BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
THOMAS J. O'REARDON II (247952)
PAULA R. BROWN (254142)
501 West Broadway, Suite 1490
San Diego, CA 92101
Tel: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
toreardon@bholaw.com
pbrown@bholaw.com

Attorneys for Plaintiffs

[Additional Counsel Appear on Signature Page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**FOR THE COUNTY OF ALAMEDA – NORTHERN DIVISION**

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.

Lead Case No. RG19002714
Related to RG20072126 (*Sonner v. Premier*)

Assigned for All Purposes to:
Honorable Michael Markman
Department 1

<u>**CLASS ACTION**</u>

**PLAINTIFFS' REPLY IN SUPPORT OF MOTION FOR: (1) FINAL APPROVAL OF CLASS ACTION SETTLEMENT; (2) AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES, AND (3) SERVICE AWARDS TO CLASS REPRESENTATIVES**

Date: May 5, 2026
Time: 10:00 a.m.

Bland Complaint Filed: 1/15/2019
Sonner Complaint Filed: 9/01/2020

**DEMAND FOR JURY TRIAL**

Plaintiffs respectfully submit this reply memorandum in support of the Motion for (1) Final Approval of Class Action Settlement; (2) an Award of Attorneys' Fees and Reimbursement of Expenses, and (3) Service Awards to Class Representatives. Filed concurrently are the declarations of Timothy G. Blood ("Blood Reply Decl.") and Marcia Uhrig ("Uhrig Decl.") in support of this reply.

## I. INTRODUCTION

As detailed in Plaintiffs' opening papers, the non-reversionary cash Settlement of nearly $71 million readily fulfills the fair, reasonable, and adequate standard for approval. The Class Notice has been disseminated in accordance with the preliminary approval order. No Class Member has objected, no party opposes the motion, and just twenty Class Members submitted valid exclusion requests, evidencing strong support for the Settlement. This reply updates the Court on the notice and administration and reports on the objections and exclusion requests received, and provides additional evidence that the Settlement, and requested fee, expense, and service award amounts are fair, reasonable and adequate.

## II. DISSEMINATION OF CLASS NOTICE, OPT OUTS, AND OBJECTIONS

As directed by the Court in its preliminary approval order, Class Notice was disseminated, including mailing or emailing direct, individual notice of the proposed Settlement to approximately 330,000 Class Members. *See* previously filed Declaration of Jennifer M. Keough Regarding Class Notice Program and Settlement Administration, ¶¶ 7–9. Class Notice was also widely disseminated through print publications and a multi-pronged online advertising campaign involving targeted search engine, social media advertising, and press releases delivering tens of millions of digital impressions to potential Class Members. *Id.*, ¶¶ 10–24. In addition, the Long Form Notice has been publicly available on the Settlement Website (www.JointJuiceSettlement.com) since February 2, 2026. *Id.*, ¶ 24. Additional documents and information have also been posted on the Settlement Website, including "Key Dates" (e.g., the deadlines to opt-out or object and the final approval hearing date), the Settlement Agreement, Preliminary Approval Order, and the Motion for Final Approval and Award of Attorneys' Fees, Reimbursement of Expenses, and Service Awards to Class

Representatives (including all declarations and exhibits filed in support). *Id.*; *see also* www.JointJuiceSettlement.com.

The deadline for Class Members to opt out or object was April 6, 2026. Following this comprehensive notice program, not a single Class Member objected, and only 20 Class Members—approximately 0.006% of the Identified Class Members—submitted valid exclusion requests. *See* Uhrig Decl., ¶ 5; Blood Reply Decl., ¶ 6. Meanwhile, in addition to the nearly 336,000 Class Members who will receive payments automatically, thousands of Class Members have submitted claims. Uhrig Decl., ¶ 8.

## III. THE CLASS REACTION STRONGLY SUPPORTS APPROVAL

In approving the class action settlement and awarding attorneys' fees, the court considers "the reaction of the class members to the proposed settlement." *Dunk v. Ford Motor Co.*, 48 Cal. App. 4th 1794, 1801 (1996); *see also Cellphone Termination Fee Cases*, 186 Cal. App. 4th 1380, 1389 (2010) (same). Absent a significant number of dissents, the settlement should be deemed approved by the class. *See Kullar v. Foot Locker Retail, Inc.*, 168 Cal. App. 4th 116, 129 (2008) ("a presumption of fairness exists where…the percentage of objectors is small"—direct notice sent to 17,966 class members, only 3 objected) (quoting *Dunk*); *7-Eleven Owners for Fair Franchising v. Southland Corp.*, 85 Cal. App. 4th 1135, 1153 (2000) (one factor that "lead[s] to a presumption the settlement was fair" is that only "a small percentage of objectors"—80 out of 5,454 class members—came forward); *Carter v. City of Los Angeles*, 224 Cal. App. 4th 808, 822 (2014) ("We further note that of the 280,000 class members appellants claim exist, only 30 objected. This small percentage indicates the settlement was fair."); *In re Mego Fin. Corp. Sec. Litig.*, 213 F.3d 454, 459 (9th Cir. 2000) (where just a "handful" objected, "[t]he reaction of the class members to the proposed settlement further supports the conclusion that … the Settlement was fair, adequate and reasonable")

Courts recognize that an absence of objections to the requested fees, expenses, and service awards weighs strongly in favor of approval. *See Cooley v. Indian River Transp. Co.*, No. 1:18-cv-00491, 2019 U.S. Dist. LEXIS 79587, at *21 (E.D. Cal. May 10, 2019) ("A fourth and final factor supporting the reasonableness of the requested fee award is the lack of objections from class members to the proposed award."); *In re Wireless Facilities, Inc. Sec. Litig. II.*, No. 07cv482 NLS, 2008 U.S. Dist. LEXIS 128674, at *23 (S.D. Cal. Dec. 19, 2008) ("The lack of objections from potential claimants favors awarding Lead Counsel the requested amount of attorneys' fees."); *In re Heritage Bond Litig.*, No. 02-ML-1475 DT, 2005 U.S. Dist. LEXIS 13555, at *70-*71 (C.D. Cal. June 10, 2005) ("The absence of objections or disapproval by class members to Class Counsel's fee request further supports finding the fee request reasonable."). Here, the Class Notice advised the Class about the fee request and the fee motion has been posted on the Settlement Website since it was filed.

Class action settlements typically draw some dissent. But not here. Here, there are no objections and just 20 valid opt out requests. No Class Member has objected to the Settlement relief, to the requested attorneys' fees, or to the proposed Class Representative service awards. The fact of no objections and few exclusion requests strongly supports approval of the Settlement.

Based on their experience in this type of class action litigation and conversations with Class Members, Class Counsel believes that the primary reason there have been no objections or even dissatisfaction with the Settlement is because the Settlement provides exceptional relief. The non-reversionary Settlement Fund of nearly $71 million represents over 114% of the Joint Juice retail sales to Class Members during the class periods. From this Settlement Fund, Class Members are entitled to cash payments of at least 150% of the average retail price for their purchases. The nearly 336,000 Identified Class Members will receive automatic payments and Claimants may obtain reimbursement for up to six purchases without proof of purchase, and the per-unit awards will increase as necessary to ensure that the Net Fund is fully distributed to Class Members.

These outstanding results, which are record-setting in this type of class action litigation, were achieved only after thirteen years of hard-fought litigation, including trial. The positive reaction from the Class reflects their positive views about the Settlement.

## IV. CONCLUSION

For the reasons set forth above and in the opening brief, Plaintiffs respectfully request that the Court grant final approval of the Settlement and approve Plaintiffs' request for attorneys' fees of $23,377,138.46, reimbursement of expenses of $782,417.94, and service awards of $10,000 for each Class Representative and enter the proposed order granting final approval and entering judgment that is concurrently submitted with this reply.

Respectfully submitted,

Dated: April 28, 2026

BLOOD HURST & O'REARDON, LLP
TIMOTHY G. BLOOD (149343)
THOMAS J. O'REARDON II (247952)
PAULA R. BROWN (254142)

By: *s/ Timothy G. Blood*
TIMOTHY G. BLOOD

501 West Broadway, Suite 1490
San Diego, CA 92101
Tel: 619/338-1100
619/338-1101 (fax)
tblood@bholaw.com
toreardon@bholaw.com
pbrown@bholaw.com

*Class Counsel*

IREDALE & YOO, APC
EUGENE G. IREDALE (75292)
105 W. F Street, Floor 4
San Diego, CA 92101
Tel: 619/233-1525
619/233-3221 (fax)
egiredale@iredalelaw.com

LYNCH CARPENTER, LLP
TODD D. CARPENTER (234464)
9171 Towne Centre Drive, Suite 180
San Diego, CA 92122
Tel: 619/762-1910
724/656-1556 (fax)
tcarpenter@lcllp.com

*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

***Patricia Bland; Edward White v. Premier Nutrition Company, LLC***
Alameda County Superior Court, Case No. RG19002714

I hereby certify that on April 28, 2026, I electronically filed the foregoing with the Clerk of the Court using One Legal Online Court Services, and electronically served the foregoing upon the attorney(s) of record for each party in this case at the e-mail address(es) registered for such service through One Legal Online Court Services, addressed as follows:

***Attorneys for Defendant Premier Nutrition Company, LLC***

FAEGRE DRINKER BIDDLE & REATH LLP
DAVID J.F. GROSS (*pro hac vice*)
1950 University Avenue, Suite 450
East Palo Alto, CA 94303
Tel: 650/324-6704
650/324-6701 (fax)
david.gross@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP
KATLYN M. MOSELEY (*pro hac vice*)
1500 K Street NW, Suite 1100
Washington, DC 20005
Tel: 202/842-8800
katlyn.moseley@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP
LISA S. CARLSON (*pro hac vice*)
320 South Canal Street, Suite 330
Chicago, IL 60606-5707
Tel: 312/569-1000
lisa.carlson@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP
AARON D. VAN OORT (*pro hac vice*)
KATHERINE S. RAZAVI (*pro hac vice*)
CHAD DROWN (*pro hac vice*)
KIRSTEN L. ELFSTRAND (*pro hac vice*)
RORY F. COLLINS (*pro hac vice*)
90 S. Seventh Street, Suite 2200
Minneapolis, MN 55402
Tel: 612/766-7000
612/766-1600 (fax)
aaron.vanoort@faegredrinker.com
kate.razavi@faegredrinker.com
chad.drown@faegredrinker.com
kirsten.elfstrand@faegredrinker.com
rory.collins@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP
MARK D. TATICCHI (*pro hac vice*)
One Logan Square, Suite 2000
Philadelphia, PA 19103
Tel: 215/988-2700
215/998-2757 (fax)
mark.taticchi@faegredrinker.com

PremierNutritionService@faegredrinker.com

Parties may access this filing through the Court's website.

I certify under penalty of perjury that the foregoing is true and correct. Executed on April 28, 2026.

*s/ Janet Kohnenberger*

Janet Kohnenberger
BLOOD HURST & O'REARDON, LLP
501 West Broadway, Suite 1490
San Diego, CA 92101
Tel: 619/338-1100
619/338-1101 (fax)
jkohnenberger@bholaw.com

BLOOD HURST & O' REARDON, LLP