

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROSMINAH BROWN and ERIC)
LOHELA, on behalf of)
themselves and all others) Case No.
similarly situated,) CV11-03082 LB
) CV13-02237 LB
Plaintiff,)
)
vs.) Volume I
)
THE HAIN CELESTIAL GROUP,)
INC.,) Pages 1 - 37
Defendants.)

DEPOSITION OF
SHERI LEE WILLIAMS
JANUARY 22, 2016

Reported by:
APRIL WOOD, CSR #13782

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BE IT REMEMBERED that, pursuant to
Notice of Deposition, and on Friday, January 22, 2016,
commencing at the hour of 12:30 p.m., at Umpqua Bank,
303 Corte Madera Town Center, Corte Madera, California
94925, before me, April Wood, a certified
shorthand reporter in the state of California, there
personally appeared

SHERI LEE WILLIAMS

called as a witness by Plaintiffs, who, having been duly
sworn, was examined and testified as is hereinafter set
forth.

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LUCAS C. WILLIAMS, Attorney at Law, of the
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telephonically as counsel on behalf of Objector Sheri
Lee Williams.
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1 JANUARY 22, 2016 - TUESDAY 12:30 P.M.
2 PROCEEDINGS
3 MR. LUCAS: I'll state my appearance just for
4 the record. I'm Lucas Williams. I'm an attorney with
5 the Lexington Law Group, and I represent the plaintiffs,
6 Rosminah Brown and Eric Lohela in this case.
7 EXAMINATION
8 BY MR. WILLIAMS:
9 Q. Ms. Williams, will you please state your full
10 name and address for the record.
11 A. Yes. Sheri Lee Williams. That's S-H-E-R-I,
12 second word L-E-E, and Williams, 2432 1/2, 5th Avenue,
13 San Rafael, California 94901.
14 Q. Great. So I'm just going to go over some basic
15 ground rules --
16 A. Sure.
17 Q. -- for the deposition.
18 A. Yes.
19 Q. So I'll be asking the questions. If you don't
20 understand a question, just let me know; otherwise, I'll
21 assume you understand the question.
22 Please provide verbal responses to my questions
23 for the court reporter; so answer yes or no.
24 A. Sure.
25 Q. Don't nod or shake your head.

1 A. I'd rather not unless it's totally necessary.
2 That was almost 30 years ago, and I'd just rather not
3 unless it's necessary, in which case I will.
4 Q. Can you tell me if it was a civil lawsuit?
5 A. No, it was not, definitely not.
6 Q. Okay. That's fine. Have you ever -- let me
7 ask that more specifically.
8 A. Sure.
9 Q. Have you ever been a plaintiff or a defendant
10 in a civil action?
11 A. No.
12 Q. Okay.
13 A. No.
14 Q. And have you ever been involved in a bankruptcy
15 proceeding?
16 A. No.
17 Q. Okay. Let me ask. What did you do to prepare
18 for your deposition today?
19 A. I wrote a few notes down and of course I spoke
20 with my attorney, you know, but truly not even at great
21 length. Speaking with the attorney was pretty brief.
22 Q. Okay. And other than your attorney, did you
23 speak with anyone else?
24 A. Let me think about that because I want to be
25 honest. No. No.

1 A. Yes.
2 Q. Okay. And then try to let me finish the
3 question before you answer. The court reporter can only
4 get one of us at a time.
5 If you need a break, just let me know. Not a
6 problem at all.
7 Remember that you're under oath as if in a
8 court of law; so you must answer truthfully and to the
9 best of your knowledge.
10 If you don't know or can't recall the answer to
11 a question, just say so. We don't want you to guess;
12 however, we are entitled to get your best recollection.
13 A. Sure.
14 Q. Do these ground rules make sense?
15 A. Absolutely.
16 Q. Great. And is there anything that we should
17 know today that would prevent you from testifying
18 truthfully and to the best of your knowledge?
19 A. No. No.
20 Q. Have you ever been deposed before?
21 A. No.
22 Q. Have you ever given testimony under oath?
23 A. Testimony under oath. Many, many years ago,
24 yes. Yes. Yes.
25 Q. Okay. Can you identify what that matter was?

1 Q. Did you look at any documents to prepare?
2 A. Well, I looked at -- I mean, of course I looked
3 at the settlement, read the claim, read our objection,
4 and what else did I read? I think that was it. I read
5 the settlement, the claim, understood it to the best of
6 my ability, and our objection.
7 Q. Okay. Please tell me about your educational
8 background beginning with college, if you can.
9 A. I only have -- I've been to school for many,
10 many years, but I don't have a degree.
11 Q. Okay.
12 A. So I've taken many courses at many different
13 colleges, but I have no degree.
14 Q. Okay. Do you have any other licenses or
15 advanced studies?
16 A. Yes. I'm a yoga teacher.
17 Q. Okay.
18 A. So I have -- that's a certification.
19 Q. Got it.
20 A. I'm trying to think. I've had so many jobs in
21 my life. I don't know that any of them were something I
22 needed a certification for though, no.
23 Q. Okay. And who's your current employer?
24 A. Myself.
25 Q. And do you have a current title or position?

1 A. I'm a yoga teacher.
 2 Q. Great. Have you ever purchased an Avalon
 3 Organics product?
 4 A. I actually have. I did not write that on the
 5 original claim because this -- I just wanted to put the
 6 one that I was totally certain of, and the truth is I
 7 know that I purchased the other products. I just don't
 8 remember in detail which ones. I do remember
 9 specifically the JASON product, the Ester-C product line
 10 that they have for the face. I think that's on the
 11 list, but I didn't want to write all that out because
 12 this toothpaste I have used daily for years and years
 13 and years for a very, very long time exclusively; so I
 14 just wanted to stick with, you know, that, which is --
 15 and the truth is for certain, I really did use the
 16 Ester-C products as well and one or two of the Avalon
 17 products, but I couldn't remember which of those.
 18 Q. Do you remember around when you would have
 19 purchased the Avalon Organics products?
 20 A. The Avalon ones?
 21 Q. Yes.
 22 A. Let's see. It would have been in your time
 23 frame that you're speaking of because at that time I did
 24 use some of those products, but as I said, that's not
 25 really -- I didn't put that on my claim; so I guess, you

9

1 know, we don't need to talk about that.
 2 Q. Okay. And do you remember about how many times
 3 or how many --
 4 A. I used to use that Ester-C product a lot. I
 5 used that cleanser specifically, the JASON Ester-C. I
 6 used that for quite some time, I would say for probably
 7 a year or two.
 8 Q. So I think the question wasn't clear.
 9 A. Okay.
 10 Q. On the Avalon Organics --
 11 A. Yes.
 12 Q. -- products --
 13 A. Yes.
 14 Q. -- do you remember how many products?
 15 A. Truthfully, only about one or two.
 16 Q. Okay.
 17 A. I didn't use much of those because the JASON
 18 products are totally separate from the Avalon products,
 19 correct? Those are different things?
 20 Q. Correct.
 21 A. Yes. So the Avalon products, I've only used
 22 once or twice.
 23 Q. So can you tell me which JASON products you
 24 purchased?
 25 A. The toothpaste, the oral B -- the oral comfort

10

1 one, and then I have on occasion used the Ester-C, I
 2 think it is. I think that's what it's called, something
 3 that has vitamin C in it, and I think it has orange in
 4 it. Let's see. That is what I have used exclusively
 5 for sure, and then I did at some point use the Ester-C
 6 cleansing line of JASON.
 7 Q. Okay. And about how many of those Ester-C line
 8 products --
 9 A. That's why I didn't even put it. I used that
 10 for probably a year or two.
 11 Q. Okay.
 12 A. Truthfully. It was awhile ago, and I think it
 13 was when that product first came out; so I don't -- I
 14 don't know.
 15 Q. Okay. Let me back up to the Avalon Organics --
 16 A. Okay.
 17 Q. -- products. Do you remember where you
 18 purchased them?
 19 A. If I was here -- at some point I lived in
 20 Hollywood; so I buy all of my products either -- it
 21 would be at Erewhon in Los Angeles or a place called
 22 Mother's, Mother's Market, which is in Laguna or Costa
 23 Mesa, either one of those. Here in Marin I buy my
 24 products at Good Earth Natural Foods.
 25 Q. Okay.

11

1 A. And Whole Foods.
 2 Q. So did you purchase the JASON products also at
 3 those --
 4 A. Yes.
 5 Q. -- locations?
 6 A. Absolutely, yeah.
 7 Q. So we've kind of touched on this, but I just
 8 want it on the record. Have you identified on your
 9 claim form all of the JASON and Avalon brand products
 10 you purchased --
 11 A. No, only one.
 12 Q. -- in California?
 13 A. Only one.
 14 Q. Do you recall how much you paid or
 15 approximately how much you paid for the JASON tooth gel?
 16 A. I'm one of those people that, believe it or
 17 not, does not look at prices; so I think it's 5.99 to
 18 7.99. Don't quote me on that. It's somewhere in that
 19 range. I just don't -- my mother was a coupon person,
 20 and I have a thing against it; so it's sort of a
 21 childhood trauma. I don't want to look at prices.
 22 Q. No problem.
 23 A. When it comes to food and that sort of thing.
 24 Other things, I absolutely pay attention.
 25 Q. Why did you choose the JASON tube gel over

12

1 similar products?

2 **A. Because I truly believed that it was a really**

3 **clean, organic product. That is why I chose it, and**

4 **also specifically the oral comfort one because I have**

5 **sensitive gums, but mostly because I truly believed that**

6 **it was a hundred percent organic.**

7 Q. Did you also believe that it was natural?

8 **A. See, those things are two different things,**

9 **and, you know, living in California, most people**

10 **understand that "natural" doesn't mean much; however, in**

11 **my opinion, it should mean something. It is misleading,**

12 **that word. For me, I thought that it was at least 70**

13 **percent organic, which really it should be 100 percent**

14 **organic. If it's labeled "organic," it should be one**

15 **hundred percent; so I really did think that, and that is**

16 **the reason that I brought the product.**

17 Q. Have you objected to settlements, class action

18 settlements in other cases?

19 **A. No. As we said in the beginning, I've never**

20 **been involved in a class action settlement.**

21 Q. How did you first learn about this settlement?

22 I'm sorry. Let me strike that.

23 How did you first learn about this lawsuit?

24 **A. In this very bizarre way. I was looking online**

25 **for something -- I don't remember what -- and it popped**

13

1 **up, and I just read it because it involved products that**

2 **I used; so I just read it, and I -- my problem with it**

3 **was I did not think it was fair. What I don't think is**

4 **fair about it is the labeling.**

5 **I am tired of companies getting away with**

6 **misleading consumers with their labeling. That's my**

7 **huge issue with it. I just think that it's wrong that**

8 **they should -- I understand that it was a huge**

9 **settlement, you know, whatever, but I know also that**

10 **cases set precedent, and I'm tired of companies getting**

11 **away with labeling things improperly. It needs to be**

12 **very clear what something is and what it isn't, even to**

13 **the layman, not people that live in California, but to**

14 **everyone. It should be very clear.**

15 Q. So when was that that you learned about the

16 lawsuit?

17 **A. A couple of weeks, I guess. This, I'm vague**

18 **on. It was a couple of weeks ago. It was literally I**

19 **just happened to come across it and then filed the claim**

20 **and realized that I could -- when I really deeply read**

21 **into it, I saw that I could object, and truly what I**

22 **object to is the labeling.**

23 Q. What do you mean by that, the labeling?

24 **A. The fact that they can use the words "organic,"**

25 **"natural," or "pure" and that it misleads customers into**

14

1 **believing that it is a hundred percent any of those**

2 **things.**

3 Q. Okay. Have you read the complaint, Plaintiffs'

4 complaint in this action?

5 **A. I believe I did, yes, I think. I think, yes.**

6 Q. And what's your understanding of Plaintiffs'

7 legal claims?

8 **A. Let me think about that. So I don't -- that, I**

9 **can't get into. I'm not going to be -- I'm going to be**

10 **like Sarah Palin here bouncing all over the place. I**

11 **don't think I can describe that very well. I'll have to**

12 **pass on that question. I don't think -- I don't want to**

13 **sound like -- I just don't think that I can put that**

14 **into words in a way that's going to make a whole lot of**

15 **sense.**

16 MR. SALTER: Just to be clear, I want to make

17 sure Sheri understands that the complaint that we're

18 talking about is the original complaint that was filed

19 against Avalon Organics.

20 THE WITNESS: Yeah. I know that I read that,

21 and I read the settlement more thoroughly; so I don't

22 have the complaint stuff in my head as much.

23 BY MR. WILLIAMS:

24 Q. Okay. So just to confirm, you have read the

25 settlement?

15

1 **A. I did read the settlement, and I did read the**

2 **complaint. I just don't think that I can intelligently**

3 **speak about that.**

4 Q. Have you talked to anyone about the settlement

5 outside of your attorney?

6 **A. No.**

7 Q. And when did you retain Mr. Salter to represent

8 you?

9 **A. A couple of weeks ago.**

10 Q. How did you find him?

11 **A. I found him through -- I don't remember**

12 **specifically who, but I reached out to a lot of friends**

13 **who teach yoga and just random friends and was talking**

14 **about it, and someone gave me his name, and he seemed**

15 **like -- you know, I'm just not a litigious person. You**

16 **know, I don't like this sort of thing.**

17 **I'm doing it for moral reasons because I really**

18 **want this labeling issue handled. You know, we can all**

19 **sit in our armchairs and talk about the things that we**

20 **don't like that are going on in the world, but to**

21 **actually do something about it is a different thing; so**

22 **it has nothing to do with anything other than I'd really**

23 **like labeling to be accurate in this country.**

24 Q. Okay.

25 **A. So Mr. Salter was found through friends, and I**

16

1 **don't recall exactly who.**
 2 Q. Has he represented you in other cases?
 3 A. **No.**
 4 Q. What is your understanding of this settlement?
 5 A. **To me, there were -- what I'll tell you is the**
 6 **points that I was not happy with. Again, it's the**
 7 **labeling. Secondly, I did not -- I'm going to go to my**
 8 **notes here if you don't mind. Let's see here. The**
 9 **cy-pres funds. Okay? To me, I would rather it go to**
 10 **something called Truth in Advertising, and it's**
 11 **TINA.org, T-I-N-A, dot-org, because I feel that better**
 12 **represents the consumer rather than the two places that**
 13 **you -- and I think this all is actually written in our**
 14 **objection; so that, to me, was the important thing, as**
 15 **well as the labeling. Attorneys fees -- I think that's**
 16 **been taken care of or something.**
 17 Q. Let me stop you.
 18 A. **Yeah.**
 19 Q. So the question -- let me try to ask the
 20 question --
 21 A. **Also the coupon relief. I'm sorry. I'm**
 22 **interrupting you.**
 23 Q. Let me ask the question a bit more
 24 specifically.
 25 A. **Okay.**

17

1 Q. So what is your understanding of what Hain
 2 agreed to provide to class members under the settlement?
 3 A. **That they were providing coupon relief; so**
 4 **basically you're having to do business with the same**
 5 **company that quote-unquote wronged you by false**
 6 **advertising; so I didn't like -- I thought the coupon**
 7 **relief was not a great idea, and I just didn't feel that**
 8 **they did enough for the plaintiffs. I didn't feel they**
 9 **did enough for the class.**
 10 Q. And anything else that Hain agreed to provide?
 11 A. **Let me think about that. One of the things**
 12 **that I read in there was that they were admitting no**
 13 **fault and that it looked to me -- and I could be wrong**
 14 **on this -- they didn't have to change their labeling**
 15 **much at all. I mean, they could do whatever they wanted**
 16 **to do with labeling; so I just have an issue with that.**
 17 Q. Okay. So let me ask: Do you think the class
 18 members would be better off if instead of settling the
 19 case that Plaintiffs continued to litigate the case
 20 through trial?
 21 MR. SALTER: I'm going to object.
 22 THE WITNESS: I can't really answer that.
 23 MR. SALTER: You're really asking her for a
 24 legal conclusion, you know, and I think those are things
 25 that she has discussed with us but --

18

1 THE WITNESS: Yeah. I can't really say whether
 2 they would be better off. No one wants to go to
 3 litigation, in my mind, in general. I don't know. I
 4 can't answer. I'm not an attorney.
 5 MR. WILLIAMS: Okay.
 6 THE WITNESS: I don't know if they would be,
 7 and we're also speculating on future outcome of
 8 something that we know nothing about.
 9 BY MR. WILLIAMS:
 10 Q. Okay. What is your concern with the injunctive
 11 relief in the settlement?
 12 A. **I want to make sure that I understand the**
 13 **question. So the injunctive relief is what they're**
 14 **going to do, what they agreed to, which is the coupon**
 15 **relief, correct, and some amount of -- let me read my --**
 16 **what does it say here? So either cash payment and**
 17 **product voucher or cash payment only option.**
 18 Q. Let me stop you.
 19 MR. SALTER: You need to define "injunctive
 20 relief" --
 21 MR. WILLIAMS: Yeah.
 22 MR. SALTER: -- a little better for her. I
 23 think you're talking about what the company has to do
 24 with regards to the product; is that correct, Lucas?
 25 MR. WILLIAMS: That's correct.

19

1 THE WITNESS: So the question is what is my
 2 issue with that?
 3 BY MR. WILLIAMS:
 4 Q. Correct.
 5 A. **So my issue is if something says that it's**
 6 **organic that truthfully, I feel it should be a hundred**
 7 **percent organic, processed in a certain way. For all**
 8 **kinds of reasons I think this, because it's a much**
 9 **larger picture here. How those things are harvested --**
 10 **if you have pesticides on them, it's getting it in your**
 11 **body. It's hurting organic farming. It's hurting the**
 12 **soil. It's killing the bees. It's a much larger issue**
 13 **than just -- do you see what I'm saying?**
 14 Q. I do.
 15 A. **And a customer should be able to go somewhere,**
 16 **look at a label, and say, "That's organic. I can trust**
 17 **that," you know, and not have to second-guess it, and I**
 18 **realize that the FDA -- I think that you can claim**
 19 **something's organic even if it's only 70 percent, but**
 20 **that's their fault. You know what I mean? That's**
 21 **because they're in somebody's pockets, I'm sure, but if**
 22 **it's organic, it should be organic, I mean, period, the**
 23 **end.**
 24 **Even the words "natural" and "pure," I have a**
 25 **problem with because just because people in California**

20

1 **generally understand that wording and know that it**
 2 **doesn't mean much, not everyone does, and everyone, no**
 3 **matter how well-schooled or intelligent you are or not,**
 4 **should be able to trust what the packaging says, period.**
 5 Q. Okay. Do you know whether California law
 6 requires cosmetic products to be a hundred percent
 7 organic?
 8 **A. I do not. I don't think that it does, but**
 9 **honestly I don't know. I don't know for sure.**
 10 Q. And let me ask. Do you know if federal law
 11 requires --
 12 **A. I do not. I think the FDA only says 70 -- you**
 13 **can claim it's organic if it's 70 percent, but I don't**
 14 **-- honestly, I can't -- don't even quote me on that**
 15 **because I don't know that for sure.**
 16 Q. Let me ask. What are the "natural"
 17 representations on Hain's products that you're concerned
 18 about?
 19 **A. Like -- I mean, as I said, what I said**
 20 **specifically. It's as simple as that. If something**
 21 **says "natural" or "pure" or "organic," it should be**
 22 **those things without question. I can't get into such**
 23 **detail. I mean --**
 24 Q. Okay. That's fine.
 25 **A. To me, that's a black and white thing.**

21

1 Q. Fair enough.
 2 Do the Avalon Organics products say they are
 3 natural?
 4 **A. I have no idea. I do not know. As I said, I**
 5 **used one of those one or two years ago. I do not know**
 6 **what they currently say.**
 7 Q. Do the JASON products say they're natural?
 8 **A. Currently my toothpaste does not, to my**
 9 **knowledge, but there's also the issue that that company**
 10 **is -- because I've -- I'm pretty sure I read this in the**
 11 **settlement that they're admitting no fault and that no**
 12 **one pinned them to the wall saying, "You must label**
 13 **things correctly. It must be to this standard." I**
 14 **didn't see that. Is that in the settlement? I mean,**
 15 **did they say that?**
 16 Q. I'm sorry, but I have to ask the questions.
 17 **A. I'm sorry.**
 18 Q. It's okay.
 19 **A. I mean, I genuinely want to know, you know?**
 20 Q. Let me ask. Is it your understanding that this
 21 case involved allegations that the "natural" claims were
 22 unlawful?
 23 **A. That was my understanding, yeah, that that was**
 24 **part of it, but I don't know, to be honest. I can't**
 25 **stick to that. I don't really recall.**

22

1 Q. Okay. Let me go back to the coupons. Can you
 2 just tell me what you believe is wrong with allowing the
 3 class members to receive coupons?
 4 **A. Because it then causes them to have to do**
 5 **business with the company that has -- if they feel**
 6 **wronged, has lied to them basically; so why is that a**
 7 **good thing? It's also a great marketing ploy for them.**
 8 **So here they have -- you know, they're making people**
 9 **re-buy their products. I don't think that's great at**
 10 **all.**
 11 Q. Did you elect to receive coupons under the
 12 settlement?
 13 **A. Unfortunately, I checked the wrong box, and I**
 14 **think I did put the coupons and shouldn't have.**
 15 Q. That wasn't intentional?
 16 **A. That was not intentional. That was not**
 17 **intentional. I noticed that I put that. I do have**
 18 **issue with it.**
 19 Q. Is it your understanding that class members are
 20 required to receive coupons?
 21 **A. No. I see that there's another box that says**
 22 **"cash payment only."**
 23 Q. Okay. There are a number of places in your
 24 objection you ask the court to delay making a
 25 determination about whether to approve the settlement

23

1 based on other cases that are pending right now?
 2 **A. Mm-hmm.**
 3 Q. So let me ask. What do you know about the
 4 Brazil v. Dole Food Company case?
 5 **A. I know that Dole is usually -- I mean, in my**
 6 **mind, that particular company does not -- is not**
 7 **friendly to the consumer; so that's all I know about**
 8 **Dole. Those things were when I contacted brad and we**
 9 **talked about it, and he did the objection. The only**
 10 **knowledge that I have -- I'm not an attorney -- is that**
 11 **I know certain cases will set precedent for other cases.**
 12 **Most people know that. And I agreed with it when I read**
 13 **it that that was something he put in the objection which**
 14 **I thought was perfectly fine because I realized that it**
 15 **could affect how this goes.**
 16 Q. Okay. And I'm not trying to be annoying here,
 17 but --
 18 **A. Yeah.**
 19 Q. -- I'm going to ask you about the other cases,
 20 and you can --
 21 **A. Okay.**
 22 Q. -- just let me know --
 23 **A. Sure.**
 24 Q. -- what, if anything, you know about them.
 25 **A. I know nothing about them, but go ahead.**

24

1 Q. So what do you know about Jones v. ConAgra
2 Foods?
3 **A. Don't know.**
4 Q. What do you know about Kosta v. Del Monte Foods
5 Inc. --
6 **A. Do not know.**
7 Q. -- case?
8 **A. Do not know.**
9 Q. The last one is Laffitte, et al. v. Robert Half
10 case.
11 **A. Don't know.**
12 Q. Okay.
13 **A. The only thing I have any clue of is Dole, and**
14 **only because it's a large company that's been around**
15 **forever and doesn't have a good reputation for**
16 **consumers.**
17 Q. Okay.
18 **A. Certainly not for being organic anything.**
19 Q. Okay. And can you tell me what you think is
20 wrong with the settlement's release of Hain's liability?
21 **A. Because they're admitting no wrong, I have a**
22 **problem with that and because it did not -- again, I'm**
23 **just -- I'm sorry to keep harping on this. It's the**
24 **reason I'm in this room, because I feel they did not do**
25 **enough to have proper labeling, period. That's it.**

25

1 **I -- you know, like, the cash payments and all that --**
2 **that's neither here nor there. That has -- I don't**
3 **care.**
4 Q. So just to get it in the record, I'd like to
5 introduce your objection --
6 **A. Sure.**
7 Q. -- to the settlement.
8 **A. Okay.**
9 MR. WILLIAMS: So I'll mark that as Exhibit 1.
10 (Exhibit 1 marked for identification.)
11 BY MR. WILLIAMS:
12 Q. And you have a copy?
13 **A. I do right here in front of me.**
14 Q. Okay. So I'm going back to the release of
15 Hain's liability --
16 **A. Yes.**
17 Q. -- in the settlement, and the question is why
18 do you think that the settlement releases claims for
19 negligence and personal injury?
20 **A. Okay. So I think it's negligent to mislead**
21 **consumers, and I think that's what they did, which could**
22 **potentially cause people harm for all kinds of reasons.**
23 **I mean, some people are environmentally sensitive.**
24 **There may be some pesticide in that thing that they're**
25 **going to be allergic to. I mean, there's -- I just**

26

1 **object to that.**
2 Q. Okay. Let me ask you about another case you
3 referred to in your objections. Do you know what the
4 Astiana v. Hain Celestial Group case was about?
5 **A. I do not. As I said, after discussing it with**
6 **my attorney, it seemed like a good idea to -- hopefully**
7 **those cases would have effect on this one.**
8 Q. Okay.
9 **A. But I do not know the details of that. I'm not**
10 **an attorney.**
11 Q. Fair enough. Fair enough.
12 It just occurred to me we were talking about
13 your claim form earlier; so we should probably introduce
14 that --
15 **A. Okay.**
16 Q. -- as Exhibit 2, just so we have that in the
17 record.
18 **A. Okay.**
19 **(Exhibit 2 marked for identification.)**
20 BY MR. WILLIAMS:
21 Q. Okay. Did you review Plaintiffs' motion to
22 recover their attorneys fees?
23 **A. Let me think about that. I think that I**
24 **briefly read that in the settlement you're talking**
25 **about, right?**

27

1 Q. So this was separate than the settlement.
2 **A. Okay.**
3 Q. It was filed at the end of last year, and it's
4 Plaintiffs are seeking to recover a portion of their
5 attorneys fees in the case.
6 **A. Okay.**
7 Q. And I'm sorry. Do you recall reading that?
8 **A. I don't recall reading that. I don't know. I**
9 **could have read that. I might not have. My only issue**
10 **is -- I feel that everyone who is trained, well-trained**
11 **and good at their job should be paid well; however, in**
12 **this situation, it seems to me, because I didn't feel**
13 **they did enough for the class, that maybe their fees**
14 **should not be as high. That's the only thing I can say**
15 **about that.**
16 Q. Another question on the fees, only if you know,
17 why do you think that the percentage of the fund method
18 of calculating attorneys fees should be used?
19 **A. Why should that percentage be used? I have no**
20 **idea.**
21 Q. And again, only if you know.
22 **A. But I think -- I could have read something. I**
23 **mean -- well, let me think about that. It seems as if,**
24 **if I recall correctly, there's some sort of standard for**
25 **what attorneys fees should be in that, correct? And**

28

1 **that in this case you guys were a little above that, if**
 2 **I remember correctly, above that standard or whatever,**
 3 **and because I don't feel that not enough was done for**
 4 **the class, then, you know, that should probably be a**
 5 **little less. Not that I'm not all for people getting**
 6 **paid well.**
 7 Q. Okay. Then a related question, if you know:
 8 Why do you think that the fee calculation should be
 9 based on the claims participation rate?
 10 **A. I don't even understand that question. I'm**
 11 **sorry.**
 12 Q. Okay. In your objection, you argue --
 13 **A. Okay. Wait. Let me see.**
 14 Q. So it's on page 6 of your objection.
 15 **A. All right.**
 16 Q. You argue that the percentage of the fund --
 17 I'm sorry. Let me strike that.
 18 You argue that the court should base the
 19 calculation of the attorneys fees on the claims
 20 participation rate.
 21 **A. Yeah. I'm sorry. I just can't speak to that.**
 22 **I'm --**
 23 Q. Okay.
 24 **A. Yeah.**
 25 Q. No problem.

29

1 **A. As I said, I'm not an attorney. My attorney**
 2 **drew this up. There's certain parts of legalese that,**
 3 **you know, just don't make sense to a non-attorney.**
 4 Q. Fair enough.
 5 And I'm sorry. This is the last case I will
 6 ask you about, but what do you know about the In Re
 7 Inkjet Printer case?
 8 **A. Nothing, although I totally resent that they**
 9 **make us pay lots of money for those little cartridges,**
 10 **those ink cartridges, but I know nothing about any of**
 11 **that.**
 12 Q. You mentioned that you thought that the class
 13 counsel didn't do enough for the class.
 14 **A. Mm-hmm.**
 15 Q. Is there anything you can tell me about why?
 16 **A. As I said, I did not like the coupon issue. I**
 17 **don't feel that's great. I do not like where the**
 18 **cy-pres funds are going, and I did not feel that -- but**
 19 **that's not really -- I mean, that is for the class. It**
 20 **really is for the class. I do not like the labeling**
 21 **issue. I really have a strong -- a strong attitude**
 22 **towards that. The labeling should be correct, and it**
 23 **should be -- if it says "organic," it should be organic.**
 24 **If it says "natural," that should be clearly defined,**
 25 **what that means.**

30

1 Q. By that, do you mean it should be a hundred
 2 percent organic?
 3 **A. Yes.**
 4 Q. Or a hundred percent natural?
 5 **A. Yes. Yes.**
 6 Q. Are you familiar -- let me back up.
 7 MR. SALTER: I'm going to interject that
 8 Sheri's already indicated that she's aware of the fact
 9 that organic labeling requires 70 percent under certain
 10 standards; so I just want to make that clear, that she's
 11 already indicated that. Even though she feels that
 12 yeah, it would be great if it's organic, it should be a
 13 hundred percent, she has indicated that she's aware that
 14 70 percent is allowed to be called "organic," but I just
 15 want to point that out.
 16 BY MR. WILLIAMS:
 17 Q. What do you know about the Jessie Smith Noyse
 18 Foundation?
 19 **A. The only thing that I know is what I read in**
 20 **the settlement. I really know nothing about it. It**
 21 **sounded like some good foundation and like it does good**
 22 **things, but to me, that had nothing to do with this**
 23 **particular -- what's going on here. Even though that's**
 24 **a lovely foundation -- or it appears to be. I don't**
 25 **know that much about it.**

31

1 Q. Okay.
 2 **A. As I said earlier, I felt that the money going**
 3 **to a place called TINA, Truth in Advertising, is a much**
 4 **better idea for this kind of case and for these -- this**
 5 **class. That's just my humble and honest opinion because**
 6 **I also feel the California Consumers -- whatever that**
 7 **establishment is called, is -- I don't think they do**
 8 **enough. I just don't think they're good enough; so**
 9 **let's go with somebody who is, who's going to be more on**
 10 **top of it, who's going to watch really what's going on**
 11 **more closely and do what they can about it.**
 12 Q. Okay. So let me ask. What do you know about
 13 the California Consumer Protection Foundation?
 14 **A. Not a lot, but what I do know -- the little bit**
 15 **that I know, which I can't give you some grand**
 16 **explanation, is I -- in my opinion, they don't do enough**
 17 **for the consumer.**
 18 Q. And can you tell me what you mean by "don't do
 19 enough for the consumer"?
 20 **A. For instance, I think that it should be a crime**
 21 **that they're having -- you know, that organic farmers**
 22 **are having to pay all of this money to call themselves**
 23 **organic, and meanwhile Monsanto is, you know, killing**
 24 **our earth, and they get away with it. You know what I**
 25 **mean? Like, there's so many issues. I could go -- we**

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1 could sit here for two hours and talk about that; so,
 2 you know -- and also, as it goes to this case, the fact
 3 that the labeling, if it says "organic," should mean
 4 organic, one hundred percent, period, the end. If they
 5 were doing a good job, that would already be in place.
 6 Q. Okay. So on the cy-pres award, why do you
 7 believe that the unclaimed funds should go to the class
 8 members, if that makes sense?
 9 A. I don't know that's in here, that the unclaimed
 10 funds should go to the class members. Let me see that.
 11 Where is that?
 12 MR. SALTER: As opposed to one of the cy-pres
 13 recipients? Is that what you're referring to, Lucas?
 14 MR. WILLIAMS: Correct.
 15 THE WITNESS: Got it. Well, I honestly didn't
 16 know that, to be honest.
 17 MR. WILLIAMS: Okay.
 18 THE WITNESS: So -- yeah. I don't know.
 19 MR. WILLIAMS: That's fine.
 20 THE WITNESS: I didn't know that.
 21 MR. WILLIAMS: Okay.
 22 THE WITNESS: But, you know, I can understand
 23 it. I mean, you know, why shouldn't the people who have
 24 gone to the effort -- I doubt anyone has involved
 25 themselves with this for money's sake. I mean, it's not

33

1 going to -- it's not a fun process.
 2 MR. WILLIAMS: We are very close to being done.
 3 THE WITNESS: Okay.
 4 MR. WILLIAMS: Okay. So I am going to
 5 introduce one final exhibit.
 6 THE WITNESS: Okay.
 7 (Exhibit 3 marked for identification.)
 8 BY MR. WILLIAMS:
 9 Q. It's Exhibit 3.
 10 A. Yes.
 11 Q. It consists of five screenshots that I pulled
 12 off of the Hain Celestial Group's --
 13 A. Yes.
 14 Q. -- website --
 15 A. Yes.
 16 Q. -- this morning.
 17 A. Yes.
 18 Q. And I'll ask you to look at these. They're
 19 photographs of various JASON --
 20 A. Yes.
 21 Q. -- toothpaste products.
 22 A. Okay.
 23 Q. And let me ask the question before you review
 24 them. I just want you to, if you can, indicate whether
 25 any of these products say that they're natural.

34

1 A. Okay.
 2 Q. And I apologize that they're not crystal clear,
 3 but I think --
 4 A. No. That's all right.
 5 Q. -- you can read them.
 6 A. Nope. Does not say that. Does not say that.
 7 Well, let's see. Nope. Oh, no. That one doesn't. No.
 8 However, to my knowledge -- so what part of the
 9 packaging I can see, it does not say those things;
 10 however, I do want to state with other products from
 11 Avalon as well as JASON, I don't know that their
 12 products still do not say those things, and I have an
 13 issue with it if they do or if they're even allowed to,
 14 if they decide to, even if it's currently not on there.
 15 Do you see what I'm saying?
 16 Q. Yes.
 17 A. Okay.
 18 Q. And I'm sorry if you answered this already, but
 19 do you know whether they, the current products --
 20 A. I do not. I do not.
 21 Q. Okay.
 22 A. I actually -- you know what? That's not true.
 23 I actually do think -- I don't -- I'm not sure which --
 24 let me look at this very quickly because I actually
 25 think that there are some that currently say "organic"

35

1 or "natural" on them of the Avalon and possibly the
 2 JASON. I think there are, but don't quote me on that.
 3 It's part of the reason I'm here, to be honest with you,
 4 as you can tell, because I've repeated myself many
 5 times.
 6 MR. WILLIAMS: I believe we're done.
 7 THE WITNESS: All right.
 8 (The deposition concluded at 1:13 p.m.)
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 10
 11
 12
 13 _____
 14 SHERI LEE WILLIAMS
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1 CERTIFICATE OF REPORTER
2

3 I, APRIL WOOD, CSR No. 13782, a Certified
4 Shorthand Reporter in and for the State of California,
5 so hereby certify:

6 That prior to being examined, the witness
7 named in the foregoing deposition was by me duly sworn
8 to testify the truth, the whole truth, and nothing but
9 the truth;

10 That said deposition was taken before me at
11 the time and place set forth and was taken down by me in
12 shorthand and thereafter reduced to computerized
13 transcription under my direction and supervision, and I
14 hereby certify the foregoing transcript is a full, true,
15 and correct report of my shorthand notes so taken.

16 And I further certify that I am neither
17 counsel for nor related to any party to said action nor
18 in any way interested in the outcome thereof.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 26th day of January, 2016.
21

22
23 _____
24 APRIL WOOD, CSR No. 13782
25