

1 BONNETT, FAIRBOURN, FRIEDMAN & BALINT, P.C.
Elaine A. Ryan (*Admitted Pro Hac Vice*)
2 eryan@bffb.com
2325 E. Camelback Road, #300
3 Phoenix, AZ 85016
Telephone: (602) 274-1100
4

5 BONNETT, FAIRBOURN, FRIEDMAN & BALINT, P.C.
Patricia N. Syverson (203111)
6 psyverson@bffb.com
Manfred P. Muecke (222893)
7 mmuecke@bffb.com
600 W. Broadway, Suite 900
8 San Diego, California 92101
Telephone: (619) 798-4593
9

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

15 *Additional Attorneys Appear on Signature Page*
16 *Attorneys for Plaintiff and the Proposed Class*
17

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 NOAH BRADACH On Behalf of
himself and All Others Similarly
21 Situated,

22 Plaintiff,

23 v.

24 PHARMAVITE, LLC, a California
25 limited liability company,

26 Defendant.
27
28

Case No.: 2:14-cv-03218-GHK(AGR_x)

CLASS ACTION

**NOTICE OF APPEAL AND NINTH
CIRCUIT RULE 3-2
REPRESENTATION STATEMENT**

1 Notice is hereby given that Plaintiff Bradach having now had all of the
2 claims he brought in this matter dismissed, all the claims brought by co-Plaintiff
3 Laura Corbett having been dismissed, and the court having entered final judgment
4 in this matter on October 14, 2016, hereby appeals to the United States Court of
5 Appeals for the Ninth Circuit all orders regarding his claims, including the Court's
6 Order re: Renewed Motion for Class Certification dated July 6, 2016 (D.E. 202),
7 Order re: Plaintiff's Response to Order to Show Cause dated August 25, 2016
8 (D.E. 210), Order directing entry of final judgment (D.E. 217) and order entering
9 final judgment (D.E. 218). This notice of appeal is related to appeal no. 16-56407.
10

11 Dated: October 26, 2016

BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.

/s/ Patricia N. Syverson

Patricia N. Syverson (203111)

psyverson@bffb.com

Manfred P. Muecke (222893)

mmuecke@bffb.com

600 W. Broadway, Suite 900

San Diego, California 92101

Telephone: (619) 798-4593

BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.

Elaine A. Ryan (*Admitted Pro Hac Vice*)

eryan@bffb.com

2325 E. Camelback Road, Suite 300

Phoenix, AZ 85016

Telephone: (602) 274-1100

BOODELL & DOMANSKIS, LLC

Stewart M. Weltman (*Admitted Pro Hac Vice*)

sweltman@boodlaw.com

Max A. Stein (*Admitted Pro Hac Vice*)

mstein@boodlaw.com

Nada Djordjevic (*Admitted Pro Hac Vice*)

ndjordjevic@boodlaw.com

1 One North Franklin, Suite 1200
2 Chicago, IL 60606
3 Telephone: (312) 938-1670

4 JOHNSON & JOHNSON, LLP
5 Jordanna Thigpen (232642)
6 jthigpen@jllplaw.com
7 439 N. Canon Drive, Ste. 200
8 Beverly Hills, CA 90210
9 Telephone: (310)975-1080
10 Facsimile: (310) 975-1095

11 NYE, PEABODY, STIRLING, HALE &
12 MILLER, LLP
13 Jonathan D. Miller (SBN 220848)
14 jonathan@nps-law.com
15 Alison M. Bernal (SBN 264629)
16 alison@nps.com
17 33 West Mission Street, Suite 201
18 Santa Barbara, California 93101
19 Telephone: (805) 963-2345
20 Facsimile: (805) 563-5385

21 GOLDMAN SCARLATO & PENNY P.C.
22 Brian D. Penny (*Admitted Pro Hac Vice*)
23 penny@lawgsp.com
24 Laura Killian Mummert
25 mummert@lawgsp.com
26 101 East Lancaster Ave., Suite 204
27 Wayne, PA 19087
28 Telephone: (484) 342-0700

LEVIN FISHBEIN SEDRAN & BERMAN
Howard J. Sedran
510 Walnut Street
Philadelphia, Pennsylvania 19106
hsedran@lfsblaw.com
Telephone: (215) 592-1500
Attorneys for Plaintiffs and the Proposed Class

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on October 26, 2016, I electronically filed the
3 foregoing with the Clerk of the Court using the CM/ECF system which will send
4 notification of such filing to the e-mail addresses denoted on the Electronic Mail
5 notice list, and I hereby certify that I have mailed the foregoing document or
6 paper via the United States Postal Service to the non-CM/ECF participants
7 indicated on the Manual Notice list.

8 I certify under penalty of perjury under the laws of the United States of
9 America that the foregoing is true and correct. Executed on October 26, 2016.

10
11 By: s/Patricia N. Syverson

12 BONNETT FAIRBOURN FRIEDMAN
13 & BALINT, PC
14 600 W. Broadway, Suite 900
15 San Diego, California 92101
16 psyverson@bffb.com
17 Telephone: (619) 798-4593
18
19
20
21
22
23
24
25
26
27
28

1 **NINTH CIRCUIT RULE 3-2 REPRESENTATION STATEMENT**

2
3 **Plaintiff**

4 Noah Bradach represented **Patricia N. Syverson**
5 by **Manfred P. Muecke**
6 BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.
7 600 W. Broadway, Suite 900
San Diego, California 92101
8 Telephone: (619) 798-4593
psyverson@bffb.com
9 mmuecke@bffb.com

10 **Elaine A. Ryan**
11 BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.
12 2325 E. Camelback Road, Suite 300
Phoenix, AZ 85016
13 Telephone: (602) 274-1100
eryan@bffb.com

14
15 **Stewart M. Weltman, Max A. Stein,**
Nada Djordjevic
16 BOODELL & DOMANSKIS, LLC
17 One North Franklin, Suite 1200
Chicago, IL 60606
18 Telephone: (312) 938-1670
sweltman@boodlaw.com
19 mstein@boodlaw.com
20 ndjordjevic@boodlaw.com

21 **Jordanna Thigpen**
22 JOHNSON & JOHNSON, LLP
439 N. Canon Drive, Ste. 200
23 Beverly Hills, CA 90210
24 Telephone: (310)975-1080
Facsimile: (310) 975-1095
25 jthigpen@jllplaw.com

26 **Jonathan D. Miller, Alison M. Bernal**
27 NYE, PEABODY, STIRLING, HALE
& MILLER, LLP
33 West Mission Street, Suite 201
28 Santa Barbara, California 93101

1 Telephone: (805) 963-2345
2 Facsimile: (805) 563-5385
3 jonathan@nps-law.com
4 alison@nps.com

5 **Brian D. Penny, Laura Killian Mummert**
6 GOLDMAN SCARLATO & PENNY P.C.
7 101 East Lancaster Ave., Suite 204
8 Wayne, Pennsylvania 19087
9 Telephone: (484) 342-0700
10 penny@gskplaw.com
11 mummert@lawgsp.com

12 **Howard J. Sedran**
13 LEVIN FISHBEIN SEDRAN & BERMAN
14 510 Walnut Street
15 Philadelphia, Pennsylvania 19106
16 Telephone: (215) 592-1500
17 hsedran@lfsblaw.com

18 **Defendant**

19 Pharmavite, LLC represented by **Rene P. Tatro, Juliet A. Markowitz**
20 TATRO TEKOSKY SADWICK, LLP
21 333 S. Grand Avenue, Ste. 4270
22 Los Angeles, CA 90071
23 Telephone: (213) 225-7171
24 renetatro@tsmlaw.com
25 jmarkowitz@tsmlaw.com

26 **Joseph M. Price, Bridget M. Ahmann**
27 FAEGRE BAKER DANIELS LLP
28 2200 Wells Fargo Center
90 South Seventh St.
Minneapolis, MN 55402
Telephone: (612) 766-7000
Joseph.price@faegrebd.com
Bridget.ahmann@faegrebd.com