

1 Paul A. Levin – State Bar No. 229077  
MARK MIGDAL & HAYDEN  
2 11150 Santa Monica Blvd., Suite 1670  
3 Los Angeles, California 90025  
TELEPHONE: (213) 344-1793  
4 EMAIL: paul@markmigdal.com

5 Etan Mark (*admitted pro hac vice*)  
6 etan@markmigdal.com  
7 Donald J. Hayden (*admitted pro hac vice*)  
don@markmigdal.com

8 MARK MIGDAL & HAYDEN  
9 80 SW 8th Street, Suite 1999  
Miami, Florida 33130  
10 Telephone: (305) 374-0440

11 Attorneys for Plaintiffs

12  
13 Mark T. Drooks – State Bar No. 123561  
mdrooks@birdmarella.com  
14 Paul S. Chan – State Bar No. 183406  
pchan@birdmarella.com  
15 Gopi K. Panchapakesan – State Bar No. 279586  
gpanchapakesan@birdmarella.com  
16  
17 Jon M. Jackson – State Bar No. 257554  
jjackson@birdmarella.com

18 BIRD, MARELLA, BOXER, WOLPERT, NESSIM,  
19 DROOKS, LINCENBERG & RHOW, P.C.  
1875 Century Park East, 23rd Floor  
20 Los Angeles, California 90067-2561  
21 Telephone: (310) 201-2100 / Fax: (310) 201-2110

22 Attorneys for Defendant Herbalife International of America, Inc.  
23  
24  
25  
26  
27  
28

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

3  
4 MICHAEL LAVIGNE, *et al.*,  
5 Plaintiffs,  
6 vs.  
7 HERBALIFE LTD., *et al.*,  
8 Defendants.

CASE NO. 2:18-cv-07480-JAK (MRWx)  
[Related Case 2:13-cv-02488-BRO-RZ]  
**JOINT STIPULATION RE: REMOTE  
APPEARANCE FOR OCTOBER 28,  
2024 HEARING ON PLAINTIFFS’  
MOTION FOR FINAL  
DISTRIBUTION AND TO  
AUTHORIZE ADDITIONAL  
CLAIMS ADMINISTRATION COSTS**

Assigned to Hon. John A. Kronstadt,  
Courtroom 10B

9  
10  
11  
12  
13 This stipulation regarding remote appearance for the October 28, 2024 hearing  
14 on Plaintiff’s Motion for Final Distribution and to Authorize Additional Claims  
15 Administration Costs (Dkt. No. 470, the “**Motion for Final Distribution**”) is entered  
16 into by, on the one hand, Plaintiffs Patricia Rodgers, Jennifer Ribalta, and Izaar  
17 Valdez on behalf of themselves, and on behalf of each of the Settlement Class  
18 Members (as defined in the previously-approved Stipulation of Settlement and  
19 corresponding Final Judgment, *see* Dkt. 383, 409), and, on the other hand, Defendant  
20 Herbalife International of America, Inc. (“Herbalife”).<sup>1</sup>

21 WHEREAS, on September 13, 2024, Plaintiffs filed their Motion for Final  
22 Distribution, seeking an award of additional administrative costs to A.B. Data  
23 pursuant to Paragraph 9 of the Final Judgment (Dkt. 409);

24 WHEREAS, the Motion for Final Distribution was noticed for hearing on  
25 October 28, 2024 (Dkt. No. 470);

26  
27 <sup>1</sup> Unless otherwise noted, the terms used herein are defined in the Stipulation of  
28 Settlement.

1 WHEREAS, no opposition was filed in response to the Motion for Final  
2 Distribution;

3 WHEREAS, on September 16, 2024, the Court entered its Order Re Joint  
4 Stipulation Re: Final Status Report and Distribution (Dkt. No. 412, the “**Order Re:  
5 Final Distribution**”);

6 WHEREAS, in light of the Order Re: Final Distribution, the only issue that  
7 remains before the Court is consideration of A.B. Data’s request for additional claims  
8 administration costs;

9 WHEREAS, the parties agree that good cause supports allowing the parties and  
10 A.B. Data to appear via Zoom because Eric Miller, A.B. Data’s representative, is  
11 based in West Palm Beach, Florida and would have to incur significant expense flying  
12 to California for the hearing on the Motion for Final Distribution, and Lead Counsel  
13 for Plaintiffs are based in Miami, Florida (where the case was originally filed) and  
14 they too would have to incur significant expense flying to California.

15

16 THE PARTIES THEREFORE STIPULATE to the following:

17 1. Subject to the Court’s approval, all counsel of record and representatives  
18 for A.B. Data are authorized to appear via Zoom for the October 28, 2024 hearing on  
19 Plaintiffs’ Motion for Final Distribution and to Authorize Additional Claims  
20 Administration Costs (Dkt No. 470).

21 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

22 *Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other signatories*  
23 *listed concur in the filing’s content and have authorized this filing.*

24

25

26

27

28

1 DATED: October 11, 2024

Etan Mark  
Donald J. Hayden  
Mark Migdal & Hayden

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By:           /s/ Etan Mark            
Etan Mark  
Attorneys for Plaintiffs Patricia Rodgers,  
Jennifer Ribalta, and Izaar Valdez

DATED: October 11, 2024

Mark T. Drooks  
Paul S. Chan  
Gopi K. Panchapakesan  
Jon M. Jackson  
Bird, Marella, Boxer, Wolpert, Nessim,  
Drooks, Lincenberg & Rhow, P.C.

By:           /s/ Paul S. Chan            
Paul S. Chan  
Attorneys for Defendant Herbalife  
International of America, Inc.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

MICHAEL LAVIGNE, *et al.*,  
Plaintiffs,  
vs.  
HERBALIFE LTD., *et al.*,  
Defendant.

CASE NO. 2:18-cv-07480-JAK (MRWx)

[Related Case 2:13-cv-02488-BRO-RZ]

**[PROPOSED] ORDER RE: JOINT  
STIPULATION RE: REMOTE  
APPEARANCE FOR OCTOBER 28,  
2024 HEARING ON PLAINTIFFS’  
MOTION FOR FINAL  
DISTRIBUTION AND TO  
AUTHORIZE ADDITIONAL  
CLAIMS ADMINISTRATION COSTS  
(DKT. 413)**

Assigned to Hon. John A. Kronstadt,  
Courtroom 10B

1           Upon consideration of the parties’ Joint Stipulation re: Remote Appearance for  
2 October 28, 2024 Hearing on Plaintiffs’ Motion for Final Distribution and to  
3 Authorize Additional Claims Administration Costs, and for good cause appearing  
4 therefore,

5           IT IS HEREBY ORDERED THAT:

6           1.     The Joint Stipulation re: Remote Appearance for October 28, 2024  
7 Hearing on Plaintiffs’ Motion for Final Distribution and to Authorize Additional  
8 Claims Administration Costs is **GRANTED**.

9           2.     All counsel of record and representatives for A.B. Data are  
10 **AUTHORIZED** to appear via Zoom for the October 28, 2024 hearing on Plaintiffs’  
11 Motion for Final Distribution and to Authorize Additional Claims Administration  
12 Costs (Dkt No. 470).

13           IT IS SO ORDERED.

14  
15 DATED:

\_\_\_\_\_  
Hon. John A. Kronstadt  
United States District Judge

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28