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Central Civil West  
NOV 16 2016  
By: E. Munoz

**FILED**  
Superior Court of California  
County of Los Angeles  
FEB 01 2017  
SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK  
BY [Signature] Deputy  
BENIGNO DEL BARRIO

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

JENNIFER HABELITO, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

GUTHY-RENKER LLC, a California  
limited liability company; and DOES 1  
through 10, inclusive,

Defendants.

CASE NO. BC499558

[Assigned for All Purposes to  
Hon. Ann I. Jones]

**FAXED**

CLASS ACTION

~~[PROPOSED]~~ ORDER GRANTING  
UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT

Hearing Date: TBD  
Time: TBD  
Dep't: 308

[Filed Concurrently with Notice of Motion;  
Memorandum in Support of Motion; Declaration  
of Jason M. Wucetich in Support of Motion  
(Attaching Proposed Class Action Settlement  
Agreement and Proposed Class Notice);  
Application to Exceed Page Limit]

2016 FEB 01

1 On February 1, 2016, at 1:45pm, this Court, the Honorable Ann I. Jones  
2 presiding, heard Plaintiff Jennifer Habelito's unopposed motion for preliminary approval of the  
3 parties' class action settlement agreement in this matter, a true and correct copy of which is  
4 attached as Exhibit 1 to the declaration of Jason M. Wucetich filed in support of the motion (the  
5 "Settlement Agreement"). Having carefully considered the briefs and arguments of counsel, IT  
6 IS HEREBY ORDERED THAT:

7 1) Plaintiff's motion for preliminary approval pursuant to California Code of  
8 Civil Procedure § 382 and California Rule of Court 3.769 is GRANTED.

9 2) The Court hereby preliminarily approves the parties' Settlement  
10 Agreement, as attached as Exhibit 1 to the declaration of Jason M. Wucetich filed in support of  
11 the motion, pursuant to California Rule of Court 3.769(c), as fair, adequate, and reasonable.

12 3) The Court hereby certifies, for the purposes of settlement pursuant to  
13 California Rule of Court 3.768(d), a class defined as follows, consistent with the Court's April 27,  
14 2015, and April 28, 2016, class certification orders:

15 All California citizens who, between January 22, 2009, and July 8, 2004, purchased  
16 Proactiv products from Guthy-Renker and, as a result of their purchase, were  
17 automatically enrolled in Guthy-Renker's automatic delivery and automatic  
18 renewal billing policy and charged for additional products and shipments beyond  
19 their initial purchase.

20 (the "Settlement Class").

21 4) The Court approves plaintiff Jennifer Habelito as the representative of the  
22 Settlement Class, consistent with the Court's April 27, 2015, and April 28, 2016, certification  
23 orders.

24 5) The Court approves the law firm of Wucetich & Korovilas LLP as counsel  
25 for the Settlement Class, consistent with the Court's April 27, 2015, and April 28, 2016,  
26 certification orders.

27 6) The Court hereby authorizes and approves, pursuant to California Rule of  
28 Court 3.769(f), the proposed form, method, and timing of giving notice to the Class of this action  
and of the proposed Settlement Agreement as set forth in the Settlement Agreement § 3.2(a)-(b)

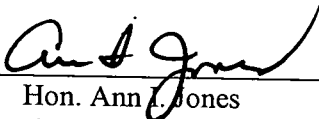
1 and Exhibits A. The third party claims administrator shall issue the notices described in the  
2 Settlement Agreement § 3.2(a)-(b) and Exhibit A no later than 14 calendar days after entry of this  
3 order ("Notice Date").

4 7) Class members shall have 60 days after the Notice Date to file objections to  
5 the Settlement Agreement, to opt-out of the Class, and/or to make claims as contemplated by the  
6 Settlement Agreement.

7 8) The Court shall hear Plaintiff's motion for final approval of the Settlement  
8 Agreement on May 16, 2017, at 9:00 a.m.

9 9) Plaintiff shall file his motion for final approval of the Settlement  
10 Agreement and the application for attorneys' fees and the enhancement award to Plaintiff at least  
11 16 ~~days~~ days prior to the hearing, unless otherwise ordered by the Court.

12 IT IS SO ORDERED.

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16 Hon. Ann L. Jones  
17 Los Angeles Superior Court Judge  
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