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7 *Attorneys for Plaintiff and the Proposed Class*

10 **UNITED STATES DISTRICT COURT**  
 11 **CENTRAL DISTRICT OF CALIFORNIA**  
 12 **SOUTHERN DIVISION**

14 DONNA DE ROSA, individually and )  
 on behalf of all others similarly )  
 15 situated, )

16 Plaintiff, )

17 v. )

19 TRI-UNION SEAFOODS, LLC, a )  
 California corporation d/b/a Chicken of )  
 20 the Sea International; TRI-UNION )  
 FROZEN PRODUCTS, INC., a )  
 21 Delaware corporation d/b/a Chicken of )  
 the Sea Frozen Products, and THAI )  
 22 UNION GROUP, PCL, a Thai )  
 23 corporation d/b/a Thai Union Frozen )  
 Products, PCL, )

24 Defendants. )

No. 2:15-cv-07540-CJC (AGR<sub>x</sub>)

CLASS ACTION

**PLAINTIFF'S NOTICE OF APPEAL**

Judge: Hon. Cormac J. Carney  
Complaint filed: Sept. 25, 2015

1 Notice is hereby given that Plaintiff Donna De Rosa hereby appeals to the  
2 United States Court of Appeals for the Ninth Circuit from the Final Judgment (ECF  
3 No. 18) entered in this action on January 15, 2016 (attached hereto as Exhibit A),  
4 pursuant to the January 15, 2016 Order (ECF No. 17) dismissing case (attached hereto  
5 as Exhibit B).

6 Pursuant to Circuit Rules 3-1 and 3-2(b), Plaintiff submits her filing fee and  
7 appellate docket fee and concurrently files her Representation Statement required by  
8 Fed. R. App. P. 12(b).

9  
10 Respectfully submitted,

11 DATED: February 9, 2016

HAGENS BERMAN SOBOL SHAPIRO LLP

12  
13 By: /s/ Elaine T. Byszewski

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21 *Attorneys for Plaintiff and the Proposed Class*  
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**EXHIBIT A**

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

**DONNA DE ROSA,**

**Plaintiff,**

**v.**

**TRI-UNION SEAFOODS, LLC ET AL.,**

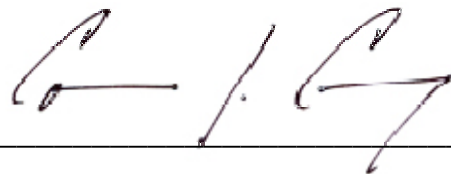
**Defendants.**

**Case No.: CV 15-07540-CJC(AGR~~x~~)**

**JUDGMENT**

Pursuant to the Court's January 15 Order, it is **HEREBY ADJUDGED** that Plaintiff's complaint is dismissed with prejudice.

**DATED: January 15, 2016**



**CORMAC J. CARNEY  
UNITED STATES DISTRICT JUDGE**

**EXHIBIT B**

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

**CIVIL MINUTES – GENERAL**

Case No. CV 15-07540-CJC(AGR<sub>x</sub>)

Date: January 15, 2016

Title: DE ROSA V. TRI-UNION SEAFOODS, LLC ET AL.

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PRESENT:

**HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE**

Melissa Kunig  
Deputy Clerk

N/A  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:      ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING CASE**

Plaintiff Donna De Rosa brings this action against Defendants Tri-Union Seafoods, LLC, Tri-Union Frozen Products, Inc., and Thai Union Group, PCL, for violations of the California Unfair Competition Law, Cal. Bus. & Prof. Code § 17200 *et seq.*, the California Consumers Legal Remedies Act, Cal. Civ. Code § 1750 *et seq.*, and the California False Advertising Law, Cal. Bus. & Prof. Code § 17500, *et seq.* On December 9, 2015, the Court dismissed the complaint in a related case, *Barber v. Nestle USA Inc.*, based on the safe harbor doctrine. *See* Case No. 15-cv-01364-CJC-AGR, 2015 WL 9309553 (C.D. Cal. Dec. 9, 2015). Suspecting that Plaintiff's claims in this case would require dismissal for the same reason, the Court ordered Plaintiff to show cause why her complaint should not be dismissed. (Dkt. 15.) Plaintiff responded on January 7, 2016. (Dkt. 16.) While disagreeing with the Court's ruling in *Barber*, she concedes that the Court's analysis there will also require dismissal of this case. Like the plaintiff in *Barber*, Plaintiff apparently plans to seek an appeal. Accordingly, this action is **DISMISSED WITH PREJUDICE** on the basis of the safe harbor doctrine, for the reasons set forth in *Barber*. An appealable judgment will issue.

sr

MINUTES FORM 11  
CIVIL-GEN

Initials of Deputy Clerk MKU