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18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**

<p>20 STEVEN PRESCOTT and MIKE XAVIER, 21 individually and on behalf of all Others 22 Similarly Situated, 23 24 Plaintiffs, 25 26 v. 27 BAYER HEALTHCARE LLC, a Delaware 28 limited liability company; BEIERSDORF, 29 INC., a Delaware corporation, 30 31 Defendants.</p>	<p>32 Case No. 5:20-cv-00102</p> <p>DECLARATION OF THEODORE R. 33 SCARBOROUGH</p>
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3 **DECLARATION OF THEODORE R. SCARBOROUGH**

4 I, THEODORE R. SCARBOROUGH, hereby declare under penalty of perjury as follows:

5 1. I am a partner at Sidley Austin LLP (“**Sidley**”), counsel for
6 Defendants Bayer HealthCare LLC and Beiersdorf, Inc. in the above-captioned matter
7 (collectively, “**Defendants**”).
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9 2. Neither the attorneys at Sidley representing Defendants in this action nor the firm have
10 any personal or professional interest in LGFB.

11 3. Neither the attorneys at Sidley representing Defendants in this action nor the firm have
12 an ownership interest in LGFB.
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14 I declare under penalty of perjury under the laws of the United States that the foregoing is true
15 and correct and that this declaration was executed on July 13, 2021.
16

17 /s/ Theodore R. Scarborough
18 Theodore R. Scarborough
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