

1 BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.
2 Patricia N. Syverson (203111)
Manfred Muecke (222893)
3 600 W. Broadway, Suite 900
San Diego, California 92101
4 psyverson@bffb.com
mmuecke@bffb.com
5 Telephone: (619) 798-4593

6 BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.
7 Elaine A. Ryan (*Admitted Pro Hac Vice*)
2325 E. Camelback Road, Suite 300
8 Phoenix, AZ 85016
eryan@bffb.com
9 Telephone: (602) 274-1100

10 SIPRUT, PC
Stewart M. Weltman
11 17 N. State Street, Suite 1600
Chicago, IL 60602
12 sweltman@siprut.com
Telephone: (312) 236-0000

13 [*Additional Counsel Appear On Signature Page*]

14 Attorneys for Plaintiff

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 LOREAN BARRERA, On Behalf of
18 Herself and All Others Similarly Situated,

19 Plaintiff,

20 v.

21 PHARMAVITE LLC, a California
22 limited liability company,

23 Defendant.

Case No.: 2:11-cv-04153-CAS
(AGrx)

**PLAINTIFF'S SUPPLEMENTAL
MEMORANDUM IN SUPPORT
OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

1 Pursuant to Fed. R. Civ. P. 23, Plaintiff Lorean Barrera, by her counsel Bonnett,
2 Fairbourn, Friedman & Balint, P.C. and Siprut, PC, respectfully submit the following
3 Supplemental Memorandum in Support of her Unopposed Motion for Preliminary
4 Approval of Settlement (D.E. Nos. 413, 413-1 and 413-2). Except as explained
5 herein, the content of Doc. 413 and its subparts remains unaltered and operative.

6 Following Plaintiff's initial Preliminary Approval submission, the parties had
7 further discussions with the Settlement Administrator on the administrative tools it
8 needed to best (and most equitably) deal with pro rata increases or decreases in the
9 product awards. These amendments incorporate some of the options identified in
10 those discussions, including some alternatives to *cy pres* distributions if there is excess
11 product benefit. These changes are reflected in Exhibit 1 to the Supplemental
12 Declaration of Patricia N. Syverson, filed concurrently herewith. There have been no
13 other changes.

14 Thus, based on the above, Plaintiff moves for an Order preliminarily approving
15 the Settlement Agreement¹, in the form attached as Exhibit 2 to the Supplemental
16 Declaration of Patricia N. Syverson, as being fair, reasonable, and adequate.

17
18 DATED: June 1, 2017

BONNETT, FAIRBOURN
FRIEDMAN & BALINT, P.C.

19
20 s/Patricia N. Syverson
21 Patricia N. Syverson (Bar No. 203111)
22 Manfred P. Muecke (222893)
23 600 W. Broadway, Suite 900
24 San Diego, California 92101
25 psyverson@bffb.com
mmuecke@bffb.com
Tel: (619) 798-4593
Fax: (602) 274-1199

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27 ¹ All references in the moving papers and related exhibits to "Settlement Agreement"
28 refer to Exhibit 2 to the Supplemental Declaration of Patricia N. Syverson, which
defines Settlement Agreement to mean Amended Settlement Agreement and Release.

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BONNETT, FAIRBOURN, FRIEDMAN &
BALINT, P.C.
Elaine A. Ryan (*Admitted pro hac vice*)
2325 E. Camelback Road, Suite 300
Phoenix, Arizona 85016
eryan@bffb.com
Tel: (602) 274-1100
Fax: (602) 798-5860

SIPRUT, PC
Stewart M. Weltman (*Admitted Pro Hac Vice*)
17 North State Street, Suite 1600
Chicago, IL 60602
Sweltman@siprut.com
Telephone: (312) 236-0000

BOODELL & DOMANSKIS, LLC
Max A. Stein (*Admitted Pro Hac Vice*)
Nada Djordjevic (*Admitted Pro Hac Vice*)
One North Franklin, Suite 1200
Chicago, IL 60606
mstein@boodlaw.com
ndjordjevic@boodlaw.com
Telephone: (312) 938-1670

LEVIN SEDRAN & BERMAN
Howard J. Sedran
510 Walnut Street
Philadelphia, Pennsylvania 19106
hsedran@lfsblaw.com
Telephone: (215) 592-1500

WESTERMAN LAW CORP.
Jeff S. Westerman (94559)
1875 Century Park East, Suite 2200
Los Angeles, CA 90067
Tel: (310) 698-7880
Fax: (310) 755-9777
jwesterman@jswlegal.com

Attorneys for Plaintiff and the Class

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic mail notice list. I hereby certify that I have mailed the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 1, 2017.

/s/Patricia N. Syverson
Patricia N. Syverson (203111)
BONNETT FAIRBOURN FRIEDMAN &
BALINT
600 W. Broadway, Suite 900
San Diego, California 92101
(619) 798-4593