

1 **FITZGERALD JOSEPH LLP**
 2 JACK FITZGERALD (SBN 257370)
jack@fitzgeraldjoseph.com
 3 PAUL K. JOSEPH (SBN 287057)
 4 *paul@fitzgeraldjoseph.com*
 5 MELANIE PERSINGER (SBN 275423)
melanie@fitzgeraldjoseph.com
 6 TREVOR M. FLYNN (SBN 253362)
trevor@fitzgeraldjoseph.com
 7 CAROLINE S. EMHARDT (SBN 321222)
caroline@fitzgeraldjoseph.com
 8 2341 Jefferson Street, Suite 200
 9 San Diego, California 92110
 10 Phone: (619) 215-1741
 11 ***Class Counsel***

12 **UNITED STATES DISTRICT COURT**
 13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 MICHAEL TESTONE, COLLIN SHANKS,
 15 and LAMARTINE PIERRE, on behalf of
 16 themselves, all others similarly situated, and the
 general public,

17 Plaintiffs,

18 v.

19 BARLEAN’S ORGANIC OILS, LLC,
 20

21 Defendant.
 22

Case No. 3:19-cv-0169-RBM-BGS

DECLARATION OF COLLIN SHANKS

Judge: Hon. Ruth Bermudez Montenegro

1 I, Collin Shanks, declare:

2 1. I am a plaintiff and class representative. I make this declaration based on my
3 own personal knowledge.

4 2. Before learning that it was actually unhealthy, I purchased Barlean's butter
5 flavored coconut oil as part of my diet and cooking routine because I thought it was healthy.
6 When I learned the truth, I was very upset and I wanted to do everything I could to help stop
7 Barlean's from misleading others.

8 3. I believe I have been working with my lawyers on this case for about four years.
9 We talk by phone and trade emails as things develop and when my help is needed.

10 4. I have helped my lawyers on many aspects of this case. I provided them with the
11 old jars of Barlean's coconut oil that I still had when I learned that it was unhealthy. I also
12 told them about my experience and purchase history of Barlean's coconut oils and helped
13 them draft related allegations for the complaint. I also reviewed and approved the filing of
14 each complaint.

15 5. I helped in the discovery process. I drove down from my home in West Covina
16 for a deposition. Because I had to prepare with my lawyers for the deposition, I had to set
17 several days aside and stay at a hotel in San Diego. I also searched for any documents that
18 the defendant requested on my phone and computers and in my emails.

19 6. At several points during this case, I have helped my lawyers prepare declarations
20 that were used to help rebut false accusations of perjury and to help obtain class certification.

21 7. I also participated in settlement discussions and negotiations. In 2019, I drove to
22 San Diego from my home in West Covina to attend a settlement conference with the court
23 and representatives from Barlean's. More recently, I also attended a settlement conference
24 that was held by Zoom.

25 8. Finally, I approved the settlement terms and agreement. I discussed the
26 settlement with my lawyers and approved it. I believe the settlement is strong because it stops
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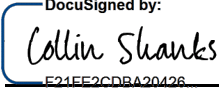
1 Barlean’s from continuing to advertise the coconut oils as healthy and gives consumers
2 money back from their purchases.

3 9. During this case, Barlean’s lawyer accused me of lying based on testimony that
4 I gave in another coconut oil case. Of course, she was wrong and even admitted it later, but
5 being accused of perjury is very serious and very stressful because accusations—whether they
6 are true or not—can cause a lot of damage, and this was a serious concern for me.

7 10. I have invested considerable time and effort on this case for several years now.
8 I stayed in contact with my lawyers during that time and provided them with all the assistance
9 they required.

10 I declare under penalty of perjury that the foregoing is true and correct to the best of
11 my knowledge.

12 Executed on 1/4/2023 in West Covina, California.

13
14 By: 
15 Collin Shanks
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