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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

PATRICIA BLAND and EDWARD
WHITE, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

PREMIER NUTRITION COMPANY,
LLC; and DOES 1-25, inclusive,

Defendant.

KATHLEEN SONNER, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

PREMIER NUTRITION COMPANY,
LLC; and DOES 1-25, inclusive,

Defendant.

Lead Case No. RG19002714
Related to RG20072126 (Sonner)

Assigned for All Purposes to:
Honorable Michael Markman
Department 1

CLASS ACTION

**DECLARATION OF ERYN MARCHIOLO
IN SUPPORT OF *CY PRES* DESIGNATION
OF THE RHEUMATOLOGY RESEARCH
FOUNDATION**

1 I, ERYN MARCHIOLO, declare as follows:

2 1. I am the Executive Director of the Rheumatology Research Foundation (the
3 “Foundation”) and have worked at the Foundation since 2013. I submit this declaration in support
4 of the proposed designation of the Rheumatology Research Foundation as a recipient of a potential
5 *cy pres* distribution in connection with the *Bland v. Premier Nutrition* and *Sonner v. Premier*
6 *Nutrition* class action settlement. I have personal, first-hand knowledge of the facts set forth in the
7 declaration, except where otherwise specifically indicated.

8 2. The Foundation is a tax-exempt 501(c)(3) nonprofit organization, EIN 58-1654301,
9 established in 1985. The Foundation’s mission is “to advance research and training to improve the
10 health of people with rheumatic diseases.” It is the largest private funding source of rheumatology
11 research and training programs in the United States. The Foundation’s strong fiscal responsibility
12 places us among the top 0.5% of charities nationwide, enabling us to focus on what matters most—
13 the health and well-being of patients living with rheumatic diseases, including osteoarthritis (OA).
14 In 2024, the Foundation earned its 16th consecutive four-star rating—the highest possible—from
15 Charity Navigator as a result of its transparency and utilization of funds. The Foundation also
16 received another Platinum Seal of Transparency from Candid. Copies of our Annual Reports,
17 Financial Statements, and Form 990s are publicly available on our website,
18 www.rheumresearch.org.

19 3. The Foundation maintains an independent Board of Directors composed of leading
20 rheumatology experts in the United States. These appointed officials are affiliated with the country’s
21 leading medical organizations and universities, including Northwestern University, Johns Hopkins
22 University, Washington University, Cleveland Clinic, and Hospital for Special Surgery, among
23 others. (www.rheumresearch.org/leadership). The Foundation also establishes official councils
24 (Impact Advisory Council, Scientific Advisory Council, Development Advisory Council, and
25 Leadership Development Council) to support its research, education, and advocacy missions—each
26 with separate committee structures that also include world-renowned experts in their fields. In
27 addition, the Foundation appoints expert peer reviewers who are charged with rigorously reviewing
28 all applications for awards and grants to ensure the proposals adhere to specific criteria and are of a

1 high quality.

2 4. The Foundation supports its mission through awarding grants for innovative
3 research, career-development awards, and education/training awards aimed at increasing patient
4 access to care and accelerating discoveries. For example, the Foundation’s “Innovative Research
5 Award” supports independent investigators in rheumatologic disease research. It also offers “Career
6 Development Research Awards” to early and mid-career investigators. It offers “Education and
7 Training Awards” including fellowship training awards for rheumatology programs, clinician
8 scholar educator awards, and other workforce-expansion awards.

9 5. Rheumatic diseases include osteoarthritis (OA), rheumatoid arthritis (RA), juvenile
10 idiopathic arthritis, lupus, and other autoimmune and musculoskeletal disorders. These diseases
11 cause significant joint pain, loss of mobility, disability, reduced quality of life, and substantial
12 economic cost. The Foundation dedicates funding toward translational and clinical, basic science,
13 and health services research to develop better treatments, slow disease progression, improve patient
14 outcomes, and ultimately reduce the public health burden of these conditions.

15 6. Osteoarthritis is the most common form of joint disease worldwide, affecting over
16 32 million people in the United States each year. It is characterized by the progressive degeneration
17 of articular cartilage in the joints, leading to joint pain and disability. Along with a decreased quality
18 of life, osteoarthritis results in a significant economic burden, with total medical costs over 400
19 billion dollars in the United States annually. Despite the enormous socioeconomic cost of
20 osteoarthritis, no disease-modifying drugs exist, and treatment is limited to pain-relievers such as
21 non-steroidal anti-inflammatory drugs (e.g., ibuprofen, naproxen), and at the end-stage, total joint
22 replacement with a metal and plastic prosthesis.

23 7. The Foundation is a long-standing funding source for scientific education and
24 research. It regularly awards grants to deserving research projects that focus on osteoarthritis and
25 other musculoskeletal conditions that fit the Foundation’s purpose. Since 1985, the Foundation has
26 provided more than \$243 million through 4,982 awards to increase patient access to care and
27 accelerating scientific discoveries related to osteoarthritis and other musculoskeletal conditions. The
28 Foundation’s procedures for awarding research grants meet the standards of education and research

1 institutions regarding transparency, including the peer-review process of reviewing and awarding
2 grants for bona fide research projects and selecting bona fide recipients.

3 8. The Foundation understands that the amount of funds ultimately distributed to it as
4 a *cy pres* recipient will depend on the amount remaining after distribution to the settlement class.
5 No matter the amount, the Foundation will earmark and set aside the *cy pres* funds to help fund
6 osteoarthritis- and joint-disease-related research, education, and training initiatives consistent with
7 the mission of the Foundation and aligned with the subject matter of these cases.

8 9. The Rheumatology Research Foundation’s procedures for awarding grants mirror
9 best practices in the field and ensure that funding decisions are fair, rigorous, and aligned with our
10 mission. Independent rheumatology experts carefully and independently evaluate submitted
11 applications based on feasibility, significance, and potential outcomes, helping our organization
12 prioritize proposals most likely to advance the field and achieve meaningful results.

13 10. The Rheumatology Research Foundation will use any *cy pres* money it receives to
14 continue funding the best science by the most promising investigators in the field of osteoarthritis
15 research and training, and the field of rheumatology as a whole.

16 11. The Rheumatology Research Foundation has never previously awarded any money
17 to or accepted any money from any parties in this lawsuit.

18 I declare under penalty of perjury under the laws of the United States and the State of
19 California that the foregoing is true and correct. Executed this 9 day of March, 2026, at Atlanta,
20 Georgia.

21
22 By: 
23 _____
24 ERYN MARCHIOLO
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