

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:15-cv-03578-EDL**

Baharestan et al v. Venus Laboratories, Inc., dba Earth Friendly Products, Inc.  
Assigned to: Magistrate Judge Elizabeth D. Laporte  
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 08/04/2015  
Date Terminated: 03/16/2016  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Rebekah Baharestan**

*on behalf of herself and all others similarly situated*

represented by **Mark N. Todzo**

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**Plaintiff**

**Jena McIntyre**

represented by **Mark N. Todzo**

*on behalf of herself and all others similarly situated*

(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Abigail Dana Blodgett**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Melissa S. Weiner**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Venus Laboratories, Inc.**  
*A Corporation*  
*doing business as*  
 Earth Friendly Products, Inc.

represented by **Anna Yeung**  
 Drinker Biddle and Reath LLP  
 Four Embarcadero Center  
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**Defendant**

**Steven Helfand**

represented by **Steven F. Helfand**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/04/2015	<a href="#">1</a>	COMPLAINT against Venus Laboratories, Inc., dba Earth Friendly Products, Inc. ( Filing

		fee \$ 400, receipt number 0971-9732388.). Filed byRebekah Baharestan, Jena McIntyre. (Attachments: # <a href="#">1</a> Civil Cover Sheet, # <a href="#">2</a> Summons)(Todzo, Mark) (Filed on 8/4/2015) (Entered: 08/04/2015)
08/05/2015	<a href="#">2</a>	Case assigned to Magistrate Judge Elizabeth D. Laporte.  Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (as, COURT STAFF) (Filed on 8/5/2015) (Entered: 08/05/2015)
08/05/2015	<a href="#">3</a>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 10/27/2015. Case Management Conference set for 11/3/2015 10:00 AM. (mclS, COURT STAFF) (Filed on 8/5/2015) (Entered: 08/05/2015)</b>
08/05/2015	<a href="#">4</a>	Summons Issued as to Venus Laboratories, Inc. (mclS, COURT STAFF) (Entered: 08/05/2015)
08/18/2015	<a href="#">5</a>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Rebekah Baharestan, Jena McIntyre.. (Todzo, Mark) (Filed on 8/18/2015) (Entered: 08/18/2015)
08/19/2015	<a href="#">6</a>	WAIVER OF SERVICE Returned Executed filed by Rebekah Baharestan, Jena McIntyre. Service waived by Venus Laboratories, Inc. waiver sent on 8/5/2015, answer due 10/5/2015. (Todzo, Mark) (Filed on 8/19/2015) (Entered: 08/19/2015)
08/19/2015	<a href="#">7</a>	CERTIFICATE OF SERVICE re Standing Orders and initiating documents by Rebekah Baharestan, Jena McIntyre (Todzo, Mark) (Filed on 8/19/2015) Modified on 8/20/2015 (mclS, COURT STAFF). (Entered: 08/19/2015)
08/21/2015	<a href="#">8</a>	NOTICE of Appearance by Anna Yeung of <i>Michael J. Stortz and Anna Yeung</i> (Yeung, Anna) (Filed on 8/21/2015) (Entered: 08/21/2015)
08/21/2015	<a href="#">9</a>	Certificate of Interested Entities by Venus Laboratories, Inc. (Yeung, Anna) (Filed on 8/21/2015) Modified on 8/24/2015 (mclS, COURT STAFF). (Entered: 08/21/2015)
08/21/2015	<a href="#">10</a>	Statement re <a href="#">8</a> Notice of Appearance, <a href="#">9</a> Certificate of Interested Entities <i>FRCP 7.1 CORPORATE DISCLOSURE STATEMENT OF DEFENDANT VENUS LABORATORIES, INC. d/b/a EARTH FRIENDLY PRODUCTS, INC.</i> by Venus Laboratories, Inc.. (Yeung, Anna) (Filed on 8/21/2015) (Entered: 08/21/2015)
08/21/2015	<a href="#">11</a>	MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 305, receipt number 0971-9777838.) filed by Venus Laboratories, Inc.. (Attachments: # <a href="#">1</a> Supplement Certificate of Good Standing)(Delaney, Daniel) (Filed on 8/21/2015) (Entered: 08/21/2015)
08/24/2015	<a href="#">12</a>	<b>ORDER Granting Application for Admission of Attorney Pro Hac Vice signed by Magistrate Judge Elizabeth D. Laporte: granting <a href="#">11</a> Application. (shyS, COURT STAFF) (Filed on 8/24/2015) (Entered: 08/24/2015)</b>
09/08/2015	<a href="#">13</a>	MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 305, receipt number 0971-9817193.) filed by Rebekah Baharestan, Jena McIntyre. (Attachments: # <a href="#">1</a> Certificate of Good Standing)(Wolchansky, Melissa) (Filed on 9/8/2015) (Entered: 09/08/2015)

09/09/2015	<a href="#">14</a>	<b>ORDER GRANTING APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE, Melissa W. Wolchansky by Magistrate Judge Elizabeth D. Laporte: Granting <a href="#">13</a> Motion for Pro Hac Vice. (lsS, COURT STAFF) (Filed on 9/9/2015) (Entered: 09/09/2015)</b>
09/29/2015	<a href="#">15</a>	MOTION for Settlement <i>PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT</i> filed by Rebekah Baharestan, Jena McIntyre. Motion Hearing set for 11/3/2015 10:00 AM in Courtroom E, 15th Floor, San Francisco before Magistrate Judge Elizabeth D. Laporte. Responses due by 10/13/2015. Replies due by 10/20/2015. (Attachments: # <a href="#">1</a> DECLARATION OF MARK N. TODZO IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Proposed Order PRELIMINARILY APPROVING CLASS SETTLEMENT AGREEMENT, CONDITIONALLY CERTIFYING THE SETTLEMENT CLASS, PROVIDING FOR NOTICE, AND SCHEDULING ORDER)(Todzo, Mark) (Filed on 9/29/2015) (Entered: 09/29/2015)
09/30/2015	<a href="#">16</a>	CLERK'S NOTICE TO DEFENDANT Re: Consent or Declination. Defendant Venus Laboratories shall file a consent or declination to proceed before a magistrate judge within 14 days of this Notice. The consent/declination forms are attached to this Notice and are also located on the Court's home page, www.cand.uscourts.gov/civilforms. (shyS, COURT STAFF) (Filed on 9/30/2015) (Entered: 09/30/2015)
09/30/2015	<a href="#">17</a>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Venus Laboratories, Inc... (Stortz, Michael) (Filed on 9/30/2015) (Entered: 09/30/2015)
10/19/2015	18	CLERK'S NOTICE: The hearing on the motion for settlement <a href="#">15</a> and case management conference are rescheduled to 11/3/2015 at 9:00 AM in Courtroom E, 15th Floor, San Francisco before Magistrate Judge Elizabeth D. Laporte. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (shyS, COURT STAFF) (Filed on 10/19/2015) (Entered: 10/19/2015)
10/22/2015	<a href="#">19</a>	Certificate of Interested Entities by Rebekah Baharestan, Jena McIntyre (Todzo, Mark) (Filed on 10/22/2015) (Entered: 10/22/2015)
10/27/2015	<a href="#">20</a>	JOINT CASE MANAGEMENT STATEMENT ; <i>[PROPOSED] ORDER</i> filed by Rebekah Baharestan, Jena McIntyre. (Todzo, Mark) (Filed on 10/27/2015) (Entered: 10/27/2015)
11/03/2015	21	<b>Minute Entry for proceedings held on 11/3/2015 before Magistrate Judge Elizabeth D. Laporte regarding Plaintiffs' motion for preliminary approval of class action settlement agreement. The Court takes the motion under submission. Counsel to submit a revised declaration regarding fees and Consumers Union. In addition, counsel shall submit a revised proposed order giving more time for opt-outs and objections.</b>  <b>FTR Time: 10:18 - 10:30</b>  <b>Plaintiff Attorney: Mark Todzo and Melissa Wolchansky</b>  <b>Defendant Attorney: Daniel Delaney and Anna Yeung</b>  <b>This is a text only Minute Entry (shyS, COURT STAFF) (Date Filed: 11/3/2015) (Entered: 11/03/2015)</b>
11/04/2015	<a href="#">22</a>	Declaration of Mark N. Todzo in Support of <a href="#">15</a> MOTION for Settlement <i>PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AGREEMENT Supplemental</i> filed by Rebekah Baharestan, Jena McIntyre. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a>

		Proposed Order)(Related document(s) <a href="#">15</a> ) (Todzo, Mark) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/05/2015	<a href="#">23</a>	<b>ORDER Preliminarily Approving Class Settlement Agreement, Conditionally Certifying the Settlement Class, Providing for Notice, and Scheduling Order signed by Magistrate Judge Elizabeth D. Laporte: granting <a href="#">15</a> Motion. (shyS, COURT STAFF) (Filed on 11/5/2015) (Entered: 11/05/2015)</b>
11/05/2015	<a href="#">24</a>	STIPULATION WITH PROPOSED ORDER [ <i>Proposed</i> ] <i>Stipulated Protective Order</i> filed by Venus Laboratories, Inc.. (Delaney, Daniel) (Filed on 11/5/2015) (Entered: 11/05/2015)
11/06/2015		Set/Reset Hearing Fairness Hearing set for 3/15/2016 09:00 AM before Magistrate Judge Elizabeth D. Laporte in Courtroom 5, 15th Floor, San Francisco. (shyS, COURT STAFF) (Filed on 11/6/2015) (Entered: 11/06/2015)
11/06/2015	<a href="#">25</a>	<b>STIPULATED Protective Order signed by Magistrate Judge Elizabeth D. Laporte: granting <a href="#">24</a> Stipulation. (shyS, COURT STAFF) (Filed on 11/6/2015) (Entered: 11/06/2015)</b>
01/13/2016	<a href="#">26</a>	TRANSCRIPT ORDER for FTR Transcriber - San Francisco for the 11/3/15 hearing before Judge LaPorte - daily delivery requested. Filed for non-party Attorney Ian J. McLoughlin, Shapiro Haber & Urmy LLP. (djc, COURT STAFF) (Filed on 1/13/2016) (Entered: 01/13/2016)
01/15/2016	<a href="#">27</a>	Transcript of Proceedings of the official sound recording held on 11/03/15, before Magistrate Judge Elizabeth D. LaPorte. FTR/Transcriber Echo Reporting, Inc./Tara Bauer, telephone number (858) 453-7590; echoreporting@yahoo.com. Tape Number: FTR 10:18 - 10:30. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <a href="#">26</a> Transcript Order ) Redaction Request due 2/5/2016. Redacted Transcript Deadline set for 2/16/2016. Release of Transcript Restriction set for 4/14/2016. (Related documents(s) <a href="#">26</a> ) (tgb, COURT STAFF) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/15/2016	<a href="#">28</a>	MOTION for Settlement <i>Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Request for Entry of Final Judgment and Memorandum of Points and Authorities</i> filed by Rebekah Baharestan, Jena McIntyre. Motion Hearing set for 3/15/2016 09:00 AM in Courtroom E, 15th Floor, San Francisco before Magistrate Judge Elizabeth D. Laporte. Responses due by 1/29/2016. Replies due by 2/5/2016. (Attachments: # <a href="#">1</a> Declaration of Melissa W. Wolchansky, # <a href="#">2</a> Declaration of Jeffrey D. Dahl and Exhibits A-F, # <a href="#">3</a> Proposed Order, # <a href="#">4</a> Certificate/Proof of Service)(Wolchansky, Melissa) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/15/2016	<a href="#">29</a>	MOTION for Attorney Fees <i>NOTICE OF MOTION AND MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF</i> filed by Rebekah Baharestan, Jena McIntyre. Motion Hearing set for 3/15/2016 09:00 AM in Courtroom E, 15th Floor, San Francisco before Magistrate Judge Elizabeth D. Laporte. Responses due by 1/29/2016. Replies due by 2/5/2016. (Attachments: # <a href="#">1</a> Declaration DECLARATION OF MARK N. TODZO IN SUPPORT OF PLAINTIFFS MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS, # <a href="#">2</a> Declaration DECLARATION OF REBEKAH BAHARESTAN IN SUPPORT OF PLAINTIFFS MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS, # <a href="#">3</a> Declaration DECLARATION OF JENA MCINTYRE IN SUPPORT OF PLAINTIFFS MOTION FOR

		AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS, # <a href="#">4</a> Proposed Order GRANTING PLAINTIFFS MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT OF COSTS AND SERVICE AWARDS)(Todzo, Mark) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/17/2016	<a href="#">30</a>	OBJECTIONS to <i>Settlement and Attorneys Fees and Notice of Intent to Appear</i> by Steven Helfand. (Attachments: # <a href="#">1</a> Exhibit Part 1, # <a href="#">2</a> Exhibit Part 2, # <a href="#">3</a> Exhibit Part 3, # <a href="#">4</a> Exhibit Part 4)(Helfand, Steven) (Filed on 1/17/2016) (Entered: 01/17/2016)
03/04/2016	<a href="#">31</a>	Declaration of Jeffrey D. Dahl in Support of <a href="#">28</a> MOTION for Settlement <i>Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Request for Entry of Final Judgment and Memorandum of Points and Authorities Supplemental</i> filed byRebekah Baharestan, Jena McIntyre. (Related document(s) <a href="#">28</a> ) (Todzo, Mark) (Filed on 3/4/2016) (Entered: 03/04/2016)
03/05/2016	<a href="#">32</a>	NOTICE by Steven Helfand <i>Withdrawing <a href="#">30</a> Objections to Proposed Settlement</i> (Helfand, Steven) (Filed on 3/5/2016) Modified on 3/7/2016 (aaaS, COURT STAFF). (Entered: 03/05/2016)
03/07/2016	<a href="#">33</a>	Brief re <a href="#">30</a> Objection <i>PLAINTIFFS SUPPLEMENTAL BRIEFING IN RESPONSE TO THE OBJECTION OF STEVEN HELFAND TO THE PROPOSED SETTLEMENT</i> filed byRebekah Baharestan, Jena McIntyre. (Related document(s) <a href="#">30</a> ) (Todzo, Mark) (Filed on 3/7/2016) (Entered: 03/07/2016)
03/15/2016	<a href="#">34</a>	Proposed Order re <a href="#">28</a> MOTION for Settlement <i>Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement and Request for Entry of Final Judgment and Memorandum of Points and Authorities Revised Proposed Order</i> by Rebekah Baharestan, Jena McIntyre. (Todzo, Mark) (Filed on 3/15/2016) (Entered: 03/15/2016)
03/15/2016	<a href="#">35</a>	Declaration of Mark N. Todzo in Support of <a href="#">29</a> MOTION for Attorney Fees <i>NOTICE OF MOTION AND MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF SUPPLEMENTAL DECLARATION OF MARK N. TODZO IN SUPPORT OF PLAINTIFFS MOTION FOR AWARD OF ATTORNEYS FEES, AND REIMBURSEMENT FOR COSTS AND SERVICE AWARDS</i> filed byRebekah Baharestan, Jena McIntyre. (Related document(s) <a href="#">29</a> ) (Todzo, Mark) (Filed on 3/15/2016) (Entered: 03/15/2016)
03/15/2016	<a href="#">36</a>	NOTICE of Appearance by Jaimie Mak (Mak, Jaimie) (Filed on 3/15/2016) (Entered: 03/15/2016)
03/15/2016	<a href="#">37</a>	<b>Minute Entry for fairness hearing held before Magistrate Judge Elizabeth D. Laporte on 3/15/2016. Plaintiffs' motion for final approval of class action <a href="#">28</a> and Plaintiffs' motion for attorney fees <a href="#">29</a> are taken under submission.</b>  <b>FTR Time 9:09 - 9:25</b>  <b>Plaintiff Attorneys: Melissa Wolchansky and Mark Todzo</b>  <b>Defendant Attorneys: Daniel Delaney and Michael Stortz</b>  <b>This is a text only Minute Entry (shyS, COURT STAFF) (Date Filed: 3/15/2016) (Entered: 03/15/2016)</b>
03/16/2016	<a href="#">38</a>	<b>ORDER and Final Judgment signed by Magistrate Judge Elizabeth D. Laporte. (shyS, COURT STAFF) (Filed on 3/16/2016) (Entered: 03/16/2016)</b>
03/16/2016	<a href="#">39</a>	<b>ORDER Granting Plaintiffs' Motion for Award of Attorneys' Fees, and</b>

		<b>Reimbursement of Costs and Service Awards signed by Magistrate Judge Elizabeth D. Laporte: granting <a href="#">29</a> Motion.(shyS, COURT STAFF) (Filed on 3/16/2016) (Entered: 03/16/2016)</b>
04/21/2016	40	<b>*** CANCELLED - NO PAYMENT RECEIVED. (SEE DOCKET #41) ***</b> AUDIO RECORDINGS ORDER (re: 37 Fairness Hearing, ), by Rebekah Baharestan, Jena McIntyre. Court will send to Jen Seltz at seltz@halunenlaw.com a link to the files requested in this order. (Wolchansky, Melissa) (Filed on 4/21/2016) Modified on 4/21/2016 (rjdS, COURT STAFF). Modified on 4/21/2016 (rjdS, COURT STAFF). (Entered: 04/21/2016)
04/21/2016	41	AUDIO RECORDINGS ORDER (re: 37 Fairness Hearing, ), by Rebekah Baharestan, Jena McIntyre. Court will send to Jen Seltz at seltz@halunenlaw.com a link to the files requested in this order. (Wolchansky, Melissa) (Filed on 4/21/2016) (Entered: 04/21/2016)
04/22/2016	<a href="#">42</a>	STIPULATION WITH PROPOSED ORDER re <a href="#">39</a> Order on Motion for Attorney Fees filed by Rebekah Baharestan, Jena McIntyre. (Todzo, Mark) (Filed on 4/22/2016) (Entered: 04/22/2016)
04/25/2016	<a href="#">43</a>	<b>Stipulation to Amend Order Granting Attorneys' Fees and Amended Order signed by Magistrate Judge Elizabeth D. Laporte: granting <a href="#">42</a> Stipulation.(shyS, COURT STAFF) (Filed on 4/25/2016) (Entered: 04/25/2016)</b>