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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RENEE YOUNG and JOYCETTE GOODWIN,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

NEUROBRANDS, LLC, a Delaware limited  
liability company;

Defendant.

Case No. 4:18-cv-05907-JSW

CLASS ACTION

**DECLARATION OF RONALD A.  
MARRON IN SUPPORT OF  
PLAINTIFFS' UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

Date: June 25, 2021

Time: 9:00 a.m.

Ctrm: 5

Judge: Hon. Jeffrey S. White

1 I, Ronald A. Marron, hereby declare as follows:

2 1. I am a member in good standing of the State Bar of California and of the United  
3 States District Courts for the Northern, Central, Eastern, and Southern Districts of California as  
4 well as the Ninth Circuit Court of Appeals and the United States Supreme Court. I submit this  
5 Declaration in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action  
6 Settlement. I make this Declaration based on my personal knowledge and if called to testify, I  
7 could and would competently testify to the matters contained herein.

8 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Class Action  
9 Settlement Agreement between Plaintiffs Renee Young and Joycette Goodwin ("Plaintiffs") and  
10 Defendant Neurobrands, LLC ("Neurobrands" or "Defendant"). Attached to the Settlement  
11 Agreement are the following five exhibits: Exhibit A – a proposed Class Action Long Form Notice;  
12 Exhibit B – a proposed Class Action Short Form Notice; Exhibit C – a proposed Class Action  
13 Notice Plan; Exhibit D – a Proposed Order Granting Motion for Preliminary Approval; and Exhibit  
14 E – a Proposed Order Granting Final Approval of Class Action Settlement.

15 3. Plaintiffs filed this class action on September 26, 2018 against Neurobrands, LLC  
16 regarding allegedly deceptive advertising of the Neurobrands beverage products. (Dkt. No. 1). On  
17 December 17, 2018, Plaintiffs filed a First Amended Complaint bringing claims for violations of  
18 California's Consumers Legal Remedies Act, Cal. Civ. Code §§ 1750, *et seq.* ("CLRA"),  
19 California's Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200, *et seq.* ("UCL"),  
20 California's False Advertising Law, Cal. Bus. & Prof. Code §§ 17500, *et seq.* ("FAL"), and causes  
21 of action for fraud by omission, negligent misrepresentation, and breach of express and implied  
22 warranties. (Dkt. No. 18).

23 4. The Parties have engaged in substantial discovery. On February 22, 2019, Plaintiffs  
24 served requests for production of documents and interrogatory requests on Defendant. Plaintiffs  
25 also propounded requests for admissions on October 8, 2019, and a second set of requests for  
26 production of documents on February 11, 2020. Defendant produced, and Plaintiffs reviewed,  
27 several hundreds of documents in response to Plaintiffs' document requests. Plaintiffs also served  
28 requests for admissions to authenticate documents produced by Defendant during discovery on

1 March 2, 2021 in preparation for trial.

2 5. On August 29, 2019, Plaintiffs' counsel took the deposition of Defendant's Chief  
3 Science & Regulatory Officer and 30(b)(6) witness, Christopher Noonan. On November 19, 2019,  
4 Plaintiffs' counsel took the deposition of Defendant's Director of Operations, Reza Mazloumi. On  
5 October 22, 2019, Plaintiffs' counsel took the deposition of Adirondack Beverages Co.'s person  
6 most knowledgeable, Erina Jess. Plaintiffs' counsel also subpoenaed, received, and reviewed  
7 several hundred documents from Defendant's co-packers Adirondack Beverages Co. and Unix  
8 Packaging, Inc.

9 6. On July 26, 2019, Defendant served requests for production of documents and  
10 interrogatory requests on each Plaintiff. Defendant took the deposition of Plaintiff Joycette  
11 Goodwin on September 24, 2019, and the deposition of Renee Young on September 27, 2019.

12 7. The Parties each consulted with and retained experts regarding dl-malic acid and  
13 the function of this ingredient in the Products. Plaintiffs disclosed the expert report of Dr. Laszlo  
14 D. Somogyi on January 17, 2020, and Defendant disclosed the rebuttal expert report of Dr.  
15 Lawrence Hawley on March 5, 2020. Both Parties served deposition subpoenas on the other party's  
16 expert, though neither deposition ultimately took place in light of the Settlement.

17 8. Through the discovery process, Class Counsel obtained sufficient information and  
18 documents to evaluate the strengths and weaknesses of the case.

19 9. On October 4, 2019, Plaintiffs filed a motion for class certification seeking Rule  
20 23(b)(2) certification, which the Court granted in part and denied in part on October 15, 2020. *See*  
21 *Dkt. Nos. 43, 72.*

22 10. Following the Court's Order regarding Class Certification, the Parties scheduled a  
23 full day mediation session before the Honorable Judge Jay C. Gandhi (Ret.) of JAMS. Before the  
24 mediation, the Parties exchanged detailed mediation briefs setting forth their respective positions.  
25 Because of this mutual exchange of arguments and information and due to the extensive discovery  
26 already performed in the case, the Parties were fully prepared and informed to participate in the  
27 mediation.

28 11. On February 2, 2021, the Parties attended their full-day mediation session before

1 Judge Gandhi, where they agreed in principle to certain terms of an injunctive relief class action  
2 settlement. Following the first mediation session, the Parties participated in further telephonic  
3 sessions with Judge Gandhi and engaged in extensive negotiations to finalize the text of the  
4 Settlement Agreement themselves, as well as a notice plan and proposed order for the Court. Over  
5 the course of several months following the mediation, the Parties diligently negotiated and drafted  
6 a formal Settlement Agreement for which the parties now seek preliminary approval.

7 12. The Settlement Agreement is the product of vigorous, adversarial, and competent  
8 representation of the Parties and substantive negotiations throughout the pendency of this  
9 litigation. Plaintiffs' counsel exercised due diligence to confirm the adequacy, reasonableness,  
10 and fairness of the settlement, both before and after mediation. Plaintiffs' counsel also conducted  
11 a detailed and comprehensive review of the FDA's labeling regulations and their applicability to  
12 the Products' labeling claims at issue here and the California Sherman Food, Drug and Cosmetic  
13 Law (Cal. Health & Safety Code §§ 109875, *et seq.*, "Sherman Law"). Plaintiffs' counsel was  
14 aware of the attendant strengths, risks, and uncertainties of Plaintiffs' claims, and Defendant's  
15 defenses, during the course of negotiations.

16 13. Plaintiffs' counsel agreed to settle the action pursuant to the provisions of the  
17 Settlement, after considering, among other things: (i) the substantial benefits to Plaintiffs and the  
18 Class under the terms of the Settlement; (ii) the uncertainty of being able to prevail at trial; (iii)  
19 the uncertainty relating to Defendant's defenses and the expense of additional motion practice in  
20 connection therewith; (iv) the attendant risks, difficulties and delays inherent in litigation,  
21 especially in complex actions such as this; and (v) the desirability of consummating this Settlement  
22 promptly in order to provide substantive relief to Plaintiffs and the Class without unnecessary  
23 delay and expense.

24 14. In the eyes of Class Counsel, the proposed Settlement is fair, reasonable, and  
25 adequate, and provides the Class with an outstanding opportunity to obtain significant relief at this  
26 stage in the litigation. The Settlement also abrogates the risks that might prevent them from  
27 obtaining *any* relief.

28 15. Based on my experience, I conclude that the Settlement provides exceptional results

1 for the Class while sparing the Class from the uncertainties of continued and protracted litigation.  
2 No agreements were made in connection with the settlement aside from the settlement agreement  
3 itself.

4 16. The parties negotiated the payment of reasonable attorney's fees and expenses only  
5 after they reached agreement in principle with respect to the proposed injunctive relief set forth in  
6 the Settlement.

7 17. Based on preliminary review, my firm's estimated lodestar for this action is  
8 approximately \$600,000 based on 1180 hours attributable to successfully prosecuting this action.  
9 My firm anticipates devoting at least 70 additional hours to the action, including monitoring  
10 Defendant's progress on Product reformulation and potential label modifications in the future, and  
11 in obtaining final approval of the Settlement. This additional time billed at a blended rate would  
12 add an additional \$38,000 to my firm's lodestar.

13 18. My firm also expended approximately \$25,000 in costs and expenses that were  
14 reasonably necessary to prosecute this action.

15 19. To select a settlement administrator, my office and Defendant's counsel solicited  
16 bids from six (6) well-known and experienced administrators. After considering the bids, the  
17 Parties selected Kroll Settlement Administration based on its vast experience in similar class  
18 actions and a notice plan proposal that includes sophisticated means of notice to settlement class  
19 members. My office has previously worked with Kroll Settlement Administration on three (3)  
20 different matters in the past two years.

21 **Ronald A. Marron Firm's Qualifications and Experience Prosecuting**

22 **Consumer Class Action Lawsuits**

23 20. My work experience and education began in 1984 when I enlisted in the United  
24 States Marine Corps (Active Duty 1984-1988, Reserves 1988-1990) and thereafter received my  
25 Bachelor of Science in Finance from the University of Southern California (1991). While attending  
26 Southwestern University School of Law (1992-1994), I also studied Biology and Chemistry at the  
27 University of Southern California and interned at the California Department of Corporations with  
28 emphasis in consumer complaints and fraud investigations. I was admitted to the State Bar of

1 California in January of 1995 and have been a member in good standing since that time. In 1996,  
2 I started my own law firm with an emphasis in consumer fraud. My firm currently employs six  
3 full-time attorneys and support staff. Attached hereto as Exhibit 2 is a true and correct copy of my  
4 firm's current resume.

5 21. Over the years I have acquired extensive experience in class actions and other  
6 complex litigation, and have obtained large settlements as lead counsel. In recent years, I devoted  
7 almost all of my practice to the area of false and misleading labeling of food, nutrition or over-the-  
8 counter products, cases involving violations of the Telephone Consumer Protection Act, and other  
9 privacy cases.

10 22. On November 25, 2020, the Honorable Judge Joel Wohfeil granted final approval  
11 of a class action settlement concerning Defendant Axos' Bank's failure to pay 2% simple interest  
12 on homeowners' impound escrow accounts. *Daniel McSwain v. Axos Bank*, Case No. 37-2019-  
13 00015784-CU-BC-CTL (S.D. Sup. Ct.).

14 23. On November 19, 2020, the Honorable Jeffrey Miller granted final approval to a  
15 certified class action regarding the illegal recording of inmates and their counsel. *Romero v.*  
16 *Securus Technologies, Inc.* No. 3:16-cv-01283 (JM) (S.D. Cal.). Dkt. No. 184.

17 24. On August 3, 2020, the Honorable Judge Gonzalo P. Curiel of the United States  
18 District Court for the Southern District of California granted final approval of a settlement in the  
19 certified class action styled *Hilsley v. Ocean Spray Cranberries, Inc.*, No. 3:17-cv-02335-GPC-  
20 MDD (S.D. Cal.), Dkt. No. 259.

21 25. On February 24, 2020, the Honorable Christina A. Snyder of the United States  
22 District Court for the Central District of California granted final approval of a \$2,500,000.00 class  
23 action settlement in *Graves v. United Industries Corp.*, No. 2:17-cv-06983-CAS-SK (C.D. Cal.)  
24 and appointed the Marron Firm as class counsel. Judge Snyder noted that the Law Offices of  
25 Ronald A. Marron had "vigorously represented the Class" and has "extensive experience in  
26 consumer class action litigation." Judgment & Order at 9, *Graves v. United Indus. Corp.*, No. 2:17-  
27 cv-06983-CAS-SK (C.D. Cal. Feb. 24, 2020), Dkt. No. 87.

28 26. On January 28, 2020, the Honorable William Alsup granted final approval of a

1 settlement of a nationwide certified class in *Esparza v. Smartpay Leasing, Inc.*, No. 3:17-cv-  
2 03421-WHA (N.D. Cal.), Dkt. No. 110. The court also appointed Ronald A. Marron, Alexis M.  
3 Wood, and Kas L. Gallucci of the Law Offices of Ronald A. Marron as class counsel.

4 27. On October 11, 2019, the Honorable Judge Wilhelmina M. Wright granted final  
5 approval of a nationwide TCPA settlement class in *Busch v. Bluestem Brands, Inc.*, No. 0:16-cv-  
6 00644-WMW-HB (D. Minn.), Dkt. No. 106, and appointed the Law Offices of Ronald A. Marron  
7 as co-lead class counsel. The settlement created a \$5.25 million non-reversionary Settlement Fund  
8 for the benefit of the class.

9 28. On September 12, 2019, the Honorable Judge Jose E. Martinez granted final  
10 approval of a nationwide TCPA settlement class in *Medina v. Enhanced Recovery Co., LLC*, No.  
11 2:15-cv-14342-JEM (S.D. Fla.), Dkt. No. 131, and appointed the Law Offices of Ronald A. Marron  
12 as co-lead class counsel. The settlement created a \$1.45 million common fund.

13 29. On June 17, 2019, the Honorable Anthony J. Battaglia granted final approval of a  
14 nationwide CLRA settlement case in *Littlejohn v. Ferrara Candy Co.*, No. 18-cv-0658-AJB-WVG  
15 (S.D. Cal.), stating “Class Counsel has fully and competently prosecuted all causes of action,  
16 claims, theories of liability, and remedies reasonably available to the Class Members.” Final  
17 Judgment & Order at 5, *Littlejohn v. Ferrara Candy Co.*, No. 3:18-cv-00658-AJB-WVG (S.D.  
18 Cal. June 17, 2019), Dkt. No. 47.

19 30. On October 19, 2018, the Honorable William T. Lawrence granted final approval  
20 of a nationwide TCPA settlement case in *Simms v. ExactTarget, LLC*, No. 1-14-cv-00737-WTL-  
21 DLP (S.D. Ind.), Dkt. No. 178, where the Law Offices of Ronald A. Marron served as class  
22 counsel. The settlement created a \$6.25 million common fund.

23 31. On April 3, 2018, the Honorable Robert N. Scola, Jr. granted preliminary approval  
24 of class action settlement regarding false advertising claims in *Mollicone v. Universal Handicraft*,  
25 No. 1:17-cv-21468-RNS (S.D. Fla.), in which the Law Offices of Ronald A. Marron served as  
26 class counsel. In his preliminary approval order, Judge Scola stated that the Marron Firm is  
27 “experienced and competent in the prosecution of complex class action litigation.” Order Prelim.  
28 Certifying Settlement Class, Granting Prelim. Approval of Settlement, & Setting Final Fairness

1 H'rg at 2, *Mollicone v. Universal Handicraft*, No. 1:17-cv-21468-RNS (S.D. Fla. Apr. 3, 2018),  
2 Dkt. No. 120.

3 32. On June 29, 2018, in *Mason v. M3 Financial Services, Inc.*, No. 1:15-cv-04194  
4 (N.D. Ill.), the Honorable Andrea R. Wood granted final approval of a nationwide TCPA  
5 settlement which provided a common fund in the amount of \$600,000. The Law Offices of Ronald  
6 A. Marron served as co-lead class counsel.

7 33. On May 4, 2018, the Honorable Analisa Torres granted final approval of a false  
8 advertising class settlement in *In re Tommie Copper Products Consumer Litigation*, No. 7:15-cv-  
9 03183-AT-LMS (S.D.N.Y.), Dkt. No. 129. On January 4, 2016, the Honorable Analisa Torres  
10 appointed the Marron firm as Interim Lead Class Counsel over the opposition and challenge of  
11 other plaintiffs' counsel, noting that the Marron firm's "detailed" complaint was "more specifically  
12 pleaded, . . . assert[ing] a more comprehensive set of theories . . . and [was] more factually  
13 developed." *Potzner v. Tommie Copper Inc.*, Nos. 15 CIV. 3183 (AT), 15 Civ. 6055 (AT), 2016  
14 WL 304746, at \*1 (S.D.N.Y. Jan. 4, 2016). Judge Torres also noted that Mr. Marron and his firm's  
15 attorneys had "substantial experience litigating complex consumer class actions, are familiar with  
16 the applicable law, and have the resources necessary to represent the class." *Id.*

17 34. On March 26, 2018, the Honorable Marilyn Huff granted final approval of a  
18 nationwide TCPA class action settlement in *Gutierrez-Rodriguez v. R.M. Galicia, Inc.*, No. 16-  
19 CV-00182-H-BLM, 2018 WL 1470198, at \*2 (S.D. Cal. Mar. 26, 2018). The Law Offices of  
20 Ronald A. Marron was appointed to serve as class counsel.

21 35. On January 27, 2017, my firm obtained final approval of a TCPA class action  
22 against RBS Citizens, N.A. *Sanders v. RBS Citizens, N.A.*, No. 13-cv-3136-BAS-RBB, 2017 WL  
23 406165 (S.D. Cal. Jan. 27, 2017). In granting final approval, the Honorable Cynthia Bashant found  
24 that "Class Counsel [had] fairly and adequately represented the Class for purposes of entering into  
25 and implementing the Settlement, and, thus, continues to appoint . . . Ronald A. Marron, Alexis  
26 M. Wood and Kas L. Gallucci of the Law Offices of Ronald A. Marron as Class Counsel for the  
27 Settlement Class." *Id.* at \*4.

28 36. In addition to the above cases and the present action, my firm has an in-depth



1 knowledge of other consumer cases including litigating over-the-counter (“OTC”) product cases,  
2 including the FDCA’s history, principles, and regulations, and courts have recognized my firm’s  
3 ability to litigate complex class actions. This action involved extensive motion practice, and my  
4 firm’s opposition brief was so persuasive that defendants decided to withdraw their motion. My  
5 firm’s well-drafted briefing, knowledge, and experience resulted in a \$5 million common fund and  
6 injunctive relief settlement in favor of Gallucci against French homeopathic giant, Boiron, Inc. On  
7 April 25, 2012, the Honorable John A. Houston granted preliminary approval, noting that:

8           37. During the pendency of the Litigation, Class Counsel conducted a extensive  
9 examination and evaluation of the relevant facts and law to assess the merits of the named  
10 plaintiffs’ and class claims to determine how best to serve the interests of Plaintiffs and the Class.  
11 . . . Class Counsel conducted thorough review of the Food, Drug and Cosmetic Act, its numerous  
12 changes over the years, and the Act’s implementing regulations. Class Counsel have carefully  
13 considered the merits of Plaintiffs’ claims, and the defenses raised by defendants.

14           38. Order Granting Prelim. Approval of Class Action Settlement at i, *Gallucci v.*  
15 *Boiron, Inc.*, No. 3:11-cv-02039- JAH-NLS (S.D. Cal. Apr. 25, 2012), Dkt. No. 89.

16           39. Accordingly, Judge Houston appointed my firm as class counsel, finding that class  
17 counsel “will fairly and adequately protect the interests of the Class . . . [and] are experienced and  
18 competent to prosecute this matter on behalf of the Class.” *Id.* at iii-iv. The fairness hearing was  
19 held on October 1, 2012, and, on October 31, 2012, the court granted final approval. *See Gallucci*  
20 *v. Boiron, Inc.*, No. 11cv2039 JAH(NLS), 2012 WL 5359485 (S.D. Cal. Oct. 31, 2012).

21           40. Further, on June 26, 2015, the Honorable Maxine M. Chesney of the United States  
22 District Court for the Northern District of California granted preliminary approval to a class action  
23 settlement with injunctive relief for class wide claims of false representations regarding the  
24 defendant’s weight loss teas. *See Order Prelim. Approving Class Action Settlement, Johnson v.*  
25 *Triple Leaf Tea Inc.*, No. 3:14-cv-01570-MMC (N.D. Cal. June 26, 2015), Dkt. No. 53 (“Having  
26 considered the factors set forth in Rule 23(g)(1) of the Federal Rules of Civil Procedures, the Court  
27 appoints Plaintiff’s counsel, the Law offices of Ronald A. Marron APLC, to serve as Class  
28 Counsel.”).

1           41.     On October 31, 2013, the Honorable Gonzalo P. Curiel of the United States District  
2 Court for the Southern District of California granted preliminary approval to a class action  
3 settlement of \$1 million and injunctive relief for class-wide claims of false and deceptive  
4 advertising of OTC drugs, which was negotiated by my firm in *Mason v. Heel, Inc.*, No. 3:12-cv-  
5 03056-GPC-KSC (S.D. Cal.), and, “[h]aving considered the factors set forth in Rule 23(g)(1) of  
6 the Federal Rules of Civil Procedure,” appointed my firm as class counsel. Order Prelim.  
7 Approving Class Action Settlement at 5, *Mason v. Heel, Inc.*, No. 3:12-cv-03056-GPC-KSC (S.D.  
8 Cal. Oct. 31, 2015), Dkt. No. 27.

9           42.     On October 23, 2013, the Honorable Michael M. Anello of the United States  
10 District Court for the Southern District of California granted final approval to a \$1.2 million and  
11 injunctive relief class action settlement concerning false and deceptive advertising of OTC drugs,  
12 which was negotiated by my firm, in *Nigh v. Humphreys Pharmacal, Inc.*, No. 3:12-cv-02714-  
13 MMA-DHB (S.D. Cal.), finding that “the Class was adequately represented by competent  
14 counsel.” Order Affirming Tentative Ruling & Granting Mot. for Final Approval of Settlement at  
15 14, *Nigh v. Humphreys Pharmacal, Inc.*, No. 3:12-cv-02714-MMA-DHB (S.D. Cal. Oct. 23,  
16 2013), Dkt. No. 30.

17           43.     On March 13, 2012, my firm settled a case against manufacturers of OTC dietary  
18 supplement products for \$900,000 in a common fund and injunctive relief settlement, styled  
19 *Burton v. Ganeden Biotech, Inc.*, No. 3:11-cv-01471-W-NLS (S.D. Cal.). Burton alleged that  
20 defendants falsely advertised their products as containing “clinically proven” proprietary bacteria  
21 that improved and benefitted the digestive and immune health of individuals when, in fact, no  
22 clinical proof existed. Before this settlement was finalized, my firm rejected defendants’ coupon  
23 settlement offer, because we did not believe it constituted the best relief for the class members.  
24 Instead, we continued extensive and lengthy rounds of negotiations with the defendants to obtain  
25 the best result for the class. These months-long negotiations included back and forth exchange of  
26 approximately twenty versions of the settlement agreement, multiple conference calls and e-mails.  
27 On March 14, 2012, the parties filed a Joint Motion for Preliminary Approval of Class Action  
28 Settlement, Dkt. No. 38, which the court granted on April 16, 2012, Dkt. No. 42. After the fairness

1 hearing in this case on August 21, 2012, Dkt. No. 48, Judge Thomas J. Whelan granted final  
2 approval on October 4, 2012, Dkt. No. 52.

3 44. On March 1, 2012, the Honorable Janis L. Sammartino appointed my firm interim  
4 class counsel in an action styled *Margolis v. Dial Corp.*, No. 3:12-cv-00288-JLS-WVG (S.D. Cal.).  
5 Order Granting Joint Mot. for Consolidation & Appointment of Interim Co-Lead Counsel at 2,  
6 *Margolis v. Dial Corp.*, No. 3:12-cv-00288-JLS-WVG (S.D. Cal. Mar. 1, 2012), Dkt. No. 14. This  
7 case involved an OTC pheromone soap product that its manufacturer advertised as enhancing a  
8 man's sexual attraction to women.

9 45. When my firm was appointed interim lead class counsel for a class of consumers  
10 in a deceptive food labeling case in March of 2011, the Honorable Marilyn Huff recognized class  
11 counsel "appears to be well qualified to represent the interest of the purported class and to manage  
12 this litigation." *Hohenberg v. Ferrero U.S.A., Inc.*, Nos. 11-CV-205 H (CAB), 11-CV-249 H  
13 (CAB), 2011 WL 13134161, at \*2 (S.D. Cal. Mar. 22, 2011). Subsequently, when my firm  
14 obtained certification of the proposed class, the court reaffirmed its finding that my firm is  
15 adequate to serve as class counsel. *See In re Ferrero Litig.*, 278 F.R.D. 552, 559 (S.D. Cal. 2011).  
16 Judge Huff gave final approval of a settlement on July 9, 2012. Final Judgment & Order Approving  
17 Settlement, *In re Ferrero Litig.*, No. 3:11-cv-00205-H-KSC (S.D. Cal. July 9, 2012), Dkt. No. 127.

18 46. On November 14, 2011 my firm obtained the certification of a nationwide class of  
19 consumers who purchased Qunol CoQ10, a dietary supplement making misleading efficacy  
20 claims. *See Bruno v. Quten Research Inst., LLC*, 280 F.R.D. 524 (C.D. Cal. 2011). My firm then  
21 successfully defeated the defendants' motion to decertify the class following the Ninth Circuit's  
22 decision in *Mazza v. American Honda Motor Co.*, 666 F.3d 581 (9th Cir. 2012). *See Bruno v.*  
23 *Eckhart Corp.*, 280 F.R.D. 540 (C.D. Cal. 2012). The case then settled on the eve of trial, which  
24 was scheduled for October 2, 2012.

25 47. On June 14, 2011, the Honorable Richard Seeborg appointed my firm interim class  
26 counsel, over a competing application from a former partner at the New York law firm Milberg  
27 Weiss regarding a deceptive food labeling case. *See Chacanaca v. Quaker Oats Co.*, No. 10-0502  
28 RS, 2011 WL 13141425, at \*3 (N.D. Cal. June 14, 2011) (since restyled as *In re Quaker Oats*

1 *Labeling Litig.*) (“There is no question here that both the Weston/Marron counsel . . . have ample  
2 experience handling class actions and complex litigation. It is also clear that both have particular  
3 familiarity with suits involving issues of mislabeling in the food industry.”).

4 48. I was appointed class counsel in *Peterman v. North American Co. for Life & Health*  
5 *Ins.*, No. BC357194 (L.A. Cty. Super. Ct.), which was litigated for more than 4 years and achieved  
6 a settlement of approximately \$60 million for consumers. In granting preliminary approval of the  
7 settlement, the Honorable Carolyn B. Kuhl noted that “the excellent work that the plaintiffs’ side  
8 has done in this case has absolutely followed through to the settlement . . . The thought and detail  
9 that went into the preparation of every aspect was very impressive to me.”

10 49. I also served as class counsel in *Clark v. National Western Life Insurance Co.*, No.  
11 BC321681 (L.A. Cty. Super. Ct.), a class action that, after being litigated for more than 6 years,  
12 resulted in a settlement of approximately \$25 million for consumers.

13 50. In *Iorio v. Asset Marketing*, No. 3:05-cv-00633-JLS-CAB (S.D. Cal.), I was  
14 appointed class counsel on August 29, 2006, Dkt. No. 121, following class certification, which  
15 was granted on July 27, 2006 by the Honorable Irma E. Gonzalez, Order Granting Pls.’ Class  
16 Certification, Dkt. No. 113. After nearly 6 years of intensive litigation, a settlement valued at \$110  
17 million was reached in *Iorio* and approved on March 3, 2011, by the Honorable Janis Sammartino.  
18 Final Order Approving Class Action Settlement, Dkt. No. 480. Co-counsel and I successfully  
19 defended multiple motions brought by defendant in the Southern District of California, including  
20 “challenges to the pleadings, class certification, class decertification, summary judgment, . . .  
21 motion to modify the class definition, motion to strike various remedies in the prayer for relief,  
22 and motion to decertify the Class’ punitive damages claim,” plus three petitions to the Ninth  
23 Circuit, attempting to challenge the Rule 23(f) class certification. *Id.* at 6:9-15, 7:18-22  
24 (commenting that class counsel were “highly experienced trial lawyers with specialized knowledge  
25 in insurance and annuity litigation, and complex class action litigation generally” and “capable of  
26 properly assessing the risks, expenses, and duration of continued litigation, including at trial and  
27 on appeal”). Judge Sammartino also noted “the complexity and subject matter of this litigation,  
28 and the skill and diligence with which it has been prosecuted and defended, and the quality of the

1 result obtained for the Class.” *Id.* at 17:25-27.

2 51. Besides these cases, I have also represented plaintiffs victimized in other complex  
3 cases such as Ponzi schemes, shareholder derivative suits, and securities fraud cases. I have  
4 litigated hundreds of lawsuits and arbitrations against major corporations; of these, approximately  
5 30 cases against the likes of such corporate titans as Shell Oil, Citigroup, Wells Fargo, Morgan  
6 Stanley and Merrill Lynch have gone through trial or arbitration. Many more have settled on the  
7 eve of trial although I was fully prepared to proceed to trial.

8  
9 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
10 and correct.

11  
12 Executed on this 18th day of May, 2021 at San Diego, California.

13  
14 /s/ Ronald A. Marron

15 Ronald A. Marron  
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