

EXHIBIT 7

**Plaintiff's Amended Motion for Preliminary Approval
of Class Action Settlement**

Maxim v. RHG & Co. - Docket Report

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:16-cv-02625-JLS-BLM**

Maxin v. RHG & Company, Inc.
Assigned to: Judge Janis L. Sammartino
Referred to: Magistrate Judge Barbara Lynn Major
Demand: \$5,000,000
Cause: 28:1332 Diversity Action

Date Filed: 10/21/2016
Date Terminated: 07/12/2018
Jury Demand: Plaintiff
Nature of Suit: 245 Tort Product Liability
Jurisdiction: Diversity

Plaintiff

Heather Maxin

*individually and on behalf of all others
similarly situated*

represented by **Abbas Kazerounian**
Kazerouni Law Group, APC
245 Fischer Avenue
Suite D1
Costa Mesa, CA 92626
800-400-6808
Fax: 800-520-5523
Email: ak@kazlg.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Andrei Armas

KAZEROUNI LAW GROUP, APC
1939 Harrison Street
Suite 912
Oakland, CA 94612
800-400-6808 ext 17
Fax: 800-520-5523
Email: andrei@kazlg.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Matthew M. Loker

Loker Law, Apc
1303 East Grand Avenue
Suite 101
Arroyo Grande, CA 93420
805-994-0177
Email: matt@loker.law
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Defendant

RHG & Company, Inc.

*doing business as
Vital Nutrients*

represented by **Lee S Brenner**
Venable LLP
2049 Century Park East

Suite 2300
 Los Angeles, CA 90067
 310-229-9900
 Fax: 310-229-9901
 Email: lsbrenner@venable.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth D. Kronstadt
 Venable LLP
 2049 Century Park East
 Suite 2300
 Los Angeles, CA 90067
 (310) 229-9900
 Fax: (310) 229-9901
 Email: KDKronstadt@venable.com
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-------------------|---|
| 10/21/2016 | 1 | <p>COMPLAINT with Jury Demand against RHG & Company, Inc. (Filing fee \$ 400 receipt number 0974-9511473.), filed by Heather Maxin. (Attachments: # 1 Civil Cover Sheet, # 2 Affidavit of Venue)</p> <p>The new case number is 3:16-cv-2625-JLS-BLM. Judge Janis L. Sammartino and Magistrate Judge Barbara Lynn Major are assigned to the case. (Kazerounian, Abbas)(dxj) (jao). (Entered: 10/21/2016)</p> |
| 10/21/2016 | 2 | <p>Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (dxj) (jao). (Entered: 10/21/2016)</p> |
| 10/21/2016 | 3 | <p>NOTICE of Appearance by Andrei Armas on behalf of Heather Maxin (Armas, Andrei)Attorney Andrei Armas added to party Heather Maxin(pty:pla) (kcm). (Entered: 10/21/2016)</p> |
| 10/22/2016 | 4 | <p>NOTICE of Appearance by Matthew Michael Loker on behalf of Heather Maxin (Loker, Matthew)Attorney Matthew Michael Loker added to party Heather Maxin(pty:pla) (kcm). (Entered: 10/22/2016)</p> |
| 10/27/2016 | 5 | <p>WAIVER OF SERVICE Returned Executed by Heather Maxin, as to RHG & Company, Inc.. (Armas, Andrei) (kcm). (Entered: 10/27/2016)</p> |
| 10/27/2016 | 6 | <p>MOTION <i>Re: Preliminary Approval of Class Action Settlement</i> by Heather Maxin. (Attachments: # 1 Memo of Points and Authorities, # 2 Declaration Of Abbas Kazerounian, # 3 Exhibit 1 Executed Settlement Agreement, # 4 Exhibit 1A - Long Form Notice, # 5 Exhibit 1B -Claim Form, # 6 Exhibit 1C - [Proposed] Preliminary Approval Order, # 7 Exhibit 1D - [Proposed] Final Approval Order, # 8 Exhibit 1E - [Proposed] Judgment, # 9 Exhibit 1F - Postcard Notice, # 10 Exhibit 1G - Short Form Notice, # 11 Exhibit 1H - Letter to Pharmacy, # 12 Declaration Of Joshua B. Swigart, # 13 Declaration Of Heather Maxin, # 14 Declaration Of Declaration Of Daniel Burke, # 15 Declaration Of Thomas J. Petrarca, # 16 Proof of Service)(Armas, Andrei) (kcm). (Entered: 10/27/2016)</p> |
| 10/31/2016 | 7 | <p>Joint MOTION for Extension of Time to File Answer by RHG & Company, Inc.. (Brenner, Lee)Attorney Lee S Brenner added to party RHG & Company, Inc.(pty:dft) (kcm). (Entered: 10/31/2016)</p> |

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| 10/31/2016 | 8 | NOTICE of Party With Financial Interest by RHG & Company, Inc. <i>and Rule 7.1 Disclosure Statement</i> . No Parties With Financial Interest. (Brenner, Lee) (kcm). (Entered: 10/31/2016) |
| 11/04/2016 | 9 | ORDER granting 7 Joint Motion to Extend Deadline to Respond to Complaint. Signed by Judge Janis L. Sammartino on 11/4/2016. (kcm) (Entered: 11/04/2016) |
| 02/21/2017 | 10 | ORDER Vacating Hearing and Taking Matter Under Submission without Oral Argument. Signed by Judge Janis L. Sammartino on 2/21/2017. (fth) (Entered: 02/21/2017) |
| 02/27/2017 | 11 | ORDER Granting 6 Motion Preliminary Approval of Class Action Settlement. Final Approval Hearing set for 9/28/2017 at 01:30 p.m. in Courtroom 4D before Judge Janis L. Sammartino. Signed by Judge Janis L. Sammartino on 2/27/2017. (dxj) (sjt). (Entered: 02/27/2017) |
| 09/06/2017 | 12 | Ex Parte MOTION To Modify the Preliminary Approval Order [ECF No. 11] by Heather Maxin. (Loker, Matthew) (mpl). (Entered: 09/06/2017) |
| 09/11/2017 | 13 | ORDER Directing Supplemental Notice to the Class re 12 Ex Parte MOTION To Modify the Preliminary Approval Order. The Court denies the parties joint motion. The Court orders the parties to submit to the Court for its review the supplemental notice on or before 7 days after the electronic docketing of this order. Once the Court receives the notice, the Court will promptly assess its adequacy pursuant to Rule 23(c)(2)(B) and issue a schedule for notification and further proceedings. Signed by Judge Janis L. Sammartino on 9/11/2017. (mpl) (jao). (Entered: 09/11/2017) |
| 09/18/2017 | 14 | SUPPLEMENTAL DOCUMENT by Heather Maxin <i>re: [Proposed] Notice to Class Members</i> . (Attachments: # 1 Proof of Service)(Loker, Matthew) (mpl). (Entered: 09/18/2017) |
| 09/20/2017 | 15 | ORDER re 14 Proposed Supplemental Notice. The Court orders Class Counsel to file its fee motion forthwith. Subsequently, the parties shall file another proposed supplemental notice, taking into consideration the Court's requirements listed within this order. The parties shall also propose dates for: (1) the notification of the class members of the supplemental notice; (2) the deadline for class members to object; (3) the deadline for Class Counsel to file a Motion for Final Approval; and (4) a hearing date for said Motion. Finally, the Court vacates the Final Approval Motion hearing currently set for 9/28/2017 at 1:30 p.m. The hearing will be continued to a later date. Once the Court receives the parties' updated proposed supplemental notice, the Court will assess its adequacy and issue a schedule for further proceedings. Signed by Judge Janis L. Sammartino on 9/20/2017. (mpl) (jao). (Entered: 09/20/2017) |
| 10/27/2017 | 16 | ORDER Requesting Status of Case Signed by Judge Janis L. Sammartino on 10/27/2017. It is ordered, within 5 days of the date on which this Order is electronically docketed, the Parties shall file a status report with the Court or comply with the Court's 9/20/2017 Order. (mpl) (jao). (Entered: 10/27/2017) |
| 11/01/2017 | 17 | Joint MOTION re 16 Order, <i>Joint Proposal Re Supplemental Class Notice and Scheduling</i> by RHG & Company, Inc. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Brenner, Lee) (mpl). (Entered: 11/01/2017) |
| 11/08/2017 | 18 | ORDER (1) Approving Supplemental Notice; and (2) Setting Schedule for Further Proceedings. The Final Approval Hearing is set for 2/15/2018 at 1:30 p.m. before Judge Janis L. Sammartino. Signed by Judge Janis L. Sammartino on 11/8/2017. (mpl) (jao). (Entered: 11/08/2017) |
| 11/10/2017 | 19 | MOTION for Attorney Fees <i>and Costs</i> by Heather Maxin. (Attachments: # 1 Memo of Points and Authorities, # 2 Declaration of Abbas Kazerounian, # 3 Exhibit 1 re Declaration |

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| | | of Abbas Kazerounian, # 4 Declaration of Joshua B. Swigart, # 5 Declaration of Matthew M. Loker, # 6 Declaration of Clark Ovruchesky, # 7 Declaration of Wayne A. Sinnett, # 8 Proof of Service)(Kazerounian, Abbas) (mpl). (Entered: 11/10/2017) |
| 11/11/2017 | 20 | SUPPLEMENTAL DOCUMENT by Heather Maxin re 19 MOTION for Attorney Fees and Costs - Declaration of Schuyler Hoffman, Esq. in Supprt of Counsel's Hourly Rates. (Attachments: # 1 Proof of Service)(Kazerounian, Abbas) (mpl). (Entered: 11/11/2017) |
| 11/13/2017 | 21 | SUPPLEMENTAL DOCUMENT by Heather Maxin re 19 MOTION for Attorney Fees and Costs - Declaration of Nicholas J. Bontrager, Esq. in Supprt of Counsel's Hourly Rates. (Attachments: # 1 Proof of Service)(Kazerounian, Abbas) QC Mail re wrong event (mpl). (Entered: 11/13/2017) |
| 01/16/2018 | 22 | MOTION for Final Approval of Class Action Settlement by Heather Maxin. (Attachments: # 1 Memo of Points and Authorities, # 2 Declaration of Scott DiCarlo, # 3 Proof of Service)(Kazerounian, Abbas) (mpl). (Entered: 01/16/2018) |
| 01/24/2018 | 23 | NOTICE of Appearance by Kenneth D. Kronstadt on behalf of RHG & Company, Inc. (Kronstadt, Kenneth)Attorney Kenneth D. Kronstadt added to party RHG & Company, Inc.(pty:dft) (mpl). (Entered: 01/24/2018) |
| 01/26/2018 | 24 | NON Opposition re 19 MOTION for Attorney Fees and Costs filed by RHG & Company, Inc. (Kronstadt, Kenneth) QC Mail re Missing Cert of Service (mpl). (Entered: 01/26/2018) |
| 01/29/2018 | 25 | CERTIFICATE OF SERVICE by RHG & Company, Inc. re 23 Notice of Appearance of Ken D. Kronstadt for Defendant RHG & Company (Kronstadt, Kenneth) (mpl). (Entered: 01/29/2018) |
| 01/29/2018 | 26 | CERTIFICATE OF SERVICE by RHG & Company, Inc. re 24 Non Opposition to Motion For Attorneys' Fees and Costs (Kronstadt, Kenneth) (mpl). (Entered: 01/29/2018) |
| 02/15/2018 | 27 | Minute Order for proceedings held before Judge Janis L. Sammartino: Hearing on Motion for Attorney Fees and Costs 19 and for Final Approval of Class Action Settlement 22 held and taken under submission. Court to issue written order (Court Reporter/ECR Frank Rangus / CRD A Ramos / Plaintiff Attorney Abbas Kazerounian / Defendant Attorney Ken D. Kronstadt) (no document attached) (acr) (Entered: 02/15/2018) |
| 02/16/2018 | 28 | ORDER (1) Granting 22 Motion for Final Approval of Class Action Settlement; and (2) Granting 19 Motion for Attorney Fees and Costs. Signed by Judge Janis L. Sammartino on 2/16/2018. (mpl) (Entered: 02/16/2018) |
| 07/12/2018 | 29 | CLERK'S JUDGMENT. IT IS SO ORDERED AND ADJUDGED: the Court: 1. GRANTS Plaintiffs Motion for Final Approval of Class Action Settlement; 2. GRANTS Plaintiffs Motion for Attorneys Fees and Costs; 3. As such, the Court APPROVES \$247,500 in attorney fees and costs to Class Counsel; 4. APPROVES a \$5,000 award to Ms. Heather Maxin; 5. APPROVES a \$76,270.14 payment to KCC as settlement administrator; 6. DISMISSES this action WITH PREJUDICE with the terms of the Settlement. (mpl) (jao). (Entered: 07/12/2018) |
| 03/14/2019 | 30 | MOTION For A Cy Pres Distribution From The Residual Settlement Fund by Heather Maxin. (Attachments: # 1 Memo of Points and Authorities, # 2 Declaration of F. Paul Bland, Jr., # 3 Declaration of Scott DiCarlo, # 4 Declaration of Richard Holober, # 5 Proof of Service)(Loker, Matthew) (jpp). (Entered: 03/14/2019) |
| 04/19/2019 | 31 | ORDER vacating hearing set for 4/25/2019 on 30 and taking motion under submission without oral argument. Signed by Judge Janis L. Sammartino on 4/19/2019.(jpp) (Entered: 04/19/2019) |
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06/24/2019

[32](#)ORDER granting [30](#) Plaintiff's Motion for a cy pres distribution. Signed by Judge Janis L. Sammartino on 6/24/2019. (jpp) (Entered: 06/25/2019)

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