

UNITED STATES DISTRICT COURT
NORTHIMN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED
2016 JAN 20 A 10:51
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
SAN FRANCISCO, CA

ROSMINAH BROWN and ERIC LOHELA,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

No. 3:11-cv-03082 *LB*

v.

THE HAIN CELESTIAL GROUP, INC.,
Defendant. -

**OBJECTIONS OF PATRICK S. SWEENEY TO PROPOSED SETTLEMENT
AND NOTICE OF INTENT TO APPEAR**

NOW COMES, Pro Se Objector, Patrick S. Sweeney, and hereby files these objections to the proposed settlement in this matter.

PROOF OF MEMBERSHIP IN CLASS

Upon information and belief Patrick S. Sweeney ("Objector") believes he is a member of the class as defined in that certain Notice of Class Action Settlement which is undated. He has filed a timely claim, via the internet, pursuant to the directions in the Notice of Class Action Settlement. His address and telephone number are listed at the conclusion of this objection.

NOTICE OF INTENT TO APPEAR

Objector hereby gives notice that he does not intend to appear at the Fairness Hearing presently scheduled for February 11, 2016 at 9:30 a.m. PST, at the United States District Court for the Northern District of California, Courtroom 15th Floor, Courtroom C, 450 Golden Gate Ave., San Francisco, CA 94102.

REASONS FOR OBJECTING TO THE PROPOSED SETTLEMENT

For the following reasons, inter alia, the Settlement Agreement is not fair, reasonable and adequate.

1. Claims administration process fails to require reliable oversight, accountability, and reporting about whether the claims process actually delivers what was promised.
2. Timeframes and deadlines benefit Defendants and Class Counsel, but not Class Members; No timeframe for completing administration of the Monetary Relief is set, so Class Members cannot know when payment would arrive.
3. No amount of attorney fees is to be withheld to assure Class Counsel's continuing oversight and involvement in implementing settlement.
4. Attorney fees do not depend upon how much relief is actually paid to the Class Members.
5. The fee calculation is unfair in that the percentage of the settlement amount is far too high. The claims process is cumbersome, unreasonable and designed to deprive Class Members of the relief which the Settlement Agreement purports to provide.
6. Some direction regarding *cy pres* funds needs to be addressed.
7. Attorneys' fees are disproportionate to the value of the recovery of the Class.
8. The value of the Coupon Claims are not easily ascertained and to the extent these Coupon Claims make up part of the Settlement Fund they should not be given full credit as their actual value is pennies on a dollar. Applying a more accurate accounting makes the requested attorney fees of \$3.54 million dollars approximately 45% of the true recovered value (this assumes that only approximately \$300,000 of the \$1.8 million in Coupon Claims is actually funded).
9. There appears to be no specific adjudication nor direction of any *cy pres* monies.
10. The objector hereby adopts and joins in all other objections which are based on sufficient precedent and theories of equity and law in this case and hereby incorporates said objections by reference as if they were fully described herein.

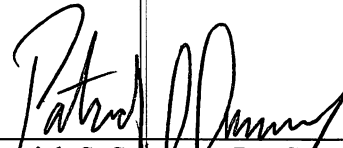
CONCLUSION

WHIMEFORE, This Objector, for the foregoing reasons, respectfully requests that the Court, upon proper hearing:

1. Sustain these Objections;

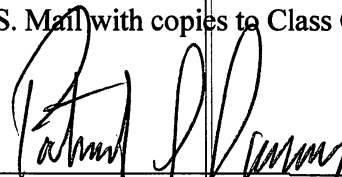
2. Enter such Orders as are necessary and just to adjudicate these Objections and to alleviate the inherent unfairness, inadequacies and unreasonableness of the proposed settlement.
3. Award an incentive fee to this Objector for his role in improving the Settlement, if applicable.

Dated: January 12, 2016


Patrick S. Sweeney, Pro Se
2590 Richardson Street
Madison, WI 53711

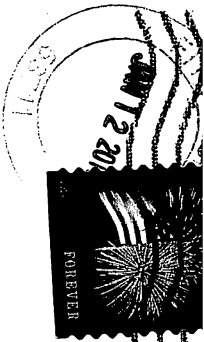
CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2016, I caused to be filed the foregoing with the Clerk of the Court of the United States District Court of California, Northern District by having the foregoing deposited in First Class, U. S. Mail with copies to Class Counsel and Defendant's Counsel via email at a later time.


Patrick Sweeney, Pro Se

3590 Richardson
Morrison, WI 53971

12 JAN 2016 PM 7 L



CLERK OF COURTS
NORTHER DISTRICT of Wisconsin
450 GOLDMAN AVE
SAND FRANCIS CO WI 53102

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