

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF ILLINOIS**  
**EASTERN DIVISION**

LAURA CARROLL, KATHERINE EXO,  
ARMAND RYDEN, and KATHARINE  
SHAFFER, Individually and on Behalf of All  
Others Similarly Situated,

Plaintiffs,

v.

S. C. JOHNSON & SON, INC. and VMG  
PARTNERS, LLC,

Defendants.

Case No. 1:17-CV-05828

Honorable Charles R. Norgle

**DEFENDANT S.C. JOHNSON & SON, INC.’S**  
**MOTION TO STAY PENDING CLASS ACTION SETTLEMENT**

Defendant S.C. Johnson & Son, Inc. (“S.C. Johnson”) hereby moves, by and through its counsel of record, to stay this action pending final approval of a nationwide class settlement in *Mayhew, et al. v. KAS Direct, LLC and S.C. Johnson*, Case No. 7:16-cv-06981 (S.D.N.Y.) (the “*Mayhew* settlement”). In support of this Motion, S.C. Johnson will file a Memorandum of Law and an accompanying Request for Judicial Notice.

In the Complaint, Plaintiffs allege that Babyganics mineral-based sunscreen lotion SPF 50+ (the “Lotion”) and Babyganics mineral-based sunscreen spray SPF 50+ (the “Spray”) (together, the “Products”) are falsely, fraudulently, and deceptively labeled because Consumer Reports testing and Plaintiffs’ own independent testing reveal that the Products’ SPF is less than 50. Plaintiffs seek to represent a nationwide class of purchasers of the Products. However, the

*Mayhew* settlement covers the Products at issue in this case and, if approved, would give Plaintiffs and the putative class a refund for their purchases of the Products. Unless Plaintiffs and putative class members opt out, their claims will be released and mooted by the *Mayhew* settlement. This case should not proceed while the *Mayhew* settlement is pending.

This Motion is brought on the following grounds:

1. This Court has broad discretion to stay proceedings pending resolution of related proceedings in other courts.
2. Plaintiffs' ability to bring this action and the size of their putative class are contingent on resolution of the *Mayhew* settlement.
3. This case is in its infancy.
4. The *Mayhew* settlement is likely to lead to expeditious resolution of this case.
5. A stay would reduce the burden on the parties and the Court while the *Mayhew* settlement—which will narrow this case and may resolve it entirely—is pending.

**WHEREFORE**, Defendant S.C. Johnson respectfully requests that the Court grant this Motion and stay this action pending final resolution of the *Mayhew* settlement.

Dated: October 2, 2017

Respectfully Submitted,

By: /s/ Amy J. Laurendeau

Amy J. Laurendeau

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*Attorneys for Defendant S.C. Johnson & Son,  
Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 2, 2017, I caused the foregoing document to be electronically filed with the clerk of the United States District Court for the Northern District of Illinois using the CM/ECF system, which will send notification of such filing to the e-mail addresses denoted on the electronic Mail Notice List.

Executed on October 2, 2017, in Newport Beach, California.

/s/ Amy J. Laurendeau  
Amy J. Laurendeau