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22 *Counsel for Plaintiff and the Class*

23 **UNITED STATES DISTRICT COURT**
24 **SOUTHERN DISTRICT OF CALIFORNIA**

25 SHERRY HUNTER, on behalf of herself, all
26 others similarly situated, and the general
27 public,
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29 Plaintiff,
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31 v.
32
33 NATURE’S WAY PRODUCTS, LLC and
34 SCHWABE NORTH AMERICA, INC.,
35
36 Defendants.

Case No: 3:16-cv-00532-WQH-AGS

DECLARATION OF SHERRY HUNTER

Judge: Hon. William Q. Hayes

1 I, Sherry Hunter, declare as follows:

2 1. I am the plaintiff in the above-captioned matter, and I make this declaration
3 based on my own personal knowledge.

4 2. I volunteered to serve as a named plaintiff and bring this lawsuit in late 2015
5 because I believe the statements defendants made on the Nature's Way Coconut Oil are
6 misleading. I believe it is wrong for defendants to call their coconut oil healthy when it
7 increases risk of heart disease, and I think consumers should get refunds.

8 3. Before volunteering, I was informed of the role and duties of serving as a named
9 plaintiff and Class Representative. I understand that as the Class Representative in this action,
10 I am representing other purchasers of the Nature's Way Coconut Oil, and that I have a duty
11 to make decisions in the best interest of the whole class.

12 4. I also understand that as Class Representative I must participate and stay
13 informed of developments in the litigation, and oversee my counsel in the litigation. I further
14 understand that I am obligated to assist my counsel in responding to any discovery requests
15 (which I have already done), give testimony at a deposition (which I have already done), and
16 possibly give testimony at trial. I also understand that I would need to review any proposed
17 settlement, that I have the power as Class Representative to reject any settlement, and that I
18 should only accept a settlement I believed to be in the class's best interests.

19 5. I have fulfilled these duties.

20 6. In the weeks after I retained my counsel, I spent several hours helping my
21 counsel get case documents ready. We had several lengthy phone calls and traded numerous
22 emails about my purchase and use of the Nature's Way Coconut Oil. I also read articles
23 showing coconut oil is unhealthy. Before I authorized my counsel to file, I reviewed the
24 Complaint to ensure that it was as accurate as possible.

25 7. Since filing the suit, I have stayed informed of developments in the case through
26 periodic email and telephone conversations with my counsel.

27 8. In addition to assisting with the initial Complaint, I also assisted my attorneys in
28 drafting both amended complaints.

1 9. I have assisted my counsel in responding to all the discovery requests I have
2 received. I helped respond to the many written questions that defendants asked, and signed a
3 form verifying that those interrogatory responses, and admissions were accurate to the best
4 of my knowledge. I also searched for many types of documents and materials that defendants
5 wanted.

6 10. I also spent several hours preparing for my deposition, and then sat for a
7 deposition that lasted more than 8 hours.

8 11. I also endured both my family, and me personally being harassed by defendants’
9 agents. Defendants’ agents followed me and sat outside my home watching me and my
10 family. My attorney had to seek a protective order as defendants sought to serve deposition
11 subpoenas on my family, who had had no involvement in this matter whatsoever.

12 12. I attended the Settlement Conference, where I participated in the negotiations
13 that resulted in the settlement of this matter.

14 13. When provided with the Settlement Agreement, I carefully reviewed it, and
15 considered the benefits provided to the class, in particular, the removal of the health and
16 wellness claims and the monetary relief, which I believe is substantial and fair.

17 14. Since the Complaint was filed on January 28, 2016 in San Diego Superior Court,
18 I have kept abreast of the developments of the case, reviewing documents as needed and
19 working with my counsel via numerous emails and phone calls.

20 15. For almost four years now, I have invested considerable time and effort to
21 provide my counsel with all the requested assistance in order to help my counsel to prosecute
22 and ultimately resolve this case, helping to draft and review numerous documents, carefully
23 considering the terms of the settlement, and helping to seek approval of the settlement.
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1 I declare under penalty of perjury under the laws of the United States and California
2 that the foregoing is true and correct to the best of my knowledge.
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4 Executed this 13 day of November 2019, in San Diego, California.
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6 By: Sherry Hunter
7 Sherry Hunter
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