

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

*IN RE: AVON ANTI-AGING SKINCARE
CREAMS AND PRODUCTS MARKETING
AND SALES PRACTICES LITIGATION*

Case No.: 1:13-cv-00150-JPO

**STIPULATION OF INDIVIDUAL
SETTLEMENT
AND ORDER OF DISMISSAL**

WHEREAS, Plaintiffs Lorena Trujillo, Monique Quintana and Tara Tillman filed the operative complaint on November 10, 2014 (Dkt. 124) alleging that Defendant Avon Products, Inc. ("Avon") marketed and advertised some of its ANEW brand products with false and misleading information; and

WHEREAS, Plaintiffs alleged these claims on behalf of themselves individually ("Individual Claims"), and on behalf of various putative classes and subclasses ("Class Claims"); and

WHEREAS, Plaintiffs moved for class certification (Dkt. 135); and

WHEREAS, the Court denied the motion for class certification in an Opinion and Order dated September 30, 2015 (Dkt. 200); and

WHEREAS, all that currently remains to be adjudicated in the District Court are Plaintiffs' Individual Claims; and

WHEREAS, the parties are interested in resolving the Individual Claims, but Plaintiffs want to reserve their Class Claims and appeal the Order denying class certification;

IT IS HEREBY STIPULATED by and between Plaintiffs and Defendant, as follows:

1. Plaintiffs agree that they are dismissing with prejudice only Plaintiffs' Individual Claims, including any claims to damages, restitution, attorneys' fees and costs relating only to those Individual Claims, for the sum of \$15,000, which Avon agrees

- to pay without any admission of liability on any claims; and further
2. Plaintiffs expressly retain any and all rights and interests in the Class Claims, including their personal stake as class representatives and financial interests in any compensation or enhancement awards to which they may be entitled following class certification as well as damages, restitution, and attorneys' fees and costs relating to the Class Claims; and further
 3. Plaintiffs expressly reserve their rights to appeal the Order denying class certification (Dkt 200).
 4. Avon reserves all of its rights and defenses.

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Dated: May 26 2016

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Attorneys for Defendant Avon Products, Inc.

Dated: May 26 2016

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Dated: May 25, 2016

SO ORDERED

Hon. J. Paul Oetken
U.S.D.J.

Dated: May 26 2016

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Dated: May 26, 2016

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Dated: May 27, 2016

SO ORDERED



J. PAUL OETKEN
United States District Judge
