martin v. Cargill, Inc.*, No. 0:13-cv-02563-RHK-JJG (D. Minn.) (involving "Truvia" sweetener product labeled as "natural" and allegedly containing highly processed ingredients).

Mr. Granade received his juris doctorate from New York University School of Law in 2011. He received a master's degree from the University of Georgia at Athens in 2005 with distinction and a bachelor's degree from the University of Georgia at Athens in 2003, *magna cum laude* and with High Honors.

Mr. Granade is a member of the state bars of Georgia, New York, and California. He is also a member of the bar of the U.S. Courts of Appeals for the Second Circuit and Ninth Circuit, as well as the bars of the U.S. District Courts for the Eastern District of New York, Southern District of New York, Western District of New York, Northern District of New York, Southern District of Illinois, Northern District of Illinois, Northern District of California, Southern District of California, Central District of California, and Eastern District of California.

Charles D. Moore

Mr. Moore is based in Minneapolis, Minnesota where he focuses on both consumer as well as employment class actions.

Mr. Moore has worked on a number of high profile class actions at Reese LLP as well as his prior firm where he worked as co-counsel with Reese LLP on numerous matters. His notable cases include *Marino v. Coach, Inc.*, Case No. 1:16-cv-01122-VEC (OTW) (Lead) (S.D.N.Y.) (involving deceptive reference pricing in the sale of outlet merchandise); *Raporport-Hecht v. Seventh Generation, Inc.*, Case No. 7:14-cv-09087-KMK (S.D.N.Y.) (involving the deceptive advertising of household products as "natural"); *Gay v. Tom's of Maine, Inc.*, Case No. 0:14-cv-60604-KMM (S.D. Fla.) (involving deceptive advertising of personal care products as "natural"); *Frohberg v. Cumberland Packing Corp.*, Case No. 1:14-cv-00748-KAM-RLM (E.D.N.Y.) (involving deceptive advertising of food products as "natural"); *Baharenstan v. Venus Laboratories, Inc. d/b/a Earth Friendly Products, Inc.*, Case No. 3:15-cv-03578-EDL (N.D. Cal.) (involving deceptive advertising of household products as "natural"); *Sienkaniec v. Uber Technologies, Inc.*, Case No. 17-cv-04489-PJS-FLN (D. Minn.) (involving the misclassification of Uber drivers as independent contractors); *Dang v. Samsung Electronics Co.*, 673 F. App'x 779 (9th Cir. 2017) (*cert denied* 138 S. Ct. 203) (rejecting shrink-wrap terms in California for purposes of arbitration).

Mr. Moore is a member of the state bar of Minnesota. He is also a member of the bar of the U.S. District Court for the District of Minnesota. Mr. Moore received his juris doctorate from Hamline University School of Law in 2013, and his bachelor's degree from the University of North Dakota in 2007.