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**U.S. District Court
Southern District of New York (White Plains)
CIVIL DOCKET FOR CASE #: 7:13-cv-03073-NSR-LMS**

Goldemberg v. Johnson & Johnson Consumer Companies, Inc.
Assigned to: Judge Nelson Stephen Roman
Referred to: Magistrate Judge Lisa Margaret Smith
Related Case: [7:14-cv-07506-NSR-LMS](#)
Cause: 28:1332ds Diversity-Contract Dispute

Date Filed: 05/07/2013
Date Terminated: 11/01/2017
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Michael Goldemberg
*on behalf of themselves and all other
similarly situated*

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Plaintiff

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V.

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Date Filed	#	Docket Text
05/07/2013	1 R	COMPLAINT against Johnson & Johnson Consumer Companies, Inc. (Filing Fee \$ 350.00, Receipt Number 465407005864)Document filed by Michael Goldemberg.(rj) (Entered: 05/07/2013)
05/07/2013		SUMMONS ISSUED as to Johnson & Johnson Consumer Companies, Inc. (rj) (Entered: 05/07/2013)
05/07/2013		Case Designated ECF. (rj) (Entered: 05/07/2013)
05/07/2013		Magistrate Judge Lisa M. Smith is so designated. (rj) (Entered: 05/07/2013)

05/07/2013	2	STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (rj) (Entered: 05/07/2013)
05/20/2013	3	NOTICE OF APPEARANCE by Harold Paul Weinberger on behalf of Johnson & Johnson Consumer Companies, Inc. (Weinberger, Harold) (Entered: 05/20/2013)
05/21/2013	4	WAIVER OF SERVICE RETURNED EXECUTED. Johnson & Johnson Consumer Companies, Inc. waiver sent on 5/8/2013, answer due 7/8/2013. Document filed by Michael Goldemberg. (Garber, Todd) (Entered: 05/21/2013)
06/25/2013	5	NOTICE OF APPEARANCE by Eileen Miriam Patt on behalf of Johnson & Johnson Consumer Companies, Inc.. (Patt, Eileen) (Entered: 06/25/2013)
06/26/2013	6	STIPULATION AND ORDER: Defendant's time to answer or move with respect to the Complaint, presently due on July 8, 2013, shall be adjourned until July 22, 2013. SO ORDERED. Johnson & Johnson Consumer Companies, Inc. answer due 7/22/2013. (Signed by Judge Vincent L. Briccetti on 6/26/2013) (mml) (Entered: 06/27/2013)
07/17/2013		NOTICE OF CASE REASSIGNMENT to Judge Nelson Stephen Roman. Judge Vincent L. Briccetti is no longer assigned to the case. (pgu) (Entered: 07/17/2013)
07/26/2013	7	ENDORSED LETTER addressed to Judge Nelson S. Roman from Harold P. Weinberger dated 7/18/2013 re: Pursuant to a stipulation that was so-ordered by Judge Briccetti on June 27, 2013, the parties agreed that J&JCC's deadline to answer or move with respect to the complaint is on Monday, 7/22/2013. Counsel was prepared to file a motion to dismiss the complaint on that date. ENDORSEMENT: Pre-motion conference scheduled for Aug. 14, 2013 at 12:15pm. SO ORDERED. (Pre-Motion Conference set for 8/14/2013 at 12:15 PM before Judge Nelson Stephen Roman.) (Signed by Judge Nelson Stephen Roman on 7/26/2013) (mml) (Entered: 07/29/2013)
08/14/2013		Minute Entry for proceedings held before Judge Nelson Stephen Roman: Pre-motion Conference held. Plaintiff.s counsel and Defendant's counsel present. Court Reporter is Angela O'Donnell. Defendant granted leave to file a motion to dismiss with following briefing schedule: moving papers due August 28, 2013; opposition due September 25, 2013; and reply due October 9, 2013. The parties are directed to file all motion documents on the reply date, October 9, 2013, and to provide 2 copies of all documents to chambers.(Court Reporter Angela O'Donnell) (rj) (Entered: 08/15/2013)
09/10/2013	8	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Johnson & Johnson for Johnson & Johnson Consumer Companies, Inc.. Document filed by Johnson & Johnson Consumer Companies, Inc..(Weinberger, Harold) (Entered: 09/10/2013)
10/09/2013	9 R	MOTION to Dismiss. Document filed by Johnson & Johnson Consumer Companies,

		Inc..(Weinberger, Harold) (Entered: 10/09/2013)
10/09/2013	10	DECLARATION of Harold P. Weinberger in Support re: 9 R MOTION to Dismiss.. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Weinberger, Harold) (Entered: 10/09/2013)
10/09/2013	11	MEMORANDUM OF LAW in Support re: 9 R MOTION to Dismiss.. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 10/09/2013)
10/09/2013	12	MEMORANDUM OF LAW in Opposition re: 9 R MOTION to Dismiss.. Document filed by Michael Goldemberg. (Garber, Todd) (Entered: 10/09/2013)
10/09/2013	13	REPLY MEMORANDUM OF LAW in Support re: 9 R MOTION to Dismiss.. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 10/09/2013)
01/13/2014	14	NOTICE of Supplemental Authority re: 12 Memorandum of Law in Opposition to Motion. Document filed by Michael Goldemberg. (Attachments: # 1 Exhibit 1) (Garber, Todd) (Entered: 01/13/2014)
01/14/2014	15	REPLY re: 14 Notice (Other) <i>Defendant's Response to Plaintiff's Notice of Supplemental Authority</i> . Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 01/14/2014)
02/28/2014	16	NOTICE of Plaintiff's Notice of Supplemental Authority re: 12 Memorandum of Law in Opposition to Motion, 14 Notice (Other). Document filed by Michael Goldemberg. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Garber, Todd) (Entered: 02/28/2014)
03/04/2014	17	REPLY re: 16 Notice (Other), Notice (Other) <i>Defendant's Response to Plaintiff's Notice of Supplemental Authority</i> . Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 03/04/2014)
03/11/2014	18	NOTICE of Supplemental Authority re: 12 Memorandum of Law in Opposition to Motion, 14 Notice (Other), 16 Notice (Other), Notice (Other). Document filed by Michael Goldemberg. (Attachments: # 1 Exhibit)(Garber, Todd) (Entered: 03/11/2014)
03/12/2014	19	REPLY re: 18 Notice (Other). Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 03/12/2014)
03/27/2014	20 R	MEMORANDUM AND ORDER granting in part and denying in part 9 R Motion to Dismiss. For the reasons stated above, Defendant's motion to dismiss the Complaint is GRANTED in part, only to the extent of dismissing Plaintiff's unjust enrichment claim, and otherwise DENIED. Defendant's argument that Plaintiff lacks standing to represent a class including persons who purchased Aveeno Active Naturals products which he did not purchase is properly considered at the class certification stage. See <i>Quinn v. Walgreen Co.</i> , 958 F. Supp. 2d 533, 541-42 (S.D.N.Y. 2013) (citing <i>Brown v. Hain Celestial Grp., Inc.</i> , 913 F. Supp. 2d 881, 889-92 (N.D. Cal. 2012)); <i>Anderson v. Jamba Juice Co.</i> , 888 F. Supp. 2d 1000, 1006 (N.D. Cal. 2012); <i>Astania v. Dreyer's Grand Ice Cream, Inc.</i> , Nos. C-11-2910 EMC, C-11-3161 EMC, 2012 WL 2990766, at *13 (N.D. Cal. July 20, 2012); <i>Forcellati v. Hyland's, Inc.</i> , 876 F. Supp. 2d 1155, 1161 (C.D. Cal. 2012); <i>Cardenas v. NBTY, Inc.</i> , 870 F. Supp. 2d 984, 992 (E.D. Cal. 2012); <i>Elias v. Ungar's Food Prods., Inc.</i> , 252 F.R.D. 233,243 (D.N.J. 2008)). The Clerk of Court is respectfully directed to terminate the motion (Doc. 9). Defendant is directed to file an answer to the Complaint within 30 days of the date of this order. SO

		ORDERED. (Signed by Judge Nelson Stephen Roman on 3/27/2014) (mml) (Entered: 03/28/2014)
04/28/2014	21	ANSWER to 1 R Complaint. Document filed by Johnson & Johnson Consumer Companies, Inc..(Weinberger, Harold) (Entered: 04/28/2014)
04/30/2014	22	NOTICE OF CHANGE OF ADDRESS by Todd Seth Garber on behalf of Michael Goldemberg. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 1311 Mamaroneck Avenue, White Plains, New York, USA 10605, 914-298-3281. (Garber, Todd) (Entered: 04/30/2014)
05/02/2014	23	NOTICE OF CHANGE OF ADDRESS by Douglas Gregory Blankinship on behalf of Michael Goldemberg. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 1311 Mamaroneck Avenue, Suite 220, White Plains, New York, USA 10605, 914-298-3281. (Blankinship, Douglas) (Entered: 05/02/2014)
05/02/2014	24	NOTICE OF CHANGE OF ADDRESS by Jeremiah Lee Frei-Pearson on behalf of Michael Goldemberg. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 1311 Mamaroneck Avenue, Suite 220, White Plains, New York, USA 10605, 914-298-3281. (Frei-Pearson, Jeremiah) (Entered: 05/02/2014)
05/16/2014	25	NOTICE OF APPEARANCE by George Volney Granade on behalf of Michael Goldemberg. (Granade, George) (Entered: 05/16/2014)
06/16/2014	26	RULE 26(f) DISCOVERY PLAN REPORT.Document filed by Michael Goldemberg. (Attachments: # 1 Text of Proposed Order Proposed Civil Case Discovery Plan and Scheduling Order)(Richman, Kim) (Entered: 06/16/2014)
06/16/2014	27	NOTICE OF INITIAL COURT CONFERENCE: Initial Case Management and Scheduling Conference set for 6/26/2014 at 11:45 AM in Courtroom 218, 300 Quarropas Street, White Plains, NY 10601 before Judge Nelson Stephen Roman. (mml) (Entered: 06/17/2014)
06/23/2014	28	MOTION to Appoint Michael Goldemberg to serve as lead plaintiff(s) <i>and to Appoint Co-Lead Class Counsel</i> . Document filed by Michael Goldemberg.(Garber, Todd) (Entered: 06/23/2014)
06/23/2014	29	MEMORANDUM OF LAW in Support re: 28 MOTION to Appoint Michael Goldemberg to serve as lead plaintiff(s) <i>and to Appoint Co-Lead Class Counsel</i> . . Document filed by Michael Goldemberg. (Attachments: # 1 Text of Proposed Order Case Management Order)(Garber, Todd) (Entered: 06/23/2014)
06/23/2014	30	DECLARATION of Todd S. Garber in Support re: 28 MOTION to Appoint Michael Goldemberg to serve as lead plaintiff(s) <i>and to Appoint Co-Lead Class Counsel</i> .. Document filed by Michael Goldemberg. (Garber, Todd) (Entered: 06/23/2014)
06/23/2014	31	DECLARATION of Kim E. Richman in Support re: 28 MOTION to Appoint Michael Goldemberg to serve as lead plaintiff(s) <i>and to Appoint Co-Lead Class Counsel</i> .. Document filed by Michael Goldemberg. (Attachments: # 1 Exhibit A)(Garber, Todd) (Entered: 06/23/2014)
06/23/2014	32	NOTICE OF APPEARANCE by Shin Young Hahn on behalf of Michael Goldemberg. (Hahn, Shin Young) (Entered: 06/23/2014)
06/26/2014		Minute Entry for proceedings held before Judge Nelson Stephen Roman: Initial Pretrial Conference held on 6/26/2014. Plaintiff's & Defendant's counsel present. Case Management Plan signed. Order Appointing Interim Lead Plaintiff and Interim Co-Lead Counsel signed as defendant doesn't oppose the motion. The Clerk of the Court respectfully requested to terminate the related motion (doc. 28). The Court issued an

		Order of Reference to U.S. Magistrate Judge Lisa Margaret Smith for general pretrial purposes. Discovery cutoff is September 17, 2015. Status conference scheduled for September 18, 2015 at 10:00 am. (Discovery due by 9/17/2014. Status Conference set for 9/18/2015 at 10:00 AM before Judge Nelson Stephen Roman.) (mml) (Entered: 06/26/2014)
06/26/2014	33	CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case is to be tried to a jury. Amended Pleadings due by 7/16/2014. Joinder of Parties due by 7/16/2014. Motions due by 10/19/2015. Deposition due by 9/17/2015. Discovery due by 9/17/2015. Case Management Conference set for 9/18/2015 at 10:00 AM before Judge Nelson Stephen Roman. (Signed by Judge Nelson Stephen Roman on 6/26/2014) (mml) (Entered: 06/27/2014)
06/26/2014	34	ORDER APPOINTING INTERIM LEAD PLAINTIFF AND INTERIM CO-LEAD CLASS COUNSEL terminating 28 Motion to Appoint. The Court appoints Plaintiff Michael Goldemberg as Interim Lead Plaintiff. The Court shall make a final determination regarding the identity of Lead Plaintiff/Class Representative after Plaintiff moves for class certification or at another time the Court deems necessary and appropriate. The Court appoints the following counsel as Interim Co-Lead Class Counsel: Todd S. Garber, D. Greg Blankinship, and Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, and Michael R. Reese, Kim E. Richman, George V. Granade, and Reese Richman LLP. Interim Co-Lead Class Counsel shall be jointly responsible for coordinating and organizing the conduct of this litigation as set forth in this order. (Signed by Judge Nelson Stephen Roman on 6/26/2014) (mml) (Entered: 06/27/2014)
06/26/2014	35	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Lisa Margaret Smith. (Signed by Judge Nelson Stephen Roman on 6/26/2014) (mml) (Entered: 06/27/2014)
06/27/2014	36	SCHEDULING NOTICE:The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. has been scheduled for an in person status conference before the Hon. Lisa Margaret Smith, United States Magistrate Judge, on Friday, August 8, 2014, at 11:30 am in Courtroom 520. In Person Status Conference set for 8/8/2014 at 11:30 AM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 6/27/2014) (rj) (Entered: 06/27/2014)
07/16/2014	37	FILING ERROR - DEFICIENT PLEADING AMENDED COMPLAINT amending 1 R Complaint against Johnson & Johnson Consumer Companies, Inc. with JURY DEMAND.Document filed by Michael Goldemberg, Annie Le, Howard Petlack. Related document: 1 R Complaint filed by Michael Goldemberg.(Granade, George) Modified on 7/17/2014 (sj). (Entered: 07/16/2014)
07/17/2014		***NOTICE TO ATTORNEY REGARDING DEFICIENT AMENDED COMPLAINT. Notice to Attorney George Granade RE: Document No. 37 Amended Complaint. File the Exhibit to Pleading event found under the event category Other Documents and attach either opposing party's written consent or Court's leave. (sj) (Entered: 07/17/2014)
07/17/2014	38	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. has been rescheduled from an in-person status conference on Friday, August 8, 2014, at 11:30 A.M. before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to an in-person status conference on Tuesday, September 9,

		2014, at 12:00 P.M. in Courtroom 520. Please Note: Counsel seeking to reschedule an appearance must have all parties on the line prior to contacting Chambers. SO ORDERED. Status Conference set for 9/9/2014 at 12:00 PM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 7/17/2014) (lnl) (Entered: 07/17/2014)
07/17/2014	39	EXHIBIT TO PLEADING re: 37 Amended Complaint,. Document filed by Michael Goldemberg, Annie Le, Howard Petlack.(Granade, George) (Entered: 07/17/2014)
08/08/2014	40	STIPULATION AND ORDER: Defendant's time to answer or move with respect to the Amended Complaint in the action, presently due on August 11, 2014, shall be adjourned until August 25, 2014. SO ORDERED. Johnson & Johnson Consumer Companies, Inc. answer due 8/25/2014. (Signed by Judge Nelson Stephen Roman on 8/8/2014) (mml) (Entered: 08/11/2014)
08/26/2014	41	STIPULATION AND ORDER GRANTING PLAINTIFFS LEAVE TO FILE SECOND AMENDED CLASS ACTION COMPLAINT AND SETTING DEADLINE FOR DEFENDANT TO ANSWER: The Parties hereby stipulate and request that the Court enter an Order: (i) granting Plaintiffs leave to file the Second Amended Class Action Complaint attached hereto as Exhibit 1 no later than August 29, 2014; and (ii) providing that Defendant shall file an Answer no later than September 18, 2014. SO ORDERED. (Signed by Judge Nelson Stephen Roman on 8/26/2014) (mml) (Entered: 08/27/2014)
08/26/2014		Set/Reset Deadlines: Amended Pleadings due by 8/29/2014. (mml) (Entered: 08/27/2014)
08/29/2014	42 R	SECOND AMENDED COMPLAINT amending 37 Amended Complaint, against Johnson & Johnson Consumer Companies, Inc. with JURY DEMAND.Document filed by Howard Petlack, Michael Goldemberg, Annie Le. Related document: 37 Amended Complaint, filed by Howard Petlack, Michael Goldemberg, Annie Le. (Attachments: # 1 Exhibit Exhibit - Stipulation and Order Granting Plaintiffs Leave to File Second Amended Class Action Complaint and Setting Deadline for Defendant to Answer)(Granade, George) (Entered: 08/29/2014)
09/11/2014	43	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. has been rescheduled from an in-person status conference on Tuesday, 9/9/2014, to an in-person status conference on Thursday, 10/9/2014 at 10:00 AM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 9/11/2014) (mml) (Entered: 09/11/2014)
09/12/2014	44	CERTIFIED TRUE COPY OF MDL ORDER FROM THE MDL PANEL DEEMING MOTION WITHDRAWN AND VACATING THE OCTOBER 2, 2014, HEARING SESSION ORDER....Before the Panel is a motion by plaintiffs Ashley Smith and Noel Smith, filed pursuant to 28 U.S. C. § 1407. In their motion, plaintiffs seek centralization of the above listed actions in the United States District Court for the Northern District of Florida for coordinated or consolidated pretrial proceedings. Movants now seek to withdraw their Section 1407 motion. All responding parties have consented to the withdrawal. IT IS THEREFORE ORDERED that plaintiffs' motion for transfer under 28 U.S.C. § 1407 is DEEMED WITHDRAWN. IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on August 19, 2014, are VACATED insofar as they relate to this matter. (Signed by MDL Panel on 9/12/2014) (sjo) (Entered: 09/16/2014)
09/18/2014	45 R	ANSWER to 42 R Amended Complaint,. Document filed by Johnson & Johnson

		Consumer Companies, Inc..(Weinberger, Harold) (Entered: 09/18/2014)
10/08/2014	46	PROTECTIVE ORDER AS REVISED...regarding procedures to be followed that shall govern the handling of confidential material... ENDORSEMENT: See new paragraph 26. 26. This Order is governed by and includes Standing Order M-10-468, filed 10/5/2001, a copy of which is attached hereto. SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 10/8/2014) (mml) (Entered: 10/08/2014)
10/09/2014		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 10/09/2014, Todd Garber appearing in person for Plaintiff, Harold Weinberger and Eileen Patt appearing in person for Defendant. Adjourned to 12/03/2014 at 3:00 PM for an in-person status conference. (Status Conference set for 12/3/2014 at 03:00 PM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) (ldr) (Entered: 10/09/2014)
10/09/2014	47	ORDER: In order to facilitate the progress of pre-trial discovery of this litigation in a just, speedy and inexpensive manner, to insure compliance with the case management plan, and to prevent the accumulation of unresolved discovery issues, the following procedures will be followed for the resolution of discovery disputes. (Signed by Magistrate Judge Lisa Margaret Smith on 10/9/2014) (mml) (Entered: 10/10/2014)
10/21/2014	48	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. has been rescheduled from an in-person status conference on Wednesday, 12/3/2014, to an in-person status conference on Wednesday, 12/10/2014 at 03:30 PM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 10/21/2014) (mml) (Entered: 10/21/2014)
12/10/2014		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 12/10/2014, Todd Garber appearing in person for Plaintiffs, and Eileen Patt and Harold Weinberger appearing by telephone for Defendant. Adjourned to 01/29/2015 at 02:30 PM for an in-person status conference. (Status Conference set for 01/29/2015 at 02:30 PM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) (ldr) (Entered: 12/10/2014)
12/19/2014	49	LETTER addressed to Magistrate Judge Lisa M. Smith from Shin Y. Hahn dated December 19, 2014 re: Stipulation and Consolidation Order. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Text of Proposed Order Stipulation and Consolidation Order)(Hahn, Shin Young) (Entered: 12/19/2014)
12/19/2014	50	STIPULATION AND CONSOLIDATION ORDER: I. The following actions (the "related actions") are consolidated pursuant to Fed. R. Civ. P. 42(a) for all pretrial proceedings, including discovery: Goldemberg, et al. v. Johnson & Johnson Consumer Companies, Inc., No: 13-3073-NSR Smith, et al. v. Johnson & Johnson Consumer Companies, Inc., No: 14-07506-NSR 2. The Lead Case number shall be No. 13-CV-3073-NSR. One docket will be maintained for these actions with all entries to be docketed under said number. If a document pertains to only one or some of the member cases, it will be docketed in the consolidated case with the notation in the docket text as to the case numbers to which it pertains. 3. An Original of this Order shall be filed by the Clerk in the Lead Case and in the file for each action consolidated herein. 4. A copy of this Order shall be disseminated by ECF Notice in each of the related actions. 5. Every pleading filed in the Lead Case shall bear the following caption as set forth. SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 12/19/2014) Filed In Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(lnl) (Entered: 12/22/2014)

01/29/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 01/29/2015, Todd Garber and George Granade appearing in person for Plaintiffs, and Harold Weinberger and Rachel Feinberg appearing in person for Defendant. Adjourned to 03/26/2015 at 10:00 AM for an in-person status conference. (Status Conference set for 03/26/2015 at 10:00 AM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS (ldr) (Entered: 01/29/2015)
03/26/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 03/26/2015, Todd Garber and Kim Richman appearing in person for Plaintiffs, and Harold Weinberger and Rachel Feinberg appearing by telephone for Defendant. Adjourned to 05/18/2015 at 10:30 AM for an in-person status conference. (Status Conference set for 05/18/2015 at 10:30 AM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS (ldr) Modified on 3/30/2015 (mml). (Entered: 03/26/2015)
03/26/2015	51 R	SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case to be tried to a jury. Amended Pleadings due by 7/16/2014. Joinder of Parties due by 7/16/2014. Motions due by 9/15/2015. Responses due by 10/30/2015 Replies due by 12/1/2015. Deposition due by 11/16/2015. Case Management Conference set for 9/18/2015 at 10:00 AM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 3/26/2015) (mml) (Entered: 03/26/2015)
05/18/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 05/18/2015, Todd Garber and Kim Richman appearing in person for Plaintiffs, and Eileen Patt and Rachel Feinberg appearing by telephone for Defendant. Discovery dispute resolved. Adjourned to 06/29/2015 at 10:30 AM for an in-person status conference. (Status Conference set for 06/29/2015 at 10:30 AM in Courtroom 520, 300 Quarropas Street, White Plains, NY 10601 before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(ldr) (Entered: 05/18/2015)
06/17/2015	52	RE-SCHEDULING NOTICE: The matters of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. and Smith et al. v. Johnson & Johnson Consumer Companies, Inc. have been re-scheduled from an in-person status conference on Monday, June 29, 2015, at 10:30 A.M. before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to an in-person status conference on Tuesday, July 14, 2015, at 10:30 A.M. in Courtroom 520. (Signed by Magistrate Judge Lisa Margaret Smith on 6/17/2015) (mml) (Entered: 06/17/2015)
06/25/2015	53	MEMO ENDORSEMENT on NOTICE OF WITHDRAWAL OF COUNSEL. ENDORSEMENT: Motion denied as moot. Ms. Feinberg never filed a notice of appearance in this case. So Ordered. (Signed by Magistrate Judge Lisa Margaret Smith on 6/25/2015) Filed In Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(ldr) (Entered: 06/25/2015)
07/14/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 07/14/2015, Kim Richman appearing in person for Plaintiffs, and Eileen Patt appearing by telephone for Defendant. Adjourned to 08/25/2015 at 10:30 AM for a telephonic status conference. (Status Conference set for 08/25/2015 at 10:30 AM before Magistrate Judge Lisa Margaret Smith.) (Court

		Reporter courtflow) Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(ldr) (Entered: 07/14/2015)
08/25/2015	54	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc. has been rescheduled from a telephonic status conference on August 25, 2015, before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Friday, August 28, 2015, at 10:00 A.M. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. SO ORDERED. (Signed by Magistrate Judge Lisa Margaret Smith on 8/25/2015) (mml) (Entered: 08/26/2015)
08/28/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 08/28/2015, Todd Garber and Kim Richman appearing by telephone for Plaintiffs, and Eileen Patt appearing by telephone for Defendant. Adjourned to 10/13/2015 at 10:00 AM for a telephonic status conference. (Status Conference set for 10/13/2015 at 10:00 AM before Magistrate Judge Lisa Margaret Smith.) (ldr) (Entered: 08/28/2015)
08/28/2015	55	LETTER addressed to Magistrate Judge Lisa M. Smith from Todd S. Garber dated August 28, 2015 re: Amended Briefing Schedule. Document filed by Michael Goldemberg. (Attachments: # 1 Text of Proposed Order Revised Proposed Discovery Schedule)(Garber, Todd) (Entered: 08/28/2015)
08/28/2015	56	AMENDED SCHEDULING ORDER: This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel and any unrepresented parties, pursuant to Fed. R. Civ. P. 16 and 26(f):1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).2. This case is to be tried to a jury. 3. Joinder of additional parties must be accomplished by July 16, 2014. 4. Amended pleadings may be filed until July 16, 2014. 5. Interrogatories shall be served no later than July 31, 2014, and responses thereto shall be served within thirty (30) days thereafter. 6. First request for production of documents, if any, shall be served no later than July 31, 2014. 7. Plaintiffs shall serve their motion for class certification and serve Plaintiffs' class certification expert reports by September 18, 2015.8. Depositions of Plaintiffs' class certification experts shall be completed by October 19, 2015. 9. Defendant shall serve its opposition to Plaintiffs' motion for class certification and serve Defendant's class certification expert reports by November 4, 2015. 10. Depositions of Defendant's class certification experts shall be completed by November 19, 2015. 11. Plaintiffs shall file their reply motion for class certification and serve Plaintiffs' class certification rebuttal expert reports by December 4, 2015. 12. Non-expert depositions shall be completed by 60 days after the Court rules on Plaintiffs' motion for class certification. a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents. b. Depositions shall proceed concurrently. c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions. 13. Any further interrogatories, including expert interrogatories, shall be served no later than 60 days after the Court rules on Plaintiffs' motion for class certification. 14. Any further expert reports shall be served no later than 90 days after the Court rules on Plaintiffs' motion for class certification. 15. Rebuttal Expert reports shall be served no later than 120 days after the Court rules on Plaintiffs' motion for class certification. 16. Expert depositions shall be completed no later than 150 days after the Court rules on Plaintiffs' motion for class certification. 17. All discovery shall be completed by 150 days after the Court rules on Plaintiffs' motion for class certification.18. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under

		a specific order of reference). 19. The Magistrate Judge assigned to this case is the Honorable Magistrate Judge Lisa M. Smith. 20. If, after entry of this Order, the parties consent to a trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith. 21. The next case management conference is scheduled for September 18, 2015 at 10:00 am. (Signed by Magistrate Judge Lisa Margaret Smith on 8/28/2015) (fk) (Entered: 08/31/2015)
09/09/2015	57	ENDORSED LETTER addressed to Judge Nelson Stephen Roman from Harold P. Weinberger dated 9/9/2015 re: Counsel requests an adjournment of the case management conference. ENDORSEMENT: The application is granted. The Case Management Conference is rescheduled until Oct. 2, 2015 at 11:30am. (Signed by Judge Nelson Stephen Roman on 9/9/2015) (mml) (Entered: 09/10/2015)
09/18/2015	58	NOTICE OF APPEARANCE by Benjamin Maxwell Arrow on behalf of Johnson & Johnson Consumer Companies, Inc.. (Arrow, Benjamin) (Entered: 09/18/2015)
09/18/2015	59	NOTICE OF APPEARANCE by Anna Kallet Ostrom on behalf of Johnson & Johnson Consumer Companies, Inc.. (Ostrom, Anna) (Entered: 09/18/2015)
09/29/2015	60	RESCHEDULING NOTICE: The above case previously scheduled for a status conference on October 2, 2015 before the United States District Judge Nelson S. Roman, is hereby adjourned sine die pending this Court's issuance of a decision on plaintiff's motion for class certification. (mml) (Entered: 09/30/2015)
10/13/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 10/13/2015, Gregg Blankenship appearing by telephone for Plaintiff and Eileen Patt and Harold Weinberger appearing by telephone for Defendant. Adjourned to 11/24/2015 at 10:00 A.M. for a telephonic status conference. (Status Conference set for 11/24/2015 at 10:00 AM before Magistrate Judge Lisa Margaret Smith.). (Levy, Orrie) (Entered: 10/13/2015)
10/23/2015	61	LETTER MOTION for Extension of Time addressed to Magistrate Judge Lisa M. Smith from Harold P. Weinberger dated October 23, 2015. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Exhibit Amended Scheduling Order)(Weinberger, Harold) (Entered: 10/23/2015)
10/26/2015	62	ORDER granting 61 Letter Motion for Extension of Time (HEREBY ORDERED by Magistrate Judge Lisa Margaret Smith)(Text Only Order) (Smith, Lisa) (Entered: 10/26/2015)
10/26/2015	63	AMENDED SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case is to be tried to a jury. Motions due by 12/18/2015. Deposition due by 12/15/2015. Case Management Conference set for 11/24/2015 at 10:00 AM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 10/26/2015) (mml) (Entered: 10/26/2015)
11/04/2015	64	LETTER MOTION for Leave to File Excess Pages addressed to Judge Nelson Stephen Roman from Harold P. Weinberger dated November 4, 2015. Document filed by Johnson & Johnson Consumer Companies, Inc..(Weinberger, Harold) (Entered: 11/04/2015)
11/04/2015	65	NOTICE OF CHANGE OF ADDRESS by Kim Eleazer Richman on behalf of Michael Goldemberg, Annie Le, Howard Petlack. New Address: The Richman Law Group, 81 Prospect Street, Brooklyn, NY, United States 11201, 2126878291. (Richman, Kim) (Entered: 11/04/2015)


11/04/2015	66	MEMO ENDORSED ORDER granting 64 Letter Motion for Leave to File Excess Pages. ENDORSEMENT: Defendant Granted leave to file a Memorandum in Opposition of up to 30 pages in length. Plaintiffs Granted to leave file a Reply Memorandum of up to 15 pages in length. The Clerk of the Court is requested to terminate the motion (doc. 64). (Signed by Judge Nelson Stephen Roman on 11/4/2015) (rj) (Entered: 11/05/2015)
11/19/2015	67	LETTER addressed to Magistrate Judge Lisa M. Smith from Harold P. Weinberger dated November 18, 2015 re: Consent Letter Requesting Adoption of Briefing Schedule for Daubert Motion. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Exhibit Amended Scheduling Order)(Weinberger, Harold) (Entered: 11/19/2015)
11/19/2015	68	AMENDED SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case to be tried to a jury. Reply Motion due by 12/18/2015. Replies due by 1/18/2016. Deposition due by 12/15/2015. Case Management Conference set for 11/24/2015 at 10:00 AM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 11/19/2015) (mml) (Entered: 11/20/2015)
11/24/2015		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 11/24/2015, Todd Garber and Kim Richman appearing in person for Plaintiff and Eileen Patt and Harold Weinberger appearing by telephone for Defendant. Adjourned to 03/03/2016 at 4:30 P.M. for a telephonic status conference. (Status Conference set for 3/3/2016 at 04:30 PM before Magistrate Judge Lisa Margaret Smith.) (Court Reporter courtflow) (Levy, Orrie) (Entered: 11/24/2015)
12/18/2015	69 R	MOTION to Certify Class . Document filed by Michael Goldemberg, Annie Le, Howard Petlack.(Garber, Todd) (Entered: 12/18/2015)
12/18/2015	70 R	MEMORANDUM OF LAW in Support re: 69 R MOTION to Certify Class . <i>Plaintiffs' Memorandum of Law in Support of Motion For Class Certification-REDACTED</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 12/18/2015)
12/18/2015	71 R	DECLARATION of Todd S. Garber in Support re: 69 R MOTION to Certify Class .. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 R Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 R Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19)(Garber, Todd) (Entered: 12/18/2015)
12/18/2015	72	DECLARATION of Kim Richman in Support re: 69 R MOTION to Certify Class .. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit 1)(Garber, Todd) (Entered: 12/18/2015)
12/18/2015	73	MEMORANDUM OF LAW in Opposition re: 69 R MOTION to Certify Class . . Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 12/18/2015)
12/18/2015	74	DECLARATION of Harold P. Weinberger in Opposition re: 69 R MOTION to Certify Class .. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Weinberger, Harold) (Entered: 12/18/2015)
12/18/2015	75	DECLARATION of Holly Means in Opposition re: 69 R MOTION to Certify Class ..

		Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Weinberger, Harold) (Entered: 12/18/2015)
12/18/2015	76	REPLY MEMORANDUM OF LAW in Support re: 69 R MOTION to Certify Class . <i>Plaintiffs' Reply Memorandum In Support of Motion For Class Certification (REDACTED)</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 12/18/2015)
12/18/2015	77	DECLARATION of Todd S. Garber in Support re: 69 R MOTION to Certify Class .. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13)(Garber, Todd) (Entered: 12/18/2015)
12/18/2015	78 R	DECLARATION of Keith R. Ugone in Opposition re: 69 R MOTION to Certify Class .. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Attachments: # 1 Declaration of Ugone part 2, # 2 Declaration of Ugone part 3, # 3 Declaration of Ugone part 4, # 4 Declaration of Ugone part 5, # 5 Declaration of Ugone part 6, # 6 Declaration of Ugone part 7, # 7 Declaration of Ugone part 8, # 8 Declaration of Ugone part 9, # 9 Declaration of Ugone part 10, # 10 Declaration of Ugone part 11, # 11 Exhibit 1, # 12 Exhibit 2, # 13 Exhibit 3, # 14 Exhibit 4, # 15 Exhibit 5, # 16 Exhibit 6 part 1, # 17 Exhibit 6 part 2, # 18 Exhibit 6 part 3, # 19 Exhibit 6 part 4, # 20 Exhibit 6 part 5, # 21 Exhibit 6 part 6, # 22 Exhibit 6 part 7, # 23 Exhibit 6 part 8, # 24 Exhibit 6 part 9, # 25 Exhibit 6 part 10, # 26 Exhibit 6 part 11, # 27 Exhibit 6 part 12, # 28 Exhibit 6 part 13, # 29 Exhibit 7, # 30 Exhibit 8, # 31 Exhibit 9, # 32 Exhibit 10, # 33 Exhibit 11, # 34 Exhibit 12)(Weinberger, Harold) (Entered: 12/18/2015)
12/28/2015	79	SEALED DOCUMENT placed in vault.(wc) (Entered: 12/29/2015)
01/19/2016	80	MOTION in Limine <i>To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> . Document filed by Johnson & Johnson Consumer Companies, Inc..(Weinberger, Harold) (Entered: 01/19/2016)
01/19/2016	81	MEMORANDUM OF LAW in Support re: 80 MOTION in Limine <i>To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> . . Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 01/19/2016)
01/19/2016	82	MEMORANDUM OF LAW in Opposition re: 80 MOTION in Limine <i>To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> . . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 01/19/2016)
01/19/2016	83	REPLY MEMORANDUM OF LAW in Support re: 80 MOTION in Limine <i>To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> . . Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 01/19/2016)
01/19/2016	84	DECLARATION of Keith R. Ugone, PH.D in Support re: 80 MOTION in Limine <i>To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> .. Document filed by Johnson & Johnson Consumer Companies, Inc.. (Weinberger, Harold) (Entered: 01/19/2016)
01/25/2016	85	SEALED DOCUMENT placed in vault.(wc) (Entered: 01/25/2016)
02/26/2016	86	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., has been rescheduled from a telephonic status conference on Thursday, March 3, 2016, at 4:30 PM before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Thursday, April 7, 2016, at 4:30 PM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. SO ORDERED. (Telephonic Status Conference set for 4/7/2016 at 04:30

		PM before Magistrate Judge Lisa Margaret Smith) (Signed by Magistrate Judge Lisa Margaret Smith on 2/26/2016) (lml) (Entered: 02/26/2016)
04/05/2016	87	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., has been rescheduled from a telephonic status conference on Thursday, April 7, 2016 at 4:30 PM before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Tuesday, May 10, 2016, at 2:15 PM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. (Signed by Magistrate Judge Lisa Margaret Smith on 4/5/2016) (mml) (Entered: 04/05/2016)
04/14/2016	88	MOTION for Shin Y. Hahn to Withdraw as Attorney . Document filed by Michael Goldemberg.(Hahn, Shin Young) (Entered: 04/14/2016)
04/14/2016	89	DECLARATION of Shin Y. Hahn in Support re: 88 MOTION for Shin Y. Hahn to Withdraw as Attorney .. Document filed by Michael Goldemberg. (Hahn, Shin Young) (Entered: 04/14/2016)
04/22/2016	90	MEMO ENDORSED ORDER granting 88 Motion to Withdraw as Attorney. ENDORSEMENT: Application Granted. Clerk of the Court requested to terminate the motion (doc. 88). SO ORDERED. Attorney Shin Young Hahn terminated. (Signed by Judge Nelson Stephen Roman on 4/22/2016) (mml) (Entered: 04/22/2016)
05/04/2016	91	NOTICE OF CHANGE OF ADDRESS by Jeremiah Lee Frei-Pearson on behalf of Michael Goldemberg, Annie Le, Howard Petlack. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 445 Hamilton Ave, Suite 605, White Plains, New York, U.S.A. 10601, (914) 298-3281. (Frei-Pearson, Jeremiah) (Entered: 05/04/2016)
05/04/2016	92	NOTICE OF CHANGE OF ADDRESS by Todd Seth Garber on behalf of Michael Goldemberg, Annie Le, Howard Petlack. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 445 Hamilton Ave, Suite 605, White Plains, New York, U.S.A. 10601, (914) 298-3281. (Garber, Todd) (Entered: 05/04/2016)
05/04/2016	93	NOTICE OF CHANGE OF ADDRESS by Douglas Gregory Blankinship on behalf of Michael Goldemberg, Annie Le, Howard Petlack. New Address: Finkelstein, Blankinship, Frei-Pearson & Garber, LLP, 445 Hamilton Ave, White Plains, New York, U.S.A. 10601, (914) 298-3281. (Blankinship, Douglas) (Entered: 05/04/2016)
05/09/2016	94	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., 13cv3073 (NSR)(LMS), has been re-scheduled from a telephonic status conference on May 10, 2016, at 2:15 PM before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Tuesday, June 7, 2016, at 10:30 AM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. (Signed by Magistrate Judge Lisa Margaret Smith on 5/9/2016) (mml) (Entered: 05/10/2016)
06/06/2016	95	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., 13cv3073 (NSR)(LMS), has been re-scheduled from a telephonic status conference on June 7, 2016, at 10:30 AM, before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Tuesday, July 26, 2016, at 4:00 PM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. (Signed by Magistrate Judge Lisa Margaret Smith on 6/6/2016) (mml) (Entered: 06/06/2016)
07/25/2016	96	RE-SCHEDULING NOTICE: The Telephone Status Conference previously set for 7/26/2016 at 4:00 PM is now set for 9/8/2016 at 11:00 AM before Magistrate Judge

		Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 7/25/2016) (mml) (Entered: 07/25/2016)
09/07/2016	97	CANCELLATION NOTICE: The status conference scheduled for Thursday, September 8, 2016, 11:00 AM before the Honorable Lisa Margaret Smith, United States Magistrate Judge, in the matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., 13cv3073 (NSR)(LMS), has been cancelled. The parties are directed to contact the Court when the Daubert motion has been decided in order to schedule a status conference. (Signed by Magistrate Judge Lisa Margaret Smith on 9/7/2016) (mml) (Entered: 09/08/2016)
10/04/2016	98 R	OPINION & ORDER re: 80 MOTION in <i>Limine To Exclude The Expert Report of Dr. Jean-Pierre Dube</i> filed by Johnson & Johnson Consumer Companies, Inc., 69 R MOTION to Certify Class filed by Howard Petlack, Michael Goldemberg, Annie Le. For the foregoing reasons, Plaintiffs' motion for class certification and appointment of class counsel is GRANTED as modified, Defendant's Daubert motion is DENIED, and this Court ORDERS: 1. The New York Class of consumers that purchased any of the following products during the limitations period is hereby certified under Rule 23(b)(3) and separately under Rule 23(b)(2) with regard to injunctive relief, with subclasses based on the Aveeno Active Naturals product at issue: a. Creamy Moisturizing Oil (12 fl. oz.), b. Therapeutic Shave Gel (7 fl. oz.), c. Positively Smooth Shave Gel (7 fl. oz.), d. Positively Nourishing Comforting Whipped Souffle (6 oz.), e. Nourish+ Moisturize Shampoo (10.5 fl. oz.), or f. Nourish+ Moisturize Conditioner (10.5 fl. oz.). 2. Named Plaintiff Michael Goldemberg is appointed as class representative for the New York Classes and Subclasses. 3. The California Class of consumers that purchased any of the following products during the limitations period is hereby certified under Rule 23(b)(3) and separately under Rule 23(b)(2) with regard to injunctive relief, with subclasses based on the Aveeno Active Naturals product at issue: a. Moisturizing Lotion with Broad Spectrum SPF 15 (12 fl. oz.), b. Skin Relief 24hr Moisturizing Lotion (12 fl. oz.), c. Positively Nourishing Energizing Body Lotion (7 oz.), d. Positively Ageless Firming Body Lotion (8 oz.), e. Positively Radiant Makeup Removing Wipes (25 count), f. Positively Ageless Youth Perfecting Moisturizer Broad Spectrum SPF 30 (2.5 fl. oz.), g. Positively Ageless Lifting & Firming Eye Cream (0.5 oz.), or h. Positively Radiant Daily Moisturizer Broad Spectrum SPF 15 (4 fl. oz.). 4. Named Plaintiff Annie Le is appointed as class representative for the California Classes and Subclasses. 5. The Florida Class of consumers that purchased any of the following products during the limitations period is hereby certified under Rule 23(b)(3) and separately under Rule 23(b)(2) with regard to injunctive relief, with subclasses based on the Aveeno Active Naturals product at issue: a. Therapeutic Shave Gel (7 oz.), or b. Moisturizing Bar (3.5 oz.). 6. Named Plaintiff Howard Petlack is appointed as class representative for the Florida Classes and Subclasses. 7. Finkelstein, Blankinship, Frei-Pearson & Garber, LLP and The Richmond Law Group are appointed as co-class counsel; and, 8. On or before November 5, 2016, Plaintiffs shall, after conferring with Defendant, provide the Court with a joint proposed notice designed to achieve the best practicable notice to identifiable class members and explain the methodology that will be employed to determine such class members. The parties are directed to contact Magistrate Judge Lisa M. Smith within 48 hours of the issuance of this opinion and, after consultation before Judge Smith, to write this Court regarding the status of pending discovery issues. The Clerk of Court is respectfully directed to terminate the motions at ECF Nos. 69 and 80. (Signed by Judge Nelson Stephen Roman on 10/4/2016) (mml) (Entered: 10/04/2016)
10/06/2016	99	SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., 13cv3073 (NSR)(LMS), has been scheduled for a

		telephonic status conference before the Hon. Lisa Margaret Smith, United States Magistrate Judge, on Monday, December 12, 2016, at 10:30 AM. Plaintiffs' counsel is to have Defendant's counsel on the line when contacting Chambers. (Signed by Magistrate Judge Lisa Margaret Smith on 10/6/2016) (mml) (Entered: 10/07/2016)
11/10/2016	100	ENDORSED LETTER addressed to Judge Nelson Stephen Roman from Kim E. Richman dated 11/7/16 re: belief that it best for the Class that Notice not be disseminated until after the Second Circuit rules on Defendant's request for interlocutory review of this Court's class certification. ENDORSEMENT: The application is granted. The Joint proposed Notice is approved and shall not be disseminated until ordered by the Court. (Signed by Judge Nelson Stephen Roman on 11/10/16) (yv) (Entered: 11/10/2016)
11/22/2016	101	LETTER addressed to Magistrate Judge Lisa M. Smith from Todd S. Garber dated November 22, 2016 re: Mediation & Proposed Amended Schedule. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Text of Proposed Order Proposed Amended Schedule & Order)(Garber, Todd) (Entered: 11/22/2016)
11/22/2016	102	AMENDED SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). This case is to be tried to a jury. Expert Deposition due by 5/8/2017. Discovery due by 5/8/2017. (Signed by Magistrate Judge Lisa Margaret Smith on 11/22/2016) (mml) (Entered: 11/23/2016)
12/12/2016		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 12/12/2016. Todd Seth Garber and Kim Eleazer Richman appearing by telephone for Plaintiffs, and Eileen Miriam Patt appearing by telephone for Defendant. Adjourned to 1/17/2017 at 10:30 AM for a telephonic status conference. (Status Conference set for 1/17/2017 at 10:30 AM before Magistrate Judge Lisa Margaret Smith.) (DI) (Entered: 12/12/2016)
01/17/2017		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 1/17/2017. Kim Eleazer Richman appearing by telephone for Plaintiffs, and Eileen Miriam Patt and Harold Paul Weinberger appearing by telephone for Defendant. The parties are to submit an amended scheduling order that reflects a sixty (60) day extension to all existing discovery deadlines. Adjourned to 2/23/2017 at 9:45 AM for a telephonic status conference. (Status Conference set for 2/23/2017 at 09:45 AM before Magistrate Judge Lisa Margaret Smith.) (DI) (Entered: 01/17/2017)
01/18/2017	103	LETTER addressed to Magistrate Judge Lisa M. Smith from Kim E. Richman dated 1/18/2017 re: Amended Scheduling Order. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Text of Proposed Order)(Richman, Kim) (Entered: 01/18/2017)
01/18/2017	104	MANDATE of USCA (Certified Copy) USCA Case Number 16-3528. Johnson & Johnson petitions, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's class certification order, and for leave to file a reply. Upon due consideration, it is hereby ORDERED that the motion to file a reply is GRANTED. It is further ORDERED that the petition for leave to appeal is DENIED because an immediate appeal is unwarranted. See Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd., 262 F.3d 134, 139-40 (2d Cir. 2001).. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 01/18/2017. (nd) (Entered: 01/18/2017)
01/18/2017	105	AMENDED SCHEDULING ORDER: All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to

		28 U.S.C. § 636(c). This case is to be tried to a jury. Deposition due by 7/7/2017. Discovery due by 7/7/2017. Case Management Conference set for 2/23/2017 at 09:45 AM before Magistrate Judge Lisa Margaret Smith. (Signed by Magistrate Judge Lisa Margaret Smith on 1/18/2017) (mml) (Entered: 01/19/2017)
02/23/2017		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 2/23/2017. Todd Seth Garber appearing by telephone for Plaintiffs, and Eileen Miriam Patt appearing by telephone for Defendant. The parties have reached a settlement agreement in principle. Adjourned to 3/30/2017 at 9:45 AM for a telephonic status conference. (Status Conference set for 3/30/2017 at 09:45 AM before Magistrate Judge Lisa Margaret Smith.) (DI) (Entered: 02/23/2017)
03/30/2017		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 3/30/2017. Todd Seth Garber appearing by telephone for Plaintiffs, and Eileen Miriam Patt and Harold Paul Weinberger appearing by telephone for Defendant. Adjourned to 5/12/2017 at 10:00 AM for a telephonic status conference. (Status Conference set for 5/12/2017 at 10:00 AM before Magistrate Judge Lisa Margaret Smith.) (DI) (Entered: 03/30/2017)
04/11/2017	106	RE-SCHEDULING NOTICE: The matter of Goldemberg v. Johnson & Johnson Consumer Companies, Inc., 13 CV 3073 (NSR) (LMS), has been re-scheduled from a telephonic status conference on Friday, May 12, 2017, at 10:00 AM before the Hon. Lisa Margaret Smith, United States Magistrate Judge, to a telephonic status conference on Friday, May 12, 2017, at 12:00 PM. Plaintiff's counsel is to have defense counsel on the line when contacting Chambers. (Signed by Magistrate Judge Lisa Margaret Smith on 4/11/2017) (mml) (Main Document 106 replaced on 4/20/2017) (mml). (Entered: 04/11/2017)
04/28/2017		Appeal Record Returned. Indexed record on Appeal Files USCA Case Number COA-16-3528, returned from the U.S. Court of Appeals. Documents # 79 (Sealed) and # 85 (Sealed) were received by the Clerk's Office on 04/28/2017. (wc) (Entered: 05/03/2017)
05/12/2017		Minute Entry for proceedings held before Magistrate Judge Lisa Margaret Smith: Status Conference held on 5/12/2017. Todd Garber and Kim Richman appearing by telephone for Plaintiffs, and Harold Weinberger and Eileen Patt appearing by telephone for Defendant. Adjourned. (DI) (Entered: 05/12/2017)
05/26/2017	107	NOTICE OF APPEARANCE by Antonino B. Roman on behalf of Michael Goldemberg, Annie Le, Howard Petlack. (Roman, Antonino) (Entered: 05/26/2017)
05/26/2017	108	MOTION for Settlement <i>Preliminary Approval of Class Action Settlement</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack.(Garber, Todd) (Entered: 05/26/2017)
05/26/2017	109 	MEMORANDUM OF LAW in Support re: 108 MOTION for Settlement <i>Preliminary Approval of Class Action Settlement</i> . . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 05/26/2017)
05/26/2017	110	DECLARATION of Todd S. Garber in Support re: 108 MOTION for Settlement <i>Preliminary Approval of Class Action Settlement</i> .. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit A to Garber Decl. (Settlement Agreement), # 2 Exhibit 1 to Settlement Agreement, # 3 Exhibit 2 to Settlement Agreement, # 4 Exhibit 3 to Settlement Agreement, # 5 Exhibit 4 to Settlement Agreement, # 6 Exhibit 5 to Settlement Agreement, # 7 Exhibit 6 to Settlement Agreement, # 8 Exhibit B to Garber Decl. (FBFG Resume))(Garber, Todd) (Entered: 05/26/2017)

05/26/2017	111	DECLARATION of Kim E. Richman in Support re: 108 MOTION for Settlement <i>Preliminary Approval of Class Action Settlement..</i> Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit A (Firm Resume)) (Garber, Todd) (Entered: 05/26/2017)
06/07/2017	112	ORDER PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT granting 108 Motion for Settlement. IT IS HEREBY ORDERED: The Class Is Preliminarily Certified. If not otherwise defined herein, all capitalized terms have the same meanings as set forth in the Agreement. Pursuant to Federal Rule of Civil Procedure 23(e), the Court certifies for the sole purpose of consummating the settlement of the Action in accordance with the Agreement the following Class: all persons who purchased the Covered Products (as defined in the Settlement Agreement), including those listed on the attached Exhibit A within the United States, including the District of Columbia and all U.S. territories, including Puerto Rico, Guam, and the U.S. Virgin Islands during the Class Period. Excluded from the Settlement Class are: (i) current and former officers and directors of Defendant; (ii) members of the immediate families of the officers and directors of Defendant; (iii) Defendant's legal representatives, heirs, successors, or assigns, and any entity in which they have or have had a controlling interest; and (iv) the judicial officer to whom this lawsuit is assigned...Pursuant to Federal Rule of Civil Procedure 23(e) the Court will hold a final approval hearing on Sept. 14, 2017, at 11:30 a.m. in the Courtroom of the Honorable Judge Nelson S. Roman, United States District Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, and as further set forth herein. Clerk of Court requested to terminate the motion (doc. 108). (Signed by Judge Nelson Stephen Roman on 6/7/2017) (ras) (Entered: 06/07/2017)
06/07/2017		Set/Reset Hearings: Status Conference set for 9/14/2017 at 11:30 AM before Judge Nelson Stephen Roman. (ras) (Entered: 06/07/2017)
06/07/2017		Case Stayed. (ras) (Entered: 06/22/2017)
06/13/2017	113	AMENDED ORDER PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT: If not otherwise defined herein, all capitalized terms have the same meanings as set forth in the Agreement. Pursuant to Federal Rule of Civil Procedure 23(e), the Court certifies for the sole purpose of consummating the settlement of the Action in accordance with the Agreement the following Class: all persons who purchased the Covered Products (as defined in the Settlement Agreement), including those listed on the attached Exhibit A within the United States, including the District of Columbia and all U.S. territories, including Puerto Rico, Guam, and the U.S. Virgin Islands during the Class Period. Excluded from the Settlement Class are: (i) current and former officers and directors of Defendant; (ii) members of the immediate families of the officers and directors of Defendant; (iii) Defendant's legal representatives, heirs, successors, or assigns, and any entity in which they have or have had a controlling interest; and (iv) the judicial officer to whom this lawsuit is assigned. Pursuant to Federal Rule of Civil Procedure 23(e) the Court will hold a final approval hearing on October 27, 2017, at 10:00 am, in the Courtroom of the Honorable Judge Nelson S. Roman, United States District Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601 as set forth in this order. (Status Conference set for 10/27/2017 at 10:00 AM before Judge Nelson Stephen Roman.) (Signed by Judge Nelson Stephen Roman on 6/13/2017) (rj) (Entered: 06/13/2017)
09/27/2017	115	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Stephen D'Oench Field to Appear Pro Hac Vice <i>for Objector Ashley Hammack</i> . Filing fee \$ 200.00, receipt number 0208-14177267. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Ashley Hammack.

		(Attachments: # 1 Text of Proposed Order for Admission Pro Hac Vice, # 2 Exhibit Certificate of Good Standing)(Field, Stephen) Modified on 9/28/2017 (ma). (Entered: 09/27/2017)
09/27/2017	116 R	NOTICE of of Objection to Class Settlement by Ashley Hammack. Document filed by Ashley Hammack. (Field, Stephen) (Entered: 09/27/2017)
09/27/2017	118 R	OBJECTION OF PAMELA SWEENEY TO PROPOSED SETTLEMENT AND NOTICE OF INTENT NOT TO APPEAR AT FINIAL FAIRNESS HEARING. Document filed by Pamela Sweeney. (vn) (Entered: 09/28/2017)
09/28/2017		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. 115 MOTION for Stephen D'Oench Field to Appear Pro Hac Vice for Objector Ashley Hammack. Filing fee \$ 200.00, receipt number 0208-14177267. Motion and supporting papers to be reviewed by Clerk's Office staff.</.. The filing is deficient for the following reason(s): MISSING AFFIDAVIT OR DECLARATION PURSUANT TO LOCAL RULE 1.3;. Re-file the motion as a Motion to Appear Pro Hac Vice - attach the correct signed PDF - select the correct named filer/filers - attach valid Certificates of Good Standing issued within the past 30 days - attach Proposed Order.. (ma) (Entered: 09/28/2017)
09/28/2017	119	MOTION for Stephen D'Oench Field to Appear Pro Hac Vice for Objector Ashley Hammack. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Ashley Hammack. (Attachments: # 1 Affidavit /Declaration of Stephen D'Oench Field with Certificate of Good Standing, # 2 Text of Proposed Order Granting Motion for Admission Pro Hac Vice)(Field, Stephen) (Entered: 09/28/2017)
09/29/2017		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 119 MOTION for Stephen D'Oench Field to Appear Pro Hac Vice for Objector Ashley Hammack. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 09/29/2017)
10/13/2017	120	MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. Return Date set for 10/27/2017 at 10:00 AM.(Garber, Todd) (Entered: 10/13/2017)
10/13/2017	121	MEMORANDUM OF LAW in Support re: 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement</i> . . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/13/2017	122 R	MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. Return Date set for 10/27/2017 at 10:00 AM.(Garber, Todd) (Entered: 10/13/2017)
10/13/2017	123 R	MEMORANDUM OF LAW in Support re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments</i> . . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/13/2017	124 R	REPLY to Response to Motion re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments</i> ., 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement</i> . <i>Plaintiffs' Memorandum of Law in Opposition to The Objections of Ashley Hammack (Dkt. No. 116) and Pamela Sweeney (Dkt. No. 118) to Final Approval of the Proposed</i>

		<i>Class Action Settlement</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/13/2017	125	DECLARATION of Todd S. Garber in Support re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments.</i> , 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement.</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Garber, Todd) (Entered: 10/13/2017)
10/13/2017	126	DECLARATION of Kim E. Richman in Support re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments.</i> , 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement.</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/13/2017	127 R	DECLARATION of Steven Weisbrot (Angeion Group LLC) in Support re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments.</i> , 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement.</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/13/2017	128	AFFIDAVIT of P. Timothy Howard in Support re: 122 R MOTION for Attorney Fees <i>Uncontested Motion for Attorneys' Fees, Expenses, and Service Award Payments.</i> , 120 MOTION for Settlement <i>Uncontested Motion for Final Approval of Class Action Settlement.</i> . Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/13/2017)
10/18/2017	129	CERTIFICATE OF SERVICE of Final Approval and Fee Motions, and Response to Objection served on Pamela Sweeney on 10/17/17. Service was made by Overnight Delivery. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 10/18/2017)
10/18/2017	130	ORDER FOR ADMISSION PRO HAC VICE granting 119 Motion for Stephen D. Field to Appear Pro Hac Vice. The Clerk of the Court is requested to terminate the motion (doc. 119). SO ORDERED. (Signed by Judge Nelson Stephen Roman on 10/18/2017) (rj) (Entered: 10/18/2017)
10/23/2017	131	RESCHEDULING NOTICE: Due to a scheduling conflict, the above case previously scheduled for Final Settlement Approval Hearing on October 27, 2017, is hereby adjourned until November 1, 2017 at 12:00 pm in Courtroom 218 before the Hon. Nelson S. Romn, at the Charles L. Briant United States Courthouse, 300 Quarropas Street, White Plains, NY 10601. Fairness hearing set for November 1, 2017, at 12:00 P.M. (ap) (Entered: 10/23/2017)
10/23/2017		Set/Reset Hearings: Fairness Hearing set for 11/1/2017 at 12:00 PM in Courtroom 218, 300 Quarropas Street, White Plains, NY 10601 before Judge Nelson Stephen Roman. (ap) (Entered: 10/23/2017)
11/01/2017		Minute Entry for proceedings held before Judge Nelson Stephen Roman: Fairness Hearing held on 11/1/2017. Plaintiffs and Defendants counsel present. Court reporter is Darby Ginsberg. Objections received objectors were not present. The matter is taken under advisement. (Court Reporter Darby Ginsberg) (gs) (Entered: 11/01/2017)
11/01/2017	132	ORDER AND JUDGMENT: NOW, THEREFORE, IT IS HEREBY ORDERED THAT: The Settlement Agreement is incorporated by reference in this Judgment as though fully set forth herein. Pursuant to Rules 23(a) and (b) of the Federal Rules of Civil Procedure, and for the purposes of the Settlement only, the Action is hereby

		finally certified as a class action on behalf of all persons who purchased any of Defendant's Aveeno Active Naturals Products including those listed on the attached Exhibit A within the United States, including the District of Columbia, and all U.S. territories, including Puerto Rico, Guam and the U.S. Virgin Islands, between May 7, 2007 and June 13, 2017. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, and for the purposes of the Settlement only, plaintiffs Michael Goldemberg, Annie Le, and Howard Petlack are certified as the Class Representatives and D. Greg Blankinship, Jeremiah Frei-Pearson, and Todd S. Garber of the law firm of Finkelstein, Blankinship, Frei-Pearson & Garber, LLP and Kim Richman of the Richman Law Group are certified as Class Counsel. The Action and all claims asserted therein are dismissed with prejudice and without costs, as such costs are identified in 28 U.S.C. § 1920. Class Counsel are hereby awarded attorneys' fees and expenses ("Class Counsel Fees") of \$2,250,000, which sum the Court finds to be fair and reasonable. The Court finds that an award to the Class Representatives for their time and effort in representing the Class in the prosecution of the Action is fair and reasonable, and thus awards each of the Class Representatives a Service Award in the amount of \$10,000.00, and as further set forth in this order. There is no just reason for delay in the entry of this Order and Judgment and immediate entry by the Clerk of the Court is expressly directed. (Signed by Judge Nelson Stephen Roman on 11/1/2017) (jwh) (Entered: 11/01/2017)
11/27/2017	133	NOTICE OF APPEAL from 132 Judgment. Document filed by Pamela A. Sweeney. Form D-P is due within 14 days to the Court of Appeals, Second Circuit. (tp) (Entered: 11/29/2017)
11/27/2017		Appeal Fee Due: for 133 Notice of Appeal. Appeal fee due by 12/11/2017. (tp) (Entered: 11/29/2017)
11/29/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 133 Notice of Appeal. (tp) (Entered: 11/29/2017)
11/29/2017		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 133 Notice of Appeal filed by Pamela A. Sweeney were transmitted to the U.S. Court of Appeals. (tp) (Entered: 11/29/2017)
11/29/2017	134	FILING ERROR - DEFICIENT DOCKET ENTRY - FILER ERROR - NOTICE OF APPEAL from (132 in 7:13-cv-03073-NSR-LMS) Judgment. Document filed by Ashley Hammack. Filing fee \$ 505.00, receipt number 0208-14416849. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Filed In Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(Field, Stephen) Modified on 11/30/2017 (tp). (Entered: 11/29/2017)
11/30/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT APPEAL. Notice to attorney Field, Stephen to RE-FILE Document No. (45 in 7:14-cv-07506-NSR-LMS, 134 in 7:13-cv-03073-NSR-LMS) Notice of Appeal. The filing is deficient for the following reason(s): there is nothing selected for appeal in the member case. Re-file the appeal using the event type <i>Corrected Notice of Appeal</i> found under the event list <i>Appeal Documents - attach the correct signed PDF - select the correct named filer/filers - select the correct order/judgment being appealed. Filed In Associated Cases: 7:13-cv-03073-NSR-LMS, 7:14-cv-07506-NSR-LMS(tp)</i> (Entered: 11/30/2017)
11/30/2017	135	CORRECTED NOTICE OF APPEAL re: 134 Notice of Appeal, 132 Judgment,,,,,,. Document filed by Ashley Hammack. (Field, Stephen) (Entered: 11/30/2017)
11/30/2017		Appeal Fee Paid electronically via Pay.gov: for 135 Corrected Notice of Appeal. Filing fee \$ 505.00. Pay.gov receipt number 0208-14416849, paid on 11/29/2017. (tp)

		(Entered: 11/30/2017)
11/30/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 135 Corrected Notice of Appeal. (tp) (Entered: 11/30/2017)
11/30/2017		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 135 Corrected Notice of Appeal filed by Ashley Hammack were transmitted to the U.S. Court of Appeals. (tp) (Entered: 11/30/2017)
12/13/2017	136 R	APPELLANT'S MOTION FOR EXTENSION OF TIME TO PAY APPELLANT'S FILING FEE. Document filed by Pamela A. Sweeney.(sc) (Entered: 12/14/2017)
12/20/2017	137	LETTER addressed to Judge Nelson Stephen Roman from Todd S. Garber dated 12/11/2017 re: We are Class Counsel in the above matter. We write to respectfully request a pre-motion conference pursuant to your Individual Practices, and as further specified and set forth in this letter. (rjm) (Entered: 12/20/2017)
12/20/2017	138	LETTER addressed to Judge Nelson Stephen Roman from Todd S. Garber dated 12/20/2017 re: There being no response to their request for an appeal bond, Plaintiffs respectfully request that this Court issue an Order requiring each of the Objectors to post an appeal bond for \$45,000, and as further specified and set forth in this letter. (rjm) (Entered: 12/20/2017)
12/22/2017	139	CERTIFICATE OF SERVICE of Request for a Pre-Motion Conference served on Pamela Sweeney on December 11, 2017. Service was made by UPS Mail. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 12/22/2017)
12/22/2017	140	CERTIFICATE OF SERVICE of Letter Request for entry of Order on Appellate Bond served on Pamela Sweeney on December 20, 2017. Service was made by UPS Mail. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Garber, Todd) (Entered: 12/22/2017)
01/03/2018	141	NOTICE OF APPEARANCE PRO SE. by Pamela A. Sweeney. (sc) (Entered: 01/05/2018)
01/03/2018	142	LETTER addressed to Judge Nelson Stephen Roman from Pamela Sweeney, dated 12/20/17 re: Objector Pamela Sweeney informs the Court that she is prepared to appear by telephone at most anytime for the pre-order conference; and that, in addition, she has suggested to counsel that prior to the pre-order conference the parties conduct a "meet and confer"(thus complying with the "spirit, if not the letter, of the Local Rules" etc. Document filed by Pamela A. Sweeney.(sc) (Entered: 01/05/2018)
01/05/2018	143	MEMO ENDORSEMENT on re: 138 Letter. ENDORSEMENT: The Court is in receipt of Plaintiff's letter dated December 11, 2017, requesting a pre-motion conference and seeking leave to move for an appeal bond in the amount of \$45,000. The Court is also in receipt of Plaintiff's subsequent letter, dated December 20, 2017, asking this Court to impose an appeal bond on each of the Objectors given their failure to respond to Plaintiff's pre-motion conference request. However, the Court has since received letters from both Objectors opposing Plaintiff's request for an appeal bond. Thus, while this Court denies Plaintiff's request to immediately impose an appeal bond on the Objectors, Plaintiff's application for leave to file a motion for an appeal bond is granted. The pre-motion conference requirement is waived and the briefing schedule is as follows: Plaintiffs are to serve, not file, their moving papers by January 25, 2018. Each Objector must serve, not file, their opposition to the motion by February 19, 2018. Plaintiff's reply is due no later than March 9, 2018. Plaintiff's counsel is directed to file all motion documents, including the Objectors' oppositions, on the reply date. The parties shall provide 2 copies of all documents to chambers as the documents are

		served. Plaintiff is directed to send this memorandum endorsement to all Objectors and file proof of service on the docket. (Signed by Judge Nelson Stephen Roman on 1/5/2018) (ras) (Entered: 01/05/2018)
01/05/2018		Set/Reset Deadlines: Motions due by 3/9/2018. (ras) (Entered: 01/05/2018)
01/08/2018	144	NOTICE OF APPEARANCE by Jean Sedlak on behalf of Michael Goldemberg, Annie Le, Howard Petlack. (Sedlak, Jean) (Entered: 01/08/2018)
01/08/2018	145	AFFIDAVIT OF SERVICE of Memorandum Endorsement served on Pamela Sweeney and Ashley Hammack on 1-8-2018. Service was made by Mail. Document filed by Michael Goldemberg, Annie Le, Howard Petlack. (Sedlak, Jean) (Entered: 01/08/2018)
01/10/2018	146	MEMO ENDORSEMENT granting 136 R Letter Motion for Extension of Time. ENDORSEMENT: Motion granted nunc pro tunc. Clerk of the Court requested to terminate the motion (doc. 136).(Signed by Judge Nelson Stephen Roman on 1/10/2018) (kgo) (Entered: 01/10/2018)
01/23/2018	147	MANDATE of USCA (Certified Copy) as to 133 Notice of Appeal filed by Pamela A. Sweeney, 135 Corrected Notice of Appeal filed by Ashley Hammack USCA Case Number 17-3873(L), 17-3875(Con). Appellants move for voluntary dismissal of these appeals pursuant to FRAP 42(b).IT IS HEREBY ORDERED that the motion is GRANTED.. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 01/23/2018. (nd) (Entered: 01/23/2018)
01/26/2018	148	TRANSCRIPT of Proceedings re: Approval of settlement held on 11/1/2017 before Judge Nelson Stephen Roman. Court Reporter/Transcriber: Darby Ginsberg, (914) 390-4102. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/16/2018. Redacted Transcript Deadline set for 2/26/2018. Release of Transcript Restriction set for 4/26/2018.(Ginsberg, Darby) (Entered: 01/26/2018)
01/26/2018	149	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Approval of settlement proceeding held on 11/1/2017 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days... (Ginsberg, Darby) (Entered: 01/26/2018)