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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 19-md-02913-WHO

**DECLARATION OF DENA C. SHARP IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

This Document Relates to:
ALL CLASS ACTIONS

1 I, Dena C. Sharp, declare as follows:

2 1. I am a partner of Girard Sharp LLP and am admitted to practice in the Northern
3 District of California. I am one of the Court-appointed co-lead counsel in this matter. I make this
4 declaration based on my own personal knowledge. If called upon to testify, I could and would
5 testify competently to the truth of the matters stated herein.

6 2. I submit this declaration in support of Plaintiffs' Motion for Preliminary Approval
7 of Class Action Settlement.

8 3. Attached as **Exhibit 1** is a true and correct copy of the Class Action Settlement
9 Agreement.

10 4. Attached as **Exhibit 2** is a true and correct copy of the Plan of Allocation.

11 5. Attached as **Exhibit 3** is a true and correct copy of the Long Form Notice.

12 6. Attached as **Exhibit 4** is a true and correct copy of the summary Postcard Notice
13 (which, as modified, will also serve as the summary email notice).

14 7. Attached as **Exhibit 5** is a true and correct copy of the claim stimulation Postcard
15 Notice.

16 8. Attached as **Exhibit 6** is a true and correct copy of the template online claim forms
17 for class members with and without direct purchases from JLI (which, as modified, will also be
18 the general form and content of paper claim forms should any Settlement Class Member request
19 one).

20 9. Attached as **Exhibit 7** is a true and correct copy of exemplar internet banner ads.

21 10. Attached as **Exhibit 8** is a true and correct copy of a script for the video to be used
22 for certain online publications.

23 11. Attached as **Exhibit 9** is Class Plaintiffs' Proposed Order Granting Preliminary
24 Approval of the Settlement.

25 12. Attached as **Exhibit 10** is a draft Proposed Order Granting Final Approval of the
26 Settlement that, if the Court grants Preliminary Approval, we anticipate submitting in connection
27 with the Motion for Final Approval.
28

1 13. Attached as **Exhibit 11** is a chart summarizing information identified in District
2 Guidelines ¶ 11 regarding past distributions in class settlements.

3 14. On May 18, 2020, this Court appointed Thomas J. Perrelli as Settlement Master.
4 Dkt. 564. The partial settlement now before the Court is the result of extensive discussions
5 conducted under Mr. Perrelli's supervision. In those settlement negotiations, I served as counsel
6 for the proposed Settlement Class, with the other co-lead counsel representing the interests of
7 personal injury and government entity plaintiffs.

8 15. Class Plaintiffs will apply for service awards on behalf of the 86 class
9 representatives, with the specific amounts requested for each class representative to be based on
10 the extent of each class representative's participation in the litigation, including the risk of
11 negative publicity and notoriety. All class representatives completed a detailed plaintiff fact sheet
12 and provided written discovery that included information about their purchasing history,
13 employment and educational history, smoking and drug use history, and other personal details.
14 Nearly all class representatives completed a forensic collection of their documents, including
15 working with a third party to search their social media and phone records; many class
16 representatives were deposed and prepared for those depositions.

17 16. After a competitive bidding process, Class Counsel previously selected Epiq to
18 administer the class notice of pendency. Before engaging Epiq to serve as the proposed
19 Settlement Administrator, I obtained a further cost estimate from Epiq which, in my experience
20 and that of other members of the PSC and based on review of comparable estimates, is
21 reasonable, particularly in light of Epiq's resources and relevant experience in this case and
22 others. Epiq has familiarity with the data it will use to contact known Settlement Class Members,
23 has developed a detailed plan for direct and published notice to class members, and is otherwise
24 well-positioned to administer the settlement without duplication of effort given the institutional
25 knowledge it already has developed.

26 17. Pursuant to District Guidelines ¶1(g), I estimate, based on my experiences with
27 recent settlements in other comparable consumer and economic loss class actions and the input of
28

1 the Class Settlement Administrator, that between 200,000 and 2,000,000 Class Members (up to
2 15% of the Class) may receive payments.

3

4 I declare under penalty of perjury that the foregoing is true and correct. Executed this 19th
5 day of December, 2022 in San Francisco, CA.

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/s/ Dena C. Sharp

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Dena C. Sharp

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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By: /s/ Dena C. Sharp
Dena C. Sharp