

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Mocha Gunaratna and Renee Camenforte, on behalf of themselves and others similarly situated v. Dr. Dennis Gross Skincare, LLC., A New York Company, Case No. 2:20-cv-02311 – MWF-GJS

NOTICE OF PENDENCY OF CLASS ACTION

A federal court Judge has authorized this Notice. It is not junk mail, spam, an advertisement, or a solicitation from a lawyer.

PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY. IF YOU ARE A CLASS MEMBER, YOUR RIGHTS WILL BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT. THIS NOTICE ADVISES YOU OF YOUR OPTIONS REGARDING THE CLASS ACTION.

To: All persons who purchased the C + Collagen Deep Cream, C + Collagen Eye Cream, C + Collagen Vitamin C Serum, or the C + Collagen Mist (the “**Products**”) in the State of California, for personal use and not for resale during March 10, 2016, to April 4, 2023 (collectively referred to as the “**Class**”). Excluded from the Class are: (1) Dr. Dennis Gross Skincare, LLC’s (hereinafter “**Dr. Dennis Gross Skincare**” or “**Defendant**”) officers, directors, and employees, and any individual who received remunerations from Defendant in connection with that individual’s use or endorsement of the Products; (2) any judicial officer presiding over this matter, members of their immediate family, and members of their judicial staff.

Why should I read this Notice?

This Notice explains that the Court has allowed, or “certified,” certain claims in a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against Dr. Dennis Gross Skincare, on your behalf, are correct. This Notice was approved and ordered by the United States Central District Court Judge Michael W. Fitzgerald. Your rights may be affected by a class action lawsuit pending in the United States District Court, Central District of California (the “**Court**”), Case No. 2:20-cv-02311 – MWF-GJS. This Notice is meant to provide you with basic information about the case and to advise you of your options to remain a part of the class action lawsuit or to “opt out” of the lawsuit by requesting exclusion from the Class in this lawsuit.

Am I included in the Class?

If you have purchased one or more of the Products between March 10, 2016, to April 4, 2023, you are a member of the court-certified Class.

What are the claims in this class action lawsuit?

Plaintiffs allege that: (1) Dr. Dennis Gross Skincare owns, manufactures, and distributes Products labeled as “C + Collagen” and purporting to contain collagen, when in reality, the Products do not contain any collagen; (2) Class Members lost money in the form of the price premium they paid for Products which falsely claim to contain collagen—that is, had they known that the Products did not contain collagen, they would not have purchased the Products, let alone paid a “premium” for such a valued benefit. Plaintiffs seek injunctive relief, restitutionary, actual, statutory, compensatory, and punitive damages, as well as reasonable attorneys’ fees and costs.

Dr. Dennis Gross Skincare’s “C + Collagen” line is labeled “vegan” and “cruelty free”; therefore, Dr. Dennis Gross Skincare denies that the Product labeled “C + Collagen” contain any animal parts, including collagen. Instead, Dr. Dennis Gross Skincare contends that the Products contain Vitamin C, which promotes production of collagen in human skin, among other arguments. In addition, the plus sign in the Products’ name and Dr. Dennis Gross Skincare logo denotes the clinical nature of the Products. Dr. Dennis Gross Skincare denies that it charged a premium and asserts that consumers suffered no harm because they received what they paid for. Dr. Dennis

Gross Skincare denies the allegations in this case and that prayer for relief should be granted.

The Action was filed on March 10, 2020. On April 4, 2023, the Court issued an Order appointing Mocha Gunaratna and Renee Camenforte as “Class Representatives.” In the same Order, the Court appointed Ryan J. Clarkson and Yana Hart of Clarkson Law Firm, P.C. as Class Counsel.

The Court has not determined which side in this lawsuit is right. It has only ordered that the matter may proceed on a class wide basis as explained below. The Parties have not yet settled the case. There are no guarantees that the Parties will reach a settlement or that there will be money to be distributed. You will be notified if there is a settlement in this matter.

What is a class action and who is involved in this Lawsuit?

A class action is a lawsuit brought by one or more persons – called “Class Representatives” – on behalf of a specified group of persons, without requiring each person in the group to file an individual lawsuit. The specified group is called “the Class.” In a class action, the claims of everyone in the Class will be decided in one case.

On **April 4, 2023**, the Court entered an order certifying this case as a class action as to the following class:

- i. **The Class:** All persons who purchased the Products in the State of California, for personal use and not for resale during March 10, 2016, to April 4, 2023 (collectively referred to as the “Class”).

This Notice explains how to participate in the case or remove yourself from it.

Why is this Lawsuit a class action?

The Court decided that this Lawsuit can be a class action and move towards a trial. In other words, the Court decided that certain claims in the Lawsuit may be resolved on a class-wide basis. The Court has not decided if plaintiffs will prevail at trial. The current trial date is scheduled for November 5, 2024, in Courtroom 5A of the Central District of California. Please make sure to regularly follow the case, as this date might change.

What are my rights and options regarding this Lawsuit?

The following chart lays out the actions you can take and what it would mean if you took those actions:

YOUR LEGAL RIGHTS AND OPTIONS	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up your right to sue in a separate lawsuit with different lawyers.</p> <p>If you are a Class Member and you do nothing, you keep the possibility of getting money or benefits that may come from the lawsuit. But, you give up your right to sue Dr. Dennis Gross Skincare separately about the same legal claims in this lawsuit, and you will be bound by the Court’s decisions and by the final judgment, whether it is favorable or not. You will be represented by the law firms court-appointed to serve as Class Counsel representing the Class Members. However, at your option, you may also enter an appearance through your own lawyer. You may be asked to provide proof of class membership at a later time.</p>

**REQUEST TO EXCLUDE YOURSELF
OR “OPT OUT” FROM THE CLASS BY
August 14, 2023.**

**Get out of this lawsuit. Get no benefits. Keep your right
to sue in a separate lawsuit with different lawyers.**

Excluding yourself means you **have decided not to participate in the lawsuit**. This is the only option that allows you to individually exercise any rights you currently may have regarding the claims or potential claims against Dr. Dennis Gross Skincare that are at issue in this lawsuit. If you “opt out,” you still have the right to pursue any claims you have with a lawyer of your choice at your own expense in a separate lawsuit or through the grievance procedure set forth in your applicable collective bargaining agreement. You will not lose any claims you have by requesting exclusion from the Class in this lawsuit. However, you will not be able to share in any money recovered in this class action.

If you elect to be excluded from the lawsuit, you must deliver your personally signed Opt-Out request postmarked by **August 14, 2023**, to the Class Administrator, PO Box 3637, Baton Rouge, LA 70821. For more detailed information, please see www.DDGSkincareLawsuit.com.

Who represents the Class Members?

The Court has approved Ryan J. Clarkson, and Yana Hart, from Clarkson Law Firm, P.C. as Class Counsel, finding them competent and experienced in these types of cases and able to adequately represent the interests of the Class. If you wish to contact them, you may do so at:

CLARKSON LAW FIRM, PC.

Ryan J. Clarkson, Esq.
Yana Hart, Esq.
22525 Pacific Coast Highway
Malibu, CA 90265
DDG@Clarksonlawfirm.com

In class actions, Class Counsel who recover money for the Class may get an award of reasonable attorneys’ fees and costs. Class Members represented by Class Counsel are not required to pay any out-of-pocket fees or costs. If Class Counsel recovers money for the Class through a judgment or settlement, Class Counsel will ask the Court to award attorneys’ fees and costs to be paid in addition to any money recovered for the Class or from the Class recovery. This request must be approved by the Court.

You do not have to but may retain your own lawyer to represent you, at your own expense, in this case and enter an appearance in this lawsuit through your lawyer if you desire.

Please Do Not Direct Questions About this Class Action Lawsuit to the Court.

Where can I obtain more information?

The notice summarizes the lawsuit. You can view the Long Form Notice, operative complaint, class certification order, and read updates about this lawsuit here: www.DDGSkincareLawsuit.com. For any questions, call 1-844-931-3243 toll-free.

Alternatively, to view the case documents on Court's Public Access to Court Electronic Records (PACER) system, access the website <http://www.pacer.gov>. Once at this website, click on the "Log in to..." tab in the upper right-hand corner of the webpage. Then click on the link which reads "PACER Case Locator". Then, click on the link "Need an Account?" and create an account; you will need to provide your credit or debit card to retrieve the court records. Once you have created an account, go back to <http://www.pacer.gov> and click the link "PACER Case Locator" under "Log in to..." in the upper right-hand corner of the webpage. Then, click on the button "Find Cases". On the next page, type the case number "2:20-cv-02311" into the box with the word "Number" underneath it and the case name "Mocha Gunaratna v. Dr. Dennis Gross Skincare LLC" into the box with the word "Title" underneath it. Then, click the "Search" button. You will be directed to a screen with case names. Find the case name "Mocha Gunaratna v. Dr. Dennis Gross Skincare LLC" and click on the case number associated with this case (2:2020cv02311). Then, click on the link for "Docket Report." On the next page, click "Run Report." This will take you to the case information. If you scroll down on this page, you will be able to access all of the documents filed in the case while it was pending in the Central District of California for a small fee.

PLEASE DO NOT DIRECT QUESTIONS ABOUT THIS CLASS ACTION LAWSUIT TO THE COURT

Dated: June 14, 2023

BY ORDER OF THE UNITED STATES DISTRICT
COURT, CENTRAL DISTRICT OF CALIFORNIA