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

NATASHA PARACHA, On Behalf
of Herself and All Others Similarly
Situated,

Plaintiff,

v.

GENERAL MILLS, INC., a Delaware
Corporation

Defendant.

Case No.: 2:18-cv-07659

CLASS ACTION COMPLAINT FOR:

1. VIOLATION OF THE UNFAIR
COMPETITION LAW, Business and
Professions Code §17200 *et seq.*; and
2. VIOLATION OF THE
CONSUMERS LEGAL REMEDIES
ACT, Civil Code §1750 *et seq.*

DEMAND FOR JURY TRIAL

1 Plaintiff Natasha Paracha brings this action on behalf of herself and all others
2 similarly situated against Defendant General Mills, Inc. and states:

3 **FACTUAL ALLEGATIONS**

4 1. Defendant manufactures, markets, sells, and distributes various food
5 products. This lawsuit concerns four of those products: Cheerios Toasted Whole
6 Grain Oat Cereal, Nature Valley Granola Protein Oats n' Honey, Nature Valley
7 Crunchy Granola Bars – Oat's n' Honey, and Lucky Charms (the "Products").¹

8 2. In marketing its Products, Defendant seeks to appeal to the consuming
9 public's ever-growing health consciousness and increasing appetite for nutritious,
10 wholesome foods that will benefit their health and avoidance of highly-processed
11 foods with non-healthy attributes such as GMOs, artificial additives, gluten, added
12 sugars, and hydrogenated oils.

13 3. Defendant makes several detailed representations about the health
14 attributes of its Products on the front of the Product packages. For example,
15 Defendant represents on the front of each and every Cheerios Toasted Whole Grain
16 Oat Cereal Product that the Product is "made with 100% whole grain oats", "can help
17 lower cholesterol" and "may reduce the risk of heart disease", is "simply made" and
18 "Gluten Free", contains "NO artificial flavors [or] colors", and the "1st Ingredient [is]
19 whole grain oats". Further, on the top of the box, which consumers see when they
20 pick the Product up off of the shelf and continue to see every morning that they eat
21 Cheerios, Defendant represents in all capital letters against a white background on an
22 otherwise yellow box that the "FIRST INGREDIENT [is] WHOLE GRAIN" and that
23 "A WHOLE GRAIN FOOD IS MADE BY USING ALL THREE PARTS OF THE
24 GRAIN. ALL GENERAL MILLS BIG G CEREALS CONTAIN MORE WHOLE
25 GRAIN THAN ANY OTHER SINGLE INGREDIENT." Defendant makes one or
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27

¹ Plaintiff reserves the right to add additional products upon completion of discovery.
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1 more similar attribute representations on the front of its other Product packages.
2 These representations are collectively referred to as the “Product healthy attribute
3 representations”.

4 4. The Product healthy attribute representations lead reasonable consumers
5 to believe the Products will foster their “good health” and not potentially harm their
6 health.

7 5. However, recent testing by the Environmental Working Group (EWG),
8 a nonprofit organization dedicated to protecting human health and the environment,
9 revealed that Defendant’s Products contain glyphosate, one of the most widely used
10 herbicides in the United States. EWG’s Children’s Health Initiative, “Breakfast With
11 a Dose of Roundup?” August 15, 2018, *available at*
12 <https://www.ewg.org/childrenshealth/glyphosateincereal/#.W3TTbPZFw2w>
13 (“EWG”) (last visited August 23, 2018). Each year, more than 250 million pounds of
14 glyphosate is sprayed on American crops, including wheat, barley, and oats just
15 before they are harvested. *Id.*

16 6. The EWG’s glyphosate findings confirm the results of a study published
17 in 2016 by the nonprofit Food Democracy Now that found glyphosate in Defendant’s
18 Cheerios Toasted Whole Grain Oat Cereal Product. *See* Glyphosate: Unsafe on Any
19 Plate, Food Testing Results and Scientific Reasons for Concern, at p. 5, *available at*
20 [https://s3.amazonaws.com/media.fooddemocracynow.org/images/FDN_Glyphosate](https://s3.amazonaws.com/media.fooddemocracynow.org/images/FDN_Glyphosate_FoodTesting_Report_p2016.pdf)
21 [_FoodTesting_Report_p2016.pdf](https://s3.amazonaws.com/media.fooddemocracynow.org/images/FDN_Glyphosate_FoodTesting_Report_p2016.pdf) (last visited August 27, 2018).

22 7. The International Agency for Research on Cancer, part of the World
23 Health Organization, has determined that glyphosate is “probably carcinogenic to
24 humans”. IARC Monographs Volume 112: evaluation of five organophosphate
25 insecticides and herbicides, March 20, 2015, *available at*
26 <http://www.iarc.fr/en/media-centre/iarcnews/pdf/MonographVolume112.pdf> (last
27 visited August 23, 2018). Glyphosate is even more dangerous for children, who are

1 more susceptible to carcinogens. *See EWG.*

2 8. Recently, Defendant announced that it will drop the “100% Natural ”
3 representation it makes on its Nature Valley Crunch Granola Bars – Oats n’ Honey
4 Product as the Product contains glyphosate. *See*
5 [https://www.bloomberg.com/news/articles/2018-08-23/nature-valley-drops-100-](https://www.bloomberg.com/news/articles/2018-08-23/nature-valley-drops-100-natural-claim-after-pesticide-suit)
6 [natural-claim-after-pesticide-suit](https://www.bloomberg.com/news/articles/2018-08-23/nature-valley-drops-100-natural-claim-after-pesticide-suit) (last visited August 27, 2018). Defendant has not,
7 however, indicated it will disclose the presence of glyphosate on any of the Product
8 packages.

9 9. Because it is a carcinogen with no nutritional value, the presence of *any*
10 amount of glyphosate in the Products is material to reasonable consumers. No
11 reasonable consumer would purchase the Products knowing that they contained
12 glyphosate.

13 10. Even though Defendant has acknowledged that Nature Valley Crunch
14 Granola Bars – Oats n’ Honey Product contains the probable carcinogen glyphosate
15 and knew that the other Products contain glyphosate or, at a minimum, that it could
16 not guarantee the Products did not contain glyphosate given its wide use as a
17 pesticide, Defendant does not disclose this information on the front of the Product
18 labels, choosing instead to specifically identify only the healthy attributes of its
19 Products. Nor does Defendant include this information on the back or sides of the
20 packages, where more detailed Product information is generally found, instead
21 choosing to repeat and reinforce the healthy attributes identified on the front of the
22 packages. In fact, nowhere on its Product packages – inside or out – does Defendant
23 disclose that the Products contain or likely contain glyphosate, such that Defendant’s
24 Product healthy attribute representations are misleading half-truths.

25 11. As the manufacturer and distributor of the Products, Defendant knew
26 that the Products contained or likely contained glyphosate. By contrast, Plaintiff and
27 consumers did not and do not have access to such information. Nor is that fact easily
28

1 discovered by Plaintiff and consumers before purchase of the Products. Because
2 Defendant had knowledge that the Products contain or likely contain glyphosate, and
3 Plaintiff and consumers did not, Defendant had a duty to disclose that fact—and that
4 glyphosate is a probable carcinogen—to consumers, which it did not do.

5 12. Consumers have a reasonable expectation that material product
6 information, such as the presence of a probable carcinogen like glyphosate, will be
7 provided by a product manufacturer, especially when the manufacturer affirmatively
8 identifies the health-related attributes of its Products such as “Gluten Free”, “100%
9 Whole Grain”, and “NO Artificial Flavors [or] Colors”. By only identifying the
10 healthy attributes of its Products, emphasizing its Products are made using all three
11 parts of the grain, and failing to disclose that the Products contain or likely contain
12 glyphosate, Defendant actively concealed this information from Plaintiff, Class
13 members, and the general public. *See* representative Product labels, attached hereto
14 as Exhibit A.

15 13. Defendant had a duty to disclose the fact that the Products contain or
16 likely contain glyphosate and that glyphosate is a probable carcinogen, which was
17 known to Defendant and unknown and/or not reasonably accessible to Plaintiff and
18 consumers, on its Product labels where the disclosure could be viewed by Plaintiff
19 and consumers at the point-of-sale.

20 14. By failing to disclose the fact that the Products contain or likely contain
21 glyphosate and continuing to sell the Products in packages omitting this information,
22 Defendant has and continues to deceive and mislead consumers, including Plaintiff.

23 15. As a result of Defendant’s misleading half-truths and material
24 nondisclosures, consumers will continue to purchase Defendant’s Products that,
25 unbeknownst to them, contain or likely contain glyphosate.

26 16. Plaintiff brings this action on behalf of herself and other similarly
27 situated consumers who purchased the Products to halt the dissemination of this
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1 misleading and deceptive advertising message, correct the misleading perception it
2 has created in the minds of consumers, and obtain redress for those who have
3 purchased the Products. Based on violations of California unfair competition laws
4 (detailed below), Plaintiff seeks declaratory, injunctive, and restitutionary relief for
5 consumers who purchased the Products.

6 **JURISDICTION AND VENUE**

7 17. This Court has original jurisdiction pursuant to 28 U.S.C. §1332(d)(2).
8 The matter in controversy, exclusive of interest and costs, exceeds the sum or value
9 of \$5,000,000 and is a class action in which there are in excess of 100 class members
10 and some members of the Class are citizens of a state different from Defendant.

11 18. This Court has personal jurisdiction over Defendant because Defendant
12 is authorized to conduct and do business in California, including this District.
13 Defendant marketed, promoted, distributed, and sold the Products in California, and
14 Defendant has sufficient minimum contacts with this State and/or sufficiently availed
15 itself of the markets in this State through its promotion, sales, distribution, and
16 marketing within this State, including this District, to render the exercise of
17 jurisdiction by this Court permissible.

18 19. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(a) and (b)
19 because a substantial part of the events giving rise to Plaintiff's claims occurred while
20 she resided in this judicial district. Venue is also proper under 18 U.S.C. §1965(a)
21 because Defendant transacts substantial business in this District.

22 **PARTIES**

23 20. Plaintiff Natasha Paracha resides in Los Angeles County, California.
24 Throughout the relevant period, Plaintiff Paracha routinely was exposed to, saw, and
25 relied upon Defendant's Product healthy attribute representations by reading the
26 Cheerios Toasted Whole Grain Oat Cereal Product label at various stores in Walnut,
27 California, including Vons and Stater Bros. Plaintiff Paracha purchased the Product

1 for herself, her two young children, and her father for approximately \$4/box. At all
 2 relevant times, Plaintiff was unaware that the Product contained glyphosate or that
 3 Defendant could not guarantee it did not contain glyphosate. Had Defendant
 4 disclosed on the package that the Product contained or may contain glyphosate,
 5 Plaintiff Paracha would have seen and read that disclosure and would not have
 6 purchased the Product. As a result, Plaintiff Paracha suffered injury in fact and lost
 7 money at the time of purchase.

8 21. Defendant General Mills, Inc. is a Delaware corporation whose
 9 headquarters is located at Number One General Mills Blvd, Minneapolis, MN 55426.
 10 General Mills, Inc. manufactures, advertises, markets, distributes, and/or sells the
 11 Cheerios Toasted Whole Grain Oat Cereal, Nature Valley Granola Protein Oats n'
 12 Honey, Nature Valley Crunchy Granola Bars – Oats n' Honey, and Lucky Charms
 13 Products to tens of thousands of consumers in California and throughout the United
 14 States.

15 CLASS DEFINITION AND ALLEGATIONS

16 22. Plaintiff brings this action on behalf of herself and all other similarly
 17 situated consumers pursuant to Rule 23(a), (b)(2), and (b)(3) of the Federal Rules of
 18 Civil Procedure and seeks certification of the following Class:

19 Multi-State Class Action

20 All consumers who, within the applicable statute of limitations
 21 period until the date notice is disseminated, purchased the Products
 22 in California, Florida, Illinois, Massachusetts, Michigan, Minnesota,
 Missouri, New Jersey, New York, and Washington.²

23
 24 ² The States in the Multistate Class are limited to those States with similar consumer
 25 fraud laws as applied to the facts of this case: California (Cal. Bus. & Prof. Code
 26 §17200, *et seq.*); Florida (Fla. Stat. §501.201, *et seq.*); Illinois (815 Ill. Comp. Stat.
 27 502/1, *et seq.*); Massachusetts (Mass. Gen. Laws Ch. 93A, *et seq.*); Michigan (Mich.
 28 Comp. Laws §445.901, *et seq.*); Minnesota (Minn. Stat. §325F.67, *et seq.*); Missouri
 (Mo. Rev. Stat. 010, *et seq.*); New Jersey (N.J. Stat. §56:8-1, *et seq.*); New York
 (N.Y. Gen. Bus. Law §349, *et seq.*); and Washington (Wash. Rev. Code §19.86.010,
et seq.). These statutes are referred to as “Similar Consumer Fraud Statutes.”

1 Excluded from this Class are Defendant and its officers,
2 directors, employees and those who purchased the Products
3 for the purpose of resale.

4 23. In the alternative to a Multi-State Class, Plaintiff seeks certification of the
5 following California-Only Class:

6 **California-Only Class Action**

7 All California consumers who within the applicable statute
8 of limitations period until the date notice is disseminated,
9 purchased the Products.

10 Excluded from this Class are Defendant and its officers,
11 directors and employees, and those who purchased the
12 Products for the purpose of resale.

13 24. **Numerosity.** The members of the Classes are so numerous that joinder
14 of all members of the Classes is impracticable. Plaintiff is informed and believes that
15 the proposed Classes contain thousands of purchasers of the Products who have been
16 damaged by Defendant's conduct as alleged herein. The precise number of Class
17 members is unknown to Plaintiff.

18 25. **Existence and Predominance of Common Questions of Law and**
19 **Fact.** This action involves common questions of law and fact, which predominate
20 over any questions affecting individual Class members. These common legal and
21 factual questions include, but are not limited to, the following:

- 22 (a) whether Defendant's alleged conduct is unlawful;
23 (b) whether the alleged conduct constitutes violations of the laws asserted;
24 (c) whether Defendant engaged in misleading and/or deceptive advertising;

25 and

26 (d) whether Plaintiff and Class members are entitled to appropriate
27 remedies, including restitution and injunctive relief.

28 26. **Typicality.** Plaintiff's claims are typical of the claims of the members

1 of the Classes because, *inter alia*, all Class members were injured through the
2 uniform misconduct described above. Plaintiff is also advancing the same claims
3 and legal theories on behalf of herself and all Class members.

4 **27. Adequacy of Representation.** Plaintiff will fairly and adequately
5 protect the interests of Class members. Plaintiff has retained counsel experienced in
6 complex consumer class action litigation, and Plaintiff intends to prosecute this
7 action vigorously. Plaintiff has no adverse or antagonistic interests to those of the
8 Classes.

9 **28. Superiority.** A class action is superior to all other available means for
10 the fair and efficient adjudication of this controversy. The damages or other financial
11 detriment suffered by individual Class members is relatively small compared to the
12 burden and expense that would be entailed by individual litigation of their claims
13 against Defendant. It would thus be virtually impossible for members of the Classes,
14 on an individual basis, to obtain effective redress for the wrongs done to them.
15 Furthermore, even if Class members could afford such individualized litigation, the
16 court system could not. Individualized litigation would create the danger of
17 inconsistent or contradictory judgments arising from the same set of facts.
18 Individualized litigation would also increase the delay and expense to all parties and
19 the court system from the issues raised by this action. By contrast, the class action
20 device provides the benefits of adjudication of these issues in a single proceeding,
21 economies of scale, and comprehensive supervision by a single court, and presents
22 no unusual management difficulties under the circumstances here.

23 **29.** Unless a Class is certified, Defendant will retain monies received as a
24 result of its conduct that were taken from Plaintiff and Class members.

25 //

26 //

27 //

COUNT I

**Violation of Business & Professions Code §17200, *et seq.*
and Similar Consumer Fraud Statutes, *supra* note 2
(On Behalf of the Multi-State or California-Only Class)**

30. Plaintiff repeats and re-alleges the allegations contained in the paragraphs above, as if fully set forth herein.

31. Plaintiff brings this claim individually and on behalf of the Classes.

32. As alleged herein, Plaintiff has suffered injury in fact and lost money or property at the time of purchase as a result of Defendant's conduct because she purchased Defendant's Products in reliance on Defendant's Product healthy attribute representations. Had Plaintiff known that the Product contained glyphosate or that Defendant could not guarantee it did not contain glyphosate, Plaintiff would not have purchased the Product.

33. The Unfair Competition Law, Business & Professions Code §17200, *et seq.* ("UCL") prohibits any "unlawful," "fraudulent," or "unfair" business act or practice and any false or misleading advertising. The Similar Consumer Fraud Statutes likewise prohibit the use of unfair or deceptive practices in the course of trade or commerce, and are to be liberally construed.

34. In the course of conducting business, Defendant committed "unlawful" business practices by, *inter alia*, making the Product healthy attribute representations, which are misleading half-truths, and the material omissions (which also constitutes advertising within the meaning of §17200) regarding the Products' labeling, as set forth more fully herein, and violating Civil Code §§ 1552, 1573, 1709, and 1711, the California Legal Remedies Act, Civil Code § 1750, *et seq.*, Business & Professions Code §§ 17200, *et seq.* and 17500, *et seq.*, the Similar Consumer Fraud Statutes, and the common law.

35. Plaintiff reserves the right to allege other violations of law, which

1 constitute other unlawful business acts or practices. Such conduct is ongoing and
2 continues to this date.

3 36. In the course of conducting business, Defendant committed “unfair”
4 business acts or practices by, *inter alia*, making the Product healthy attribute
5 representations, which are misleading half-truths, and material omissions (which also
6 constitutes advertising within the meaning of § 17200) regarding the Products’
7 labeling, as set forth more fully herein. There is no societal benefit from false
8 advertising, only harm. While Plaintiff and the public at large were and continue to
9 be harmed, Defendant has been unjustly enriched by its misleading half-truths and
10 material omissions. Because the utility of Defendant’s conduct (zero) is outweighed
11 by the gravity of harm to Plaintiff, consumers, and the competitive market,
12 Defendant’s conduct is “unfair” having offended an established public policy.
13 Further, Defendant engaged in immoral, unethical, oppressive, and unscrupulous
14 activities that are substantially injurious to the public at large.

15 37. There were reasonable available alternatives to further Defendant’s
16 legitimate business interests, other than the conduct described herein.

17 38. In the course of conducting business, Defendant committed “fraudulent
18 business act[s] or practices” and deceptive or misleading advertising by, *inter alia*,
19 making the Product healthy attribute representations, which are misleading half-
20 truths, and the material omissions (which also constitutes advertising within the
21 meaning of §17200) regarding the Products as set forth more fully herein.

22 39. Defendant’s actions, claims, and misleading statements, as more fully
23 set forth above, are misleading and/or likely to deceive the consuming public within
24 the meaning of Business & Professions Code §17200, *et seq.* and the Similar
25 Consumer Fraud Statutes.

26 40. Plaintiff relied on Defendant’s Product healthy attribute representations
27 and was in fact injured as a result of those misleading half-truths and material

omissions. Plaintiff has suffered injury in fact and lost money as a result of her purchases of Defendant's Products.

41. Unless restrained and enjoined, Defendant will continue to engage in the above described conduct. Accordingly, injunctive relief is appropriate.

42. Plaintiff, on behalf of herself, all others similarly situated, and the general public, seeks declaratory relief and an injunction prohibiting Defendant from continuing such practices, restitution of all money obtained from Plaintiff and the members of the Classes collected as a result of unfair competition, and all other relief this Court deems appropriate, consistent with Business & Professions Code § 17203 and the Similar Consumer Fraud Statutes.

COUNT II
Violations of the Consumers Legal Remedies Act – Civil Code § 1750 *et seq.*
(On Behalf of the California-Only Class)

43. Plaintiff repeats and re-alleges the allegations contained in the paragraphs above, as if fully set forth herein.

44. Plaintiff brings this claim individually and on behalf of the California-Only Class.

45. This cause of action is brought pursuant to the Consumers Legal Remedies Act, California Civil Code § 1750, *et seq.* (the "Act").

46. Plaintiff is a consumer as defined by California Civil Code § 1761(d). The Products are "goods" within the meaning of the Act.

47. Defendant violated and continues to violate the Act by engaging in the following practices proscribed by California Civil Code § 1770(a) in transactions with Plaintiff and the California-Only Class which were intended to result in, and did result in, the sale of the Products:

- (5) Representing that [the Products have] . . . characteristics, . . . uses [and] benefits . . . which [they do] not have

* * *

(7) Representing that [the Products] are of a particular standard, quality, or grade ... if they are of another.

48. Defendant violated the Act by making the Product healthy attribute representations, which are misleading half-truths, and the material omissions, as described above, when it knew or should have known that the misleading half-truths and material omissions were misleading and deceptive.

49. Pursuant to California Civil Code § 1782(d), Plaintiff and the California-Only Class seek a Court Order declaring Defendant to be in violation of the CLRA, enjoining the above-described wrongful acts and practices of Defendant, and ordering restitution and disgorgement.

50. Pursuant to § 1782 of the Act, Plaintiff notified Defendant in writing by certified mail of the particular violations of § 1770 of the Act and demanded that Defendant rectify the problems associated with the actions detailed above and give notice to all affected consumers of Defendant's intent to so act. A copy of the letter is attached hereto as Exhibit B.

51. If Defendant fails to rectify or agree to rectify the problems associated with the actions detailed above and give notice to all affected consumers within 30 days of the date of written notice pursuant to § 1782 of the Act, Plaintiff will amend this Complaint to add claims for actual, punitive, and statutory damages as appropriate.

52. Pursuant to § 1780 (d) of the Act, attached hereto as Exhibit C is the affidavit showing that this action has been commenced in the proper forum.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for a judgment:

A. Certifying the Classes as requested herein;

1 B. Issuing an order declaring that Defendant is in violation of the UCL and
2 CLRA;

3 C. Enjoining Defendant's conduct;

4 D. Awarding restitution and disgorgement of Defendant's revenues to
5 Plaintiff and the proposed Class members;

6 E. Awarding attorneys' fees and costs; and

7 F. Providing such further relief as may be just and proper.

8 **DEMAND FOR JURY TRIAL**

9 Plaintiff hereby demands a trial of her claims by jury to the extent authorized
10 by law.

11 Dated: August 31, 2018

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

/s/Patricia N. Syverson

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on August 31, 2018, I electronically filed the foregoing
3 with the Clerk of the Court using the CM/ECF system which will send notification of
4 such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I
5 hereby certify that I have mailed the foregoing document or paper via the United States
6 Postal Service to the non-CM/ECF participants indicated on the Manual Notice list.

7 I certify under penalty of perjury under the laws of the United States of America
8 that the foregoing is true and correct.

9 Executed the 31st day of August 2018.

10 /s/Patricia N. Syverson

11 Patricia N. Syverson
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EXHIBIT A



Cheerios

Toasted Whole Grain Oat Cereal

made with **100% WHOLE GRAIN OATS**



CAN HELP *lower* CHOLESTEROL*

Serving Suggestion

SIMPLY MADE
Gluten Free
GROWN. MILLED. TOASTED.

NO ARTIFICIAL FLAVORS
NO ARTIFICIAL COLORS

*THREE GRAMS OF SOLUBLE FIBER DAILY FROM WHOLE GRAIN OAT FOODS, LIKE CHEERIOS CEREAL, IN A DIET LOW IN SATURATED FAT AND CHOLESTEROL, MAY REDUCE THE RISK OF HEART DISEASE. CHEERIOS PROVIDES 1 GRAM PER SERVING.

NET WT 12 OZ (340g)



PER 1 CUP SERVING			
100 CALORIES	0.5g SAT FAT 9% DV	140mg SODIUM 9% DV	1g SUGARS
SEE NUTRITION FACTS FOR "AS PREPARED" INFORMATION			

Cheerios

Nutrition Facts

Serving Size 1 cup (28g)
Children Under 4 - $\frac{3}{4}$ cup (21g)
Servings Per Container about 12
Children Under 4 - about 16

Amount Per Serving	Cheerios	with $\frac{1}{2}$ cup skim milk	Cereal for Children under 4
Calories	100	150	80
Calories from Fat	15	20	10
% Daily Value**			
Total Fat 2g*	3%	3%	1.5g
Saturated Fat 0.5g	3%	3%	0g
Trans Fat 0g			0g
Polyunsaturated Fat 0.5g			0.5g
Monounsaturated Fat 0.5g			0.5g
Cholesterol 0mg	0%	1%	0mg
Sodium 140mg	6%	8%	105mg
Potassium 180mg	5%	11%	135mg
Total Carb 20g	7%	9%	15g
Dietary Fiber 3g	11%	11%	2g
Soluble Fiber 1g			0g
Sugars 1g			1g
Other Carbohydrate 16g			12g
Protein 3g			2g

	% Daily Value**	
Protein	-	9%
Vitamin A	10%	15%
Vitamin C	10%	10%
Calcium	10%	25%
Iron	45%	45%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	2%	10%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	50%	50%
Vitamin B ₁₂	25%	30%
Phosphorus	10%	20%
Magnesium	8%	10%
Zinc	25%	30%

* Amount in cereal. A serving of cereal plus skim milk provides 2g total fat, less than 5mg cholesterol, 200mg sodium, 380mg potassium, 26g total carbohydrate (7g sugars), and 8g protein.

** Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g
Protein		50g	65g

Ingredients: Whole Grain Oats, Corn Starch, Sugar, Salt, Tripotassium Phosphate, Vitamin E (mixed tocopherols) Added to Preserve Freshness.

Vitamins and Minerals: Calcium Carbonate, Iron and Zinc (mineral nutrients), Vitamin C (sodium ascorbate), A B Vitamin (niacinamide), Vitamin B₆ (pyridoxine hydrochloride), Vitamin A (palmitate), Vitamin B₁ (thiamin mononitrate), A B Vitamin (folic acid), Vitamin B₁₂, Vitamin D₃.

DISTRIBUTED BY GENERAL MILLS SALES, INC.,
MINNEAPOLIS, MN 55440 USA

GLUTEN FREE

Not made with genetically modified ingredients.

Trace amounts of genetically modified (also known as "genetically engineered") material may be present due to potential cross contact during manufacturing and shipping.



**We serve the world by
Making Food
People Love**

We welcome
your questions
and comments
generalmills.com
1.800.328.1144

© General Mills Patent: generalmills.com/pat

Exchange: 1 1/2 starch
Based on Academy of Nutrition and Dietetics and American Diabetes Association criteria

This package is sold by weight, not by volume. You can be assured of proper weight even though some settling of contents normally occurs during shipment and handling.



atstanding!

100% whole grain oats in every single gluten-free O.

Each bowl of Cheerios is so much more than cereal.
It's whole-grained fuel for your day. Finger food for little hands. A shared
moment across generations. So grab a box and have an OATSTANDING day!

24^g

WHOLE GRAIN PER SERVING
AT LEAST 48g RECOMMENDED DAILY

Cheerios

GENERAL MILLS
IS ON A JOURNEY

to always make
our cereals better.

— HOW? —

BEING
RESPONSIBLE

We have committed to
sustainably source
100% of our cereal
boxes by 2020.

GIVING BACK

Since 1996, our cereals
have given more
than \$175 million
to America's schools
through Box Tops
for Education™.

— THAT'S WHY —

CHEERIOS

- ✓ 1 gram of sugar
per serving
- ✓ not made with
genetically modified
ingredients*
- ✓ 12 vitamins and
minerals

*Trace amounts of genetically modified
(also known as "genetically engineered")
material may be present due to potential cross
contact during manufacturing and shipping.

PROUD SPONSOR OF

 **Celiac Disease**
FOUNDATION
celiac.org

FIRST INGREDIENT
WHOLE GRAIN

BEST If Used By

14MAR2019 BU 2136 09 C

A WHOLE GRAIN FOOD IS MADE BY USING ALL THREE PARTS OF
THE GRAIN. ALL GENERAL MILLS BIG G CEREALS CONTAIN
MORE WHOLE GRAIN THAN ANY OTHER SINGLE INGREDIENT.



Ch
FA
Che

Toasted Whole
100% WHOLE GRAIN

VALUE PACK

24 BARS

NATURE VALLEY™

CRUNCHY

granola bars



ENLARGED
TO SHOW
DETAIL



24
BARS

PER 2 BARS

190
CALORIES

1g
SAT FAT
4% DV

180mg
SODIUM
7% DV

11g
SUGARS

Oats 'n Honey

16g of whole grain*

ENLARGED
TO SHOW
DETAIL



24
BARS

PER 2

190
CALORIES

1.88 OZ (506g)

12 - 1.49 OZ (42g) 2-BAR POUCHES NET WT 1 LB 1.88 OZ (17.88 OZ) (506g)

*16g of whole grain per serving.
At least 48g of whole grain recommended daily.

Nutrition Facts

Serving Size 2 bars (42g)
Servings Per Container 12

Amount Per Serving	2 bars		1 bar	
Calories	190		100	
Calories from Fat	60		30	
		% DV*		% DV*
Total Fat	7g	11%	3.5g	6%
Saturated Fat	1g	4%	0g	0%
Trans Fat	0g		0g	
Cholesterol	0mg	0%	0mg	0%
Sodium	180mg	7%	90mg	4%
Total Carbohydrate	29g	10%	15g	5%
Dietary Fiber	2g	9%	1g	4%
Sugars	11g		6g	
Protein	3g		2g	
Iron		4%		2%

Not a significant source of vitamin A, vitamin C and calcium.

* Percent Daily Values (DV) are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Ingredients: Whole Grain Oats, Sugar, Canola Oil, Rice Flour, Honey, Salt, Brown Sugar Syrup, Baking Soda, Soy Lecithin, Natural Flavor.

CONTAINS SOY; MAY CONTAIN PEANUT, ALMOND AND PECAN INGREDIENTS.

DISTRIBUTED BY
GENERAL MILLS SALES, INC.,
MINNEAPOLIS, MN 55440 USA

© General Mills

Carbohydrate Choices: 2

3004470176

Partially Produced with Genetic Engineering
Learn more at Ask.GeneralMills.com

VALUE PACK

24
BARS

NATURE VALLEY™

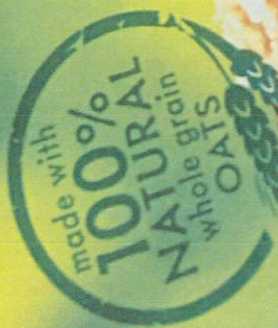
CRUNCHY

granola bars

Oats 'n Honey

16g of whole grain*

12 - 1.49 OZ (42g) 2-BAR POUCHES NET WT 1 LB 1.88 OZ (17.88 OZ) (506g)



ENLARGED
TO SHOW
DETAIL



24
BARS

PER 2 BARS

190
CALORIES

1g
SAT FAT

180mg
SODIUM

11g
SUGARS

% DV

Oats

16g

2-BAR POUCHES

NATURE VALLEY

granola bars

Oats 'n Honey

Nature Valley™
Crunchy bars are
made with the best
ingredients from
nature like 100%
natural whole
grain oats and
honey.

Enjoy!



15g



NO Corn Syrup
NO Colors from Artificial Sources
NO Artificial Flavors

Nutrition Facts

Serving Size 1/2 cup (50g)
 Servings Per Container about 6

Amount Per Serving	
Calories	210
Calories from Fat	50
	% Daily Value*
Total Fat 6g	8%
Saturated Fat 0.5g	3%
Trans Fat 0g	
Polyunsaturated Fat 1.5g	
Monounsaturated Fat 3g	
Cholesterol 0mg	0%
Sodium 140mg	6%
Potassium 140mg	4%
Total Carbohydrate 31g	10%
Dietary Fiber 3g	11%
Sugars 12g	
Protein 10g	13%

Calcium 4% • Iron 10%

Not a significant source of vitamin A and vitamin C.
 Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories 2,000	2,500
Total Fat	Less than 65g	80g
Saturated Fat	Less than 20g	25g
Cholesterol	Less than 300mg	300mg
Sodium	Less than 2,400mg	2,400mg
Total Carbohydrate	300g	375g
Dietary Fiber	25g	30g
Sugars	50g	65g

Ingredients: Whole Grain Oats, Soy Protein Isolate, Canola Oil, Honey, Molasses, Maltodextrin, Soy Lecithin, Natural Flavors, Sodium Bicarbonate, Sodium Citrate, Vitamin E (mixed tocopherols) Added to Preserve

THIS PRODUCT MAY CONTAIN
ALLERGENS FROM PEANUTS AND
SOY BEANS.

MINNEAPOLIS, MN 55440 USA
 3245427109

1144 (M-F 7:30-5:30 CT)

may be assured of proper weight

produced with Genetic

General Mills.com

GRANOLA+PROTEIN

At Nature Valley, our love of nature inspires us to create wholesome foods that taste great, like our Protein Crunchy Granola. Clusters of whole grain oats and a sweet touch of honey make this a simple way to add protein throughout your day.

It's more than just a cereal.
 Try it as a topper on yogurt, oatmeal, salads, fruit or just eat it by a handful anytime.



ENJOY ALL OF OUR
HEARTY & DELICIOUS
BREAKFAST OPTIONS!

BETTER IF USED BY

18 JUN 2019
JKJK 07:3001A

• 25g of
 Whole Grain
 per serving
 At least
 recommended

10g
 of
 PROTEIN





WHOLE GRAIN IS THE 1ST INGREDIENT

Lucky Charms

FROSTED TOASTED
OAT CEREAL WITH
MARSHMALLOWS

Now With
**MAGICAL
UNICORN**
MARSHMALLOWS



ENLARGED TO
SHOW DETAIL

PER 3/4 CUP SERVING

110 CALORIES	0g SAT FAT 9% DV	170mg SODIUM 7% DV	10g SUGARS
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Gluten
Free

SEE NUTRITION FACTS FOR AS PREPARED INFORMATION

NET WT 10.5 OZ (297g)

(297g)

PER
11
CAL

**Lucky
Charms**

Nutrition Facts

Serving Size $\frac{1}{4}$ cup (27g)
Servings Per Container about 11

Amount Per Serving	Lucky Charms	with $\frac{1}{4}$ cup skim milk
Calories	110	150
Calories from Fat	10	10

	% Daily Value**	
Total Fat 1g*	2%	2%
Saturated Fat 0g	0%	0%
Trans Fat 0g		
Polyunsaturated Fat 0g		
Monounsaturated Fat 0g		
Cholesterol 0mg	0%	1%
Sodium 170mg	7%	10%
Potassium 50mg	1%	7%
Total		
Carbohydrate 22g	7%	9%
Dietary Fiber 2g	6%	6%
Sugars 10g		
Other Carbohydrate 10g		

Protein 2g

Vitamin A	10%	15%
Vitamin C	10%	10%
Calcium	10%	25%
Iron	25%	25%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	25%	35%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	50%	50%
Vitamin B ₁₂	25%	35%
Phosphorus	4%	15%
Magnesium	4%	6%
Zinc	25%	30%

* Amount in cereal. A serving of cereal plus skim milk provides 1g total fat, less than 5mg cholesterol, 240mg sodium, 250mg potassium, 28g total carbohydrate (16g sugars), and 6g protein.

** Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Ingredients: Whole Grain Oats, Sugar, Oat Flour, Corn Syrup, Modified Corn Starch, Corn Starch, Dextrose, Salt, Gelatin, Trisodium Phosphate, Yellow 5 & 6, Red 40, Blue 1, Natural and Artificial Flavor, Vitamin E (mixed tocopherols).
Added to Preserve Freshness.

Vitamins and Minerals: Calcium Carbonate, Zinc and Iron (mineral nutrients), Vitamin C (sodium ascorbate), A B Vitamin (niacinamide), Vitamin B₆ (pyridoxine hydrochloride), Vitamin B₂ (riboflavin), Vitamin B₁ (thiamin mononitrate), Vitamin A (palmitate), A B Vitamin (folic acid), Vitamin B₁₂, Vitamin D₃.

DISTRIBUTED BY GENERAL MILLS SALES, INC.,
MINNEAPOLIS, MN 55440 USA

GLUTEN FREE

© General Mills

Patent: generalmills.com/pat

Exchange: 1½ Starch

Based on Academy of Nutrition and Dietetics and American Diabetes Association criteria.

This package is sold by weight, not by volume. You can be assured of proper weight even though some settling of contents normally occurs during shipment and handling.

F 3083360888 SSG 3472497888

Partially Produced with Genetic Engineering

Learn more at Ask.GeneralMills.com

Help Lucky Win a Magical New Charm

THE RACE FOR THE NEW UNICORN CHARM IS UNDER WAY AND LUCKY MUST BE SPEEDIER THAN HIS MAGICAL FRIEND TO WIN THE DAY.

TO WIN THE RACE, MOVE FROM CHARM TO CHARM FOLLOWING THE ORDER OF LUCKY'S MAGICAL CHARMS LISTED BELOW AND TRY TO FIND A PATH THAT LETS LUCKY COLLECT 10 UNICORN CHARMS BEFORE REACHING THE FINISH LINE.



START

seeing a unicorn in the wild will bring you good luck.

unicorns can cleanse water with a touch of their horn.

unicorns can heal whatever troubles you.

a unicorn always knows when you are telling the truth.

FINISH

HOORAY!
you have found your way and the new

UNICORN CHARM

is here to

STAY!

NET WT 10

PER 3/4
110
CALORIES
SEE NUTRITION

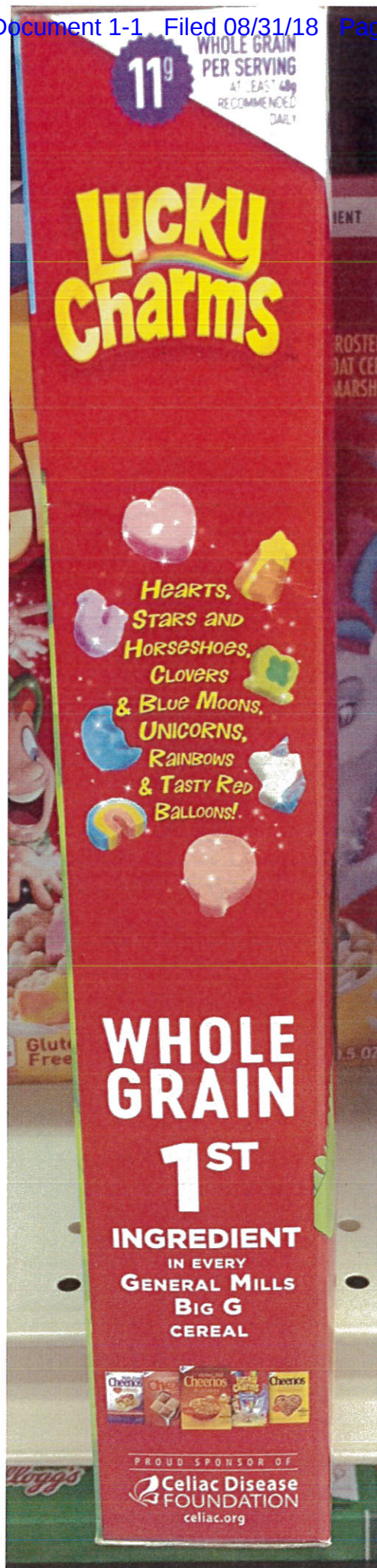


EXHIBIT B



BONNETT FAIRBOURN
FRIEDMAN & BALINT PC

WILLIAM G. FAIRBOURN
VAN BUNCH
ELAINE A. RYAN
KIMBERLY C. PAGE
WILLIAM F. KING
CARRIE A. LALIBERTE
NADA DJORDJEVIC⁴

ANDREW S. FRIEDMAN
ROBERT J. SPURLOCK
ANDREW Q. EVERROAD
CHRISTINA L. HANISCH
T. BRENT JORDAN²
LISA T. HAUSER
ANDREA M. WRIGHT

FRANCIS J. BALINT, JR.
C. KEVIN DYKSTRA
PATRICIA N. SYVERSON
MANFRED P. MUECKE¹
TY D. FRANKEL
DANIEL R. LEATHERS³

MICHAEL N. WIDENER, Of Counsel

¹ Admitted Only in California
² Admitted Only in Pennsylvania
³ Admitted Only in New Jersey, New York
and Pennsylvania
⁴ Admitted Only in Illinois

August 31, 2018

VIA CERTIFIED MAIL
(RECEIPT NO 7014 1200 0001 5814 2017)

General Mills, Inc.
General Counsel
Number One General Mills Blvd,
Minneapolis, MN 55426

Re: *Natasha Paracha v. General Mills, Inc.*

Dear Sir or Madam:

Our law firm together with Siprut PC represents Natasha Paracha and all other consumers similarly situated in an action against General Mills, Inc. (“General Mills” or “Defendant”), arising out of, *inter alia*, misrepresentations and material omissions by Defendant that lead reasonable consumers to believe that your Products¹ will foster their good health and not potentially harm their health.

Ms. Paracha and others similarly situated purchased Defendant’s Products unaware that the Products contained or likely contained glyphosate, a probable carcinogen. Because Defendant does not disclose this fact on its Product packages, the healthy attribute representations Defendant makes on its Product packages are misleading half-truths reasonably likely to deceive the public. The full claims, including the facts and circumstances surrounding these claims, are detailed in the Class Action Complaint, a copy of which is enclosed and incorporated by this reference.

Defendant’s misleading half-truths and material omissions are misleading and constitute unfair methods of competition and unlawful practices, undertaken by Defendant with the intent to induce the consuming public to purchase the Products. The misleading half-truths and material omissions do not assist consumers; they simply mislead them.

Defendant’s misleading half-truths and material omissions violate California Civil Code §1770(a) under, *inter alia*, the following subdivisions:

¹ The products include Cheerios Toasted Whole Grain Oat Cereal, Nature Valley Granola Protein Oats n’ Honey, Nature Valley Crunchy Granola Bars – Oat’s n’ Honey, and Lucky Charms.

August 31, 2018
Page 2

- (5) Representing that [the Products have] . . . characteristics, . . . uses [or] benefits. . . which [they do] not have.

* * *

- (7) Representing that [the Products] are of a particular standard, quality, or grade . . . if they are of another.

California Civil Code §§ 1770(a)(5) and (7).

Defendant's misleading half-truths and material omissions also constitute violations of California Business and Professions Code §17200, *et seq.*

While the Complaint constitutes sufficient notice of the claims asserted, pursuant to California Civil Code § 1782, we hereby demand on behalf of our client and all others similarly situated that General Mills immediately correct and rectify this violation of California Civil Code § 1770 by ceasing the misleading marketing campaign and ceasing dissemination of misleading and deceptive information as described in the enclosed Complaint. In addition, General Mills should offer a refund to all consumer purchasers of the Products plus reimbursement for interest, costs, and fees.

Plaintiff will, after 30 days from the date of this letter, file a further amended Complaint as permitted by California Civil Code § 1782, to include claims for actual and punitive damages (as may be appropriate) if a full and adequate response to this letter is not received. These damage claims also would include claims under the Consumers Legal Remedies Act. Thus, to avoid further litigation, it is in the interest of all parties concerned that General Mills address these violations immediately.

General Mills must undertake all of the following actions to satisfy the requirements of California Civil Code § 1782(c):

1. Identify or make a reasonable attempt to identify purchasers of the Products;
2. Notify all such purchasers so identified that upon their request, General Mills will offer an appropriate remedy for its wrongful conduct, which can include a full refund of the purchase price paid for the Products, plus interest, costs and fees;
3. Undertake (or promise to undertake within a reasonable time if it cannot be done immediately) the actions described above for all Product purchasers who so request; and
4. Cease from representing to consumers that the Products provide the healthy

August 31, 2018
Page 3

attributes identified on the Product packages, without also disclosing that the Products contain or likely contain glyphosate, as more fully described in the enclosed Complaint.

We await your response.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Patricia N. Syverson". The signature is fluid and cursive, with the first name "Patricia" being more prominent.

Patricia N. Syverson
For the Firm

PNS:td
Enclosures

EXHIBIT C

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

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CARRIE A. LALIBERTE (*To be Admitted Pro Hac Vice*)

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claliberte@bffb.com

Telephone: (602) 274-1100

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

PATRICIA N. SYVERSON (CA SBN 203111)

MANFRED P. MUECKE (CA SBN 222893)

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mmuecke@bffb.com

Telephone: (619) 798-4593

SIPRUT PC

STEWART M. WELTMAN (*To be Admitted Pro Hac Vice*)

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tmclawhorn@siprut.com

mchang@siprut.com

Telephone: (312) 236-0000

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

NATASHA PARACHA, On Behalf of
Herself and All Others Similarly
Situated,

Plaintiff,

v.

GENERAL MILLS, INC., a Delaware
Corporation,

Defendant.

Case No.:

CLASS ACTION

**DECLARATION OF PATRICIA N.
SYVERSON PURSUANT TO
CALIFORNIA CIVIL CODE §
1780(d)**

1 I, Patricia N. Syverson, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of
3 the State of California. I am a shareholder of the law firm of Bonnett, Fairbourn,
4 Friedman & Balint, P.C., the counsel of record for Plaintiff in the above-entitled
5 action.

6 2. Defendant General Mills, Inc. has done and is doing business in the
7 Central District of California. Such business includes the distributing, marketing,
8 labeling, packaging and sale of Cheerios Toasted Whole Grain Oat Cereal, Nature
9 Valley Granola Protein Oats n' Honey, Nature Valley Crunchy Granola Bars –
10 Oat's n' Honey, and Lucky Charms. Furthermore, Plaintiff Natasha Paracha
11 purchased Cheerios Toasted Whole Grain Oat Cereal in Walnut, California.

12 3. I declare under penalty of perjury under the laws of the State of
13 California that the foregoing is true and correct.

14 Executed this 31st day of August 2018, at San Diego, California.

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

17 /s/Patricia N. Syverson

18 Patricia N. Syverson (203111)
19 Manfred P. Muecke (222893)
20 600 W. Broadway, Suite 900
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psyverson@bffb.com
mmuecke@bffb.com
Telephone: (619) 798-4593

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24 Carrie A. Laliberte (*To be Admitted Pro Hac Vice*)
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26 SIPRUT PC

27 Stewart M. Weltman (*To be Admitted Pro Hac Vice*)
28 Todd L. McLawhorn (*To be Admitted Pro Hac Vice*)
Michael Chang (*To be Admitted Pro Hac Vice*)
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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic mail notice list

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 31, 2018.

/s/Patricia N. Syverson

Patricia N. Syverson (203111)
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