

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	MDL No. 3060 Case No. 23 C 818 Judge Mary M. Rowland This document relates to: All Cases
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**JOINT STATUS REPORT FOR THE MARCH 27, 2025
DISCOVERY STATUS CONFERENCE**

Co-Lead Counsel for Plaintiffs and counsel for Defendants provide this Joint Status Report in advance of the discovery status conference scheduled for March 27, 2025 before the Honorable Magistrate Judge Beth W. Jantz.

I. **Global Issues**

a. **Notice of 30(b)(6) Depositions**

Plaintiffs' Position:

Some Defendants¹, including Namaste, urge this Court to apply an overly-narrow interpretation of the Advisory Committee note to the 1993 Amendment to Rule 30(b)(6) to limit Plaintiffs' ability to get fulsome and complete corporate representative 30(b)(6) testimony. This new position, emerging more than a year after the first 30(b)(6) deposition notices were serviced in this case, only impedes the Plaintiffs' ability to obtain 30(b)(6) testimony and distracts the Court from its discretionary ability to analyze the unique discovery needs and circumstances in this multi-Defendant MDL.

Rule of Civil Procedure 1 allows this Court to construe and apply the Rules—including Rule 30—in a manner that “secure[s] the just” resolution of the action. This MDL consists of cases brought by thousands of women who seek justice for life-threatening injuries. It involves countless issues and requires corporate testimony on a myriad of topics. Moreover, Defendants have produced documents on a rolling basis over the course of two years—and Plaintiffs contend there are still issues with many Defendants' document productions—so to expect Plaintiffs to be able to issue a single, all-encompassing 30(b)(6) notice prior to reviewing those documents is unreasonable. Furthermore, to expect Plaintiffs to wait until close to the close of fact witness depositions to serve a single 30(b)(6) deposition

¹ In contrast, Defendant Luster has agreed that they will not require Plaintiffs to issue a single, all-encompassing 30(b)(6) notice.

notice would frustrate the Plaintiffs’ right to seek certain information from corporate witnesses early on to narrow oral discovery and Plaintiffs’ right to obtain targeted 60(b)(6) deposition testimony later in the litigation when fuller facts about the Defendant and the litigation have emerged. Indeed, to limit Plaintiffs to a “single deposition” under these circumstances would not be just.

As is appropriate in a complex MDL with multiple defendants and products, this Court—at least by inference—has contemplated multiple 30(b)(6) notices per Defendant in its prior statements and rulings, further weighing against the lateness of Namaste’s argument and demonstrating that the circumstances present here warrant multiple depositions (or *sua sponte* leave to amend 30(b)(6) notices as needed). *See, e.g.*, 7/11/24 Hr. Trans., 77:15-17 (contemplating a second 30(b)(6) deposition of Namaste despite one being taken already); 10/2/23 Hr. Trans., 54:8-12 (the Court contemplating Plaintiffs taking an early 30(b)(6) deposition on a single issue), 1/25/24 Hr. Trans., 76:19-77:6 (same); 8/23/23 Hr. Trans., 26:9-27:23 (repeatedly referencing a “*first round*” of 30(b)(6) depositions and stating “*I think we all understand*” that there will be “30(b)(6)s that will come later that deal with the substantive issues in the case.”) (emphasis added).

Namaste’s belated “single deposition” argument is even more puzzling when evaluating Namaste’s own handling of other 30(b)(6) depositions. In late 2023, Namaste served 40 pages of responses and objections to Plaintiffs’ Second Amended Notice of Oral Deposition on Namaste’s corporate structure. *See* Defendant Namaste Laboratories, LLC’s Response and Objections to Plaintiffs’ Second Amended Notice of Oral Deposition Pursuant to Federal Rule of Civil Procedure 30(b)(6), Nov. 10, 2023, attached hereto as **Exhibit A**. In the entire 40 pages, despite the fact that this was Plaintiffs’ second amended notice, Namaste does not assert its “single deposition” rule once. *Id.* The unfairness inherent in Namaste’s belated position—brought forth nearly a year-and-a-half later after the first 30(b)(6) depositions—runs contrary to its prior conduct with respect to the 30(b)(6) depositions that have already occurred. *Cf. Baxter Int’l, Inc.*, 2020 WL 424918, at fn. 11 (“It strikes us as unfair to allow BD to agree to offer testimony on certain Rule 30(b)(6) topics identified in a notice it contends is invalid and then rely upon this purported infirmity to refuse to provide testimony on other topics.”).

Plaintiffs’ efforts to obtain reasonable, relevant discovery through 30(b)(6) depositions does not run afoul of Rule 30(b)(6)’s “single deposition” rule. Namaste’s hyper-technical² reliance on *In re Sulfuric Acid Antitrust Litigation*, 2005 WL 1994105 (N.D. Ill. 2005) raises issues that can be easily avoided here. Specifically, Plaintiffs are permitted to amend their 30(b)(6) deposition notice to

² It is commonplace in cases proceeding before this Court for the parties to serve more than one 30(b)(6) deposition notice—and there is usually no objection. In all the MDLs in which Plaintiffs’ leadership is or has been involved, no Defendant or Court has advanced this argument to restrict 30(b)(6) testimony; indeed, the practice routinely has been to serve several 30(b)(6) notices throughout the litigation at appropriate times to both gather information to inform discovery and to focus issues in dispute for trial.

include additional topics for which Namaste's 30(b)(6) witnesses must testify. This Court need not engage in an analysis as to "whether Rule 30(a)(2)(A)(ii)'s leave requirement applies to Rule 30(b)(6) depositions." *Baxter Int'l, Inc. v. Becton, Dickinson & Co.*, No. 17 C 7576, 2020 WL 424918, at *16 (N.D. Ill. Jan. 27, 2020) (Schenkier, J.). Judges in this court have routinely permitted parties to amend 30(b)(6) deposition notices to include topics which were not previously included in the initial notice. *See id.* at *16 (addressing the merits of the topics contained in a third amended 30(b)(6) deposition notice of a corporate defendant and permitting the plaintiff to proceed with multiple depositions on the topics contained in the amended notice accordingly); *see also Fed. Deposit Ins., Corp. v. Giancola*, No. 13 C 3230, 2015 WL 5559804, at *3 (N.D. Ill. Sept. 18, 2015) (requiring corporate plaintiff to produce a Rule 30(b)(6) witness to testify about 17 matters raised in a Second Amended 30(b)(6) Notice of Deposition and finding the topics non-duplicative despite the fact that the corporate plaintiff had provided substantial other discovery) (Schenkier, J.). Judge Schenkier's opinion in *Baxter International, Inc.* further clarifies the ambiguity underlying the argument Namaste makes here:

There is some disagreement among district courts as to whether Rule 30(a)(2)(A)(ii)'s leave requirement applies to Rule 30(b)(6) depositions Practically speaking, we note the difficulty in determining when a corporate entity "has been deposed" under Rule 30(a)(2)(A)(ii). Rule 30(b)(6) notices usually include numerous topics, and a party will often designate different witnesses to testify about different subsets of those topics. Depending on witness and lawyer availability (and other issues), these witnesses may be deposed over a span of weeks or months. . . . [W]e need not decide whether Rule 30(a)(2)(A)(ii)'s leave requirement applies to Rule 30(b)(6) depositions. Even if Rule 30(a)(2)(A)(ii) applies and was violated by Baxter's third amended Rule 30(b)(6) notice, a court must grant a party's request for leave to conduct an additional deposition "to the extent consistent with Rule 26(b)(1) and (2)."

Baxter Int'l, Inc., 2020 WL 424918, at *12 (quoting Fed. R. Civ. P. 30(a)(2)(A)(ii)). Simply put, this Court has the discretion to permit Plaintiffs to amend their 30(b)(6) deposition notice to avoid Namaste's "single deposition" interpretation. *See New Medium Techs. LLC v. Barco N.V.*, 242 F.R.D. 460, 462 (N.D. Ill. 2007) (noting that Court has "vast discretion" in supervising discovery and that discretion "denotes the absence of a hard and fast rule.") (internal quotations and citations omitted)); *see also Clark v. FDS Bank*, No. 617CV692ORL78EJK, 2019 WL 12262469, at *2 (M.D. Fla. Dec. 9, 2019) (rejecting the defendant's motion for protective order and granting leave, which was provided *sua sponte* by the magistrate judge, for plaintiff to take additional 30(b)(6) depositions without ruling on whether leave is required).

For these reasons, Plaintiffs respectfully request that the Court deny Namaste's late attempt at restricting Plaintiffs' 30(b)(6) discovery through its late and hyper-

technical interpretation of the “single deposition” rule—which certainly runs against the needs of this case and discretion of this Court—and order that Plaintiffs have leave to amend their Rule 30(b)(6) deposition notices without moving the Court each time they wish to do so.

Defendant’s Position:

Limiting Plaintiffs to one Rule 30(b)(6) notice per Defendant is necessary in this litigation for both procedural and practical reasons. Procedurally, both Seventh Circuit case law and the Advisory Committee notes to Rule 30(b)(6) establish that one Rule 30(b)(6) notice is permitted against a corporate defendant. Moreover, separate notices create the very real potential for Plaintiffs to exceed the Rule 30(d)(1) per deposition limit of one (1) day of seven (7) hours absent leave of court; the Rule 30(d)(1) limit applies to Rule 30(b)(6) depositions and cannot be circumvented by breaking topics into separate notices. Practically, Case Management Order No. 15 (Bellwether Selection Schedule and Procedure) sets September 30, 2025 as the deadline for all “MDL-wide oral fact discovery.” (Dkt. No. 1120; Sec. IV. 2.) Accordingly, all Rule 30(b)(6) corporate representative depositions must be concluded by that date. Multiple Rule 30(b)(6) notices will require multiple meet and confer efforts and, potentially, multiple requests for court intervention, which will create timing issues that the parties will not face if Plaintiffs are limited to one Rule 30(b)(6) notice per defendant.

As an initial matter, Defendants note that, consistent with this Court’s language in its March 6, 2025 order denying without prejudice Defendant Namasté’s Motion for Protective Order, the issue presented is whether the Court should allow Plaintiffs to serve “multiple Rule 30(b)(6) notices per defendant.” (Dkt. No. 1123; emphasis added.) Defendants are not seeking to limit the number of topics or the number of corporate representatives that might be presented to comply with one Rule 30(b)(6) notice. Nor are Defendants asking that Plaintiffs be limited to one global Rule 30(b)(6) notice for all Defendants. Defendants understand that Plaintiffs may have different corporate knowledge questions for different Defendants and, moreover, fully anticipate that individual Defendants may offer multiple corporate representatives in response to a single notice. The issue presented here is purely a question of whether Plaintiffs, who are surely in a position at this point in the litigation to have identified the topics upon which they seek corporate knowledge depositions, are required to put those topics into a single Rule 30(b)(6) notice.

While Defendants did not locate any MDL deposition protocols specifically limiting the Plaintiffs to one Rule 30(b)(6) notice per corporate defendant, courts in the Seventh Circuit routinely reject litigants’ attempts to conduct multiple Rule 30(b)(6) depositions and deny motions to compel additional depositions absent good cause. The case of *In re Sulfuric Acid Antitrust Litig.*, No. 03 C 4576, 2005 U.S. Dist. LEXIS 17420, at *6 (N.D.Ill. Aug. 19, 2005), is instructive. In *In re Sulfuric Acid Antitrust Litig.*, the defendants asserted they were within their rights

to take multiple Rule 30(b)(6) depositions without leave of court “especially where the second deposition relates to different topics than the first.” *Id.* The Court ruled that the defendants’ argument “ignore[d] the text, history, and purpose of the 1993 Amendment to Rule 30.” *Id.* The court explained that “the Rule directs that leave to take a successive deposition shall be granted . . . only if the court . . . determines that the requested discovery [is not] unreasonably cumulative or duplicative” *Id.* at *7. According to the Advisory Committee, “the rule requiring leave of court to take a second deposition applies to an entity that is deposed pursuant to Rule 30(b)(6)[,] [e]ven [if] a party may be deposing a different corporate representative.” *Id.* It therefore follows here that Plaintiffs cannot divide corporate knowledge topics into multiple Rule 30(b)(6) notices to pursue, without leave of court, multiple Rule 30(b)(6) depositions against the same defendant.

As the Advisory Committee further notes, Rule 30(b)(6) notices “routinely specify a number of topics of inquiry, which often necessitate the designation of multiple witness.” *Id.* at *12. Indeed, “[t]he more complex the case, the greater the number of topics to be explored during the deposition and the greater number of witnesses.” *Id.* Such may be the case here. That does not, however, obviate the requirement that Plaintiffs identify those “greater number of topics” in a single Rule 30(b)(6) notice that “describe[s] with reasonable particularity the matters for examination,” so that the corporation to be deposed can designate one or more persons who consent to testify on its behalf. See *LKQ Corp. v. GM Co.*, No. 20 C 2753, 2021 U.S. Dist. LEXIS 171093, at *10 (N.D. Ill. Sep. 9, 2021). Plaintiffs are improperly attempting, without good reason and without leave of court, to forego describing all of the matters for examination in a single notice. Such a process is not permitted under the rules and should not be allowed here.

From a practical perspective, Defendants again reference the deadline of September 30, 2025 for all MDL-wide oral fact discovery. At present, several parties are meaningfully engaged in meet and confer discussions on topics to be included in a Rule 30(b)(6) notice. These meet and confer efforts take time and to create a scenario where they have to play out repeatedly in response to multiple notices is not tenable. Moreover, Plaintiffs are not just asserting a right to issue an unknown number of corporate representative deposition notices, they have also refused (at least as to some Defendants) to identify all topics upon which they intend to seek corporate representative testimony before Defendants may be required to produce a corporate representative in response to a pending notice. Defendants maintain that in the absence of a notice identifying all topics, they cannot make meaningful and informed decisions about the appropriate corporate witness(es) to be produced and cannot guard against a particular corporate representative being subjected to multiple depositions, for no reason other than Plaintiffs prefer not to put all topics in a single notice. Limiting Plaintiffs to one Rule 30(b)(6) notice per defendant absent leave of court addresses those concerns with no prejudice to Plaintiffs.

A further practical consideration is that limiting Plaintiffs to one Rule 30(b)(6)

notice per defendant absent leave of court will preclude disagreement, and potential need for court intervention, on whether a subsequent notice seeks to impermissibly redeose a corporate representative on topics previously covered. See, *Am. Hardware Mfrs. Ass'n v. Reed Elsevier, Inc.*, No. 03 C 9421, 2007 U.S. Dist. LEXIS 87029, at *n.7 (N.D. Ill. Nov. 21, 2007). This is not an academic concern: as further explained in its Motion for Protective Order [Dkt No. 1114], Defendant Namasté has already encountered, and objected to, topics in Plaintiffs' pending Rule 30(b)(6) notice that attempt to revisit "corporate structure" topics that were the subject of an earlier Rule 30(b)(6) deposition, which took place after a lengthy meet and confer process. Both Rule 30(b)(6) notices served on Namasté hinge on corporate structure and the identity of departments, divisions, and employees; the topics are unreasonably duplicative. In addition, at the corporate structure deposition, Plaintiffs did not limit their questioning to the topics identified in the operative notice. Instead, over objection, Plaintiffs asked a series of questions on topics such as advertising, branding and marketing. Requiring a single Rule 30(b)(6) notice to identify all topics upon which corporate knowledge of a particular Defendant is sought mitigates the concern that Plaintiffs will go beyond the scope of notices that, on their face, limit questioning to a specific subset of topics.

Finally, and as noted in Namasté's Motion for Protective Order, the fact that it (or other Defendants) may have produced a corporate representative in response to an earlier Rule 30(b)(6) notice on a specific topic early in the litigation (e.g., corporate structure or ESI) neither creates a timeliness issue nor constitutes waiver of Defendants' objections to Plaintiffs' current efforts serve seriatim Rule 30(b)(6) notices. See, e.g., *United States ex rel. Derrick v. Roche Diagnostics Corp.*, No. 1:14-cv-04601, 2019 WL 10367990, at *1 (N.D. Ill. July 29, 2019) ("a corporate party does not waive its right to object to a Rule 30(b)(6) notice through a post-deposition motion for a protective order because it designates a corporate representative to testify on some non-objected-to topics, but not others"). Indeed, Defendants recognize that in allowing earlier, category-specific depositions to proceed at the outset of the litigation, the Court noted that general Rule 30(b)(6) depositions on substantive topics would proceed later in the case (i.e., now). There is nothing unfair, untimely, or contradictory in Defendants' current position. Defendants understand that Rule 30(b)(6) oral discovery is vital to this litigation and nothing in Defendants' request restricts Plaintiffs' ability to pursue that discovery; Defendants simply request a reasonable approach to that discovery that, consistent with the rules of civil procedure and Seventh Circuit case law, provides Defendants with one notice identifying the areas of corporate knowledge on which Plaintiffs seek to depose their corporate representative(s).

b. Service of Requests for Admission after February 28, 2025 Written Discovery Deadline

Plaintiffs' Position:

Requests for admission (“RFA”) are properly served before the close of **fact** (as opposed to written) discovery. *See e.g., Finnerman v. Daimler Chrysler Corp.*, No. 16-CV-451, 2017 WL 4772736, at *4 (N.D. Ill. Oct. 23, 2017) (recognizing that requests for admission “scheduled for completion before the ... fact discovery closing date” would be timely) (emphasis added).³ This timing makes sense, as requests for admission *pin down facts* to narrow issues at trial, while **written** discovery tools (like document requests and resulting productions) *seek evidence* from which such facts are gleaned. *See Think Products, Inc. v. ACCO Brands Corp.*, No. 20 C 3958, 2023 WL 2539669, at *6 (N.D. Ill. Mar. 16, 2023) (“The purpose of Rule 36 is . . . ‘to narrow the issues to be resolved at trial by effectively identifying and eliminating those matters on which the parties agree.’”) (quoting *United States v. Kasubowski*, 834 F.2d 1345, 1350 (7th Cir. 1987)); *see also* Fed. R. Civ. P. 36 advisory committee note (“Rule 36 serves two vital purposes, both of which are designed to reduce trial time. Admissions are sought, first to facilitate proof with respect to issues that cannot be eliminated from the case, and secondly, to narrow the issues by eliminating those that can be.”).

Here, the Court set February 28, 2025 as a deadline for **written** discovery to close, and **fact** discovery remains open. Indeed, fact depositions have not even begun and the document discovery informing those depositions is still being analyzed. Plaintiffs will need to conclude that review and depositions before they will be in a position to understand what facts should be addressed through RFAs. A simple example is the use of RFAs to establish the authenticity and admissibility of documents and evidence at trial, something routinely done in MDL practice and elsewhere. To the extent that Defendants raise objections about the authenticity or admissibility of documents, at depositions, those clearly are not now known to Plaintiffs and cannot be determined until depositions occur. Accordingly, it is impossible for Plaintiffs to serve RFAs narrowing those issues until the depositions occur. *See, e.g., Castro v. DeVry U.*, 786 F.3d 559, 578–79 (7th Cir. 2015) (recognizing that document production does not guarantee proof of authenticity and instructing, “[t]hose are matters for follow-up requests for admissions or other discovery tools.”). The same logic applies to numerous other procedural and substantive issues that will arise over the course of fact discovery, including case specific fact discovery which has not yet commenced against Defendants at all and cannot until after bellwether cases are selected.

Defendants’ contrary proposal—that requests for admission be prohibited now while months of fact discovery remain pending—not only violates 7th Circuit and

³ *Cf. Dinkins v. Bunge Milling, Inc.*, 313 Fed.Appx. 882, 884 (7th Cir. 2009) (recognizing requests for admissions “mailed only nine days before the close of discovery” as untimely because defendant had insufficient time to respond).

District Court guidance on timing, but serves no legitimate purpose.⁴ It would only impose an artificial and premature requests for admission cutoff that would undoubtedly generate costly and inefficient trial time spent on issues that otherwise could have been resolved in advance through shrewd deployment of Rule 36. This proposal should be denied.

Defendants' Position:

Requests for admission are unequivocally a form of written discovery, and Judge Rowland closed written discovery on February 28, 2025. *See* ECF 884; *See also City of Cook v. Wells Fargo & Co.*, 2019 U.S. Dist. LEXIS 190003, *5 (N.D. Ill. Nov. 1, 2019). The Local Rule 16.1 for the Northern District of Illinois does not permit parties to issue discovery requests when those requests cannot be answered within the discovery close deadlines set by the Court, in this case by Judge Rowland. *See also Finnerman v. Daimler Chrysler Corp.*, 2017 U.S. Dist. LEXIS 175286 (N.D. Ill. Oct. 23, 2017). This Court should not countenance the Plaintiffs' efforts to reframe their tardy issuance of written discovery requests as being a technical matter of broader fact discovery. Judge Rowland closed written fact discovery on February 28, 2025, and requests for admission are written discovery. *See* ECF 884.

Defendants acknowledge that fact discovery in the form of deposition discovery is ongoing; however, the deadlines and closure for written fact discovery as set by Judge Rowland should be honored and recognized by all parties. In *City of Cook*, the Court rejected the argument that Plaintiffs make here—that requests for admission are not “written discovery.” They are. 2019 U.S. Dist. LEXIS 190003 at *3-5. There, the Court distinguished the continuation of fact discovery after the close of written discovery and that deadlines for written and other fact discovery, like deposition discovery, would be applied as ordered. *Id.* Moreover, requests to admit fell into the category of written discovery and court set deadlines for written discovery. *Id.* Any efforts to change those respective deadlines had to be brought before the Court. *Id.*

Plaintiffs misconstrue *Finnerman* on this topic of discovery deadlines and closures and omit the concluding portion of that Court's ruling. The District Court in *Finnerman* acknowledged that requests for admission differ from other forms of discovery like interrogatories “as they are meant to obtain[] admissions for the record of facts already known by the party propounding the request rather than to

⁴ To the extent Defendants seek to interpret Magistrate Judge Jantz's March 13, 2025 Order (Dkt. 1128) denying Avlon's Motion for Protective Order as dispositive, Plaintiffs respectfully submit that they are mistaken. Clearly, the Court was interpreting the February 28 document cut-off as a discovery cutoff, when in practice there are multiple phases of fact discovery still ongoing. Accordingly, this simple misunderstanding, when corrected, would surely result in the Court permitting RFAs to be propounded before the close of this further fact discovery, consistent with the binding law of this District and Circuit.

elicit information.” *Id at* *12 (internal citations omitted). The *Finnerman* Court went on to say that though requests for admission serve a different purpose, they “are still subject to Northern District of Illinois Local Rule 16.1 and the discovery scheduling order in this case.” *Id.*

Holding Plaintiffs to the February 28, 2025 close of written discovery deadline does not cause them any prejudice. Plaintiffs have been aware of that deadline for months, and Plaintiffs could (and should) have issued any requests for admission they wanted to serve in advance of that deadline. In fact, Plaintiffs *did* serve requests for admission on at least one Defendant months ago, disproving Plaintiffs’ claim that requests for admission are “premature” until nearer to the close of discovery. And if Plaintiffs seek additional information, Plaintiffs acknowledge in their cited case law there are other forms of discovery that could be used to get that information – i.e. deposition discovery. Plaintiffs’ request that the Court deny Defendants’ “proposal” that the parties abide by the Local Rules and Judge Rowland’s discovery schedule is also telling. Defendants ask nothing more than that this Court enforce the written discovery deadlines set by Judge Rowland. Requests for admissions are a form of written discovery, and written discovery is closed.

c. **Production of Documents in Possession of Defendant’s Hired Consultants and/or Vendors**

Plaintiffs’ Position:

The Court previously ordered Defendants to produce documents related to foreign regulatory matters. (ECF 353). In fact, the Court expressly recognized that Defendant House of Cheatham “agree[s] without objection to search for and provide responsive materials related to their products manufactured in the U.S. and sold internationally.” (*Id.* at 3).

Throughout 2024, Plaintiffs engaged in multiple discussions with counsel for HOC regarding its document production, and in April 2024 Plaintiffs specifically pointed out to HOC that it had not produced any regulatory filings, foreign or domestic. HOC never voiced any objection to producing them, but instead repeatedly stated that they “needed time” to complete their production. HOC later stated it had produced all documents in its possession that HOC could locate, and that some documents would be produced through its custodial file production. However, as of HOC’s final custodial file production in January 2025, **HOC still has not produced *any* regulatory filings, foreign or domestic.**

HOC’s counsel informed Plaintiffs that its foreign regulatory documents are in the possession of Biorius, a Belgian company that HOC engaged to assist with regulatory matters in other countries. Biorius describes itself as “a trusted partner

to cosmetic companies worldwide, dedicated to helping your brand succeed in a complex regulatory landscape.”⁵

In its December 2023 order referenced above, the Court specifically addressed the issue of what constitutes “possession, custody, or control” under Fed. R. Civ. P. 34: “On the issue of control, it is well-settled that a party need not have actual possession of the documents to be deemed in control of them; rather, the test is whether the party has a legal right to obtain them.” (ECF 353 at 4 (citing and quoting *Dexia Credit Local v. Rogan*, 231 F.R.D. 538, 542 (N.D. Ill. 2004)).

Consistent with that prior ruling, on February 27, 2025, Plaintiffs advised HOC of its position that any documents related to HOC maintained by Biorius are within HOC’s “possession, custody, or control.” HOC advised Plaintiffs in a meet and confer on February 28, 2025 that it disagrees, it contends those documents are not within its possession, custody, or control, and HOC refuses to produce them.⁶

It is plainly clear that HOC has the “legal right” to obtain documents from its own regulatory consultant that relate to HOC products sold in other countries.⁷ Documents produced by HOC acknowledge that it is a “client” of Biorius. However, Plaintiffs are unable to subpoena Biorius since it is a foreign company. Consequently, HOC should be ordered to obtain copies of and produce all foreign regulatory documents regarding its products from its “trusted partner,” Biorius within 30 days of this Court’s order.

Defendant’s Position:

Since receiving Plaintiffs’ February 27, 2025 letter, House of Cheatham, LLC has repeatedly asked Plaintiffs to identify the legal right, whether based on statute, contract, or common ownership, that entitles it to documents from Biorius. *See Indiana GRQ, LLC v. American Guarantee and Liability Ins. Co.*, 2022 WL 2302298, at *5 (N.D. Ind. June 27, 2022) (explaining what constitutes a legal right). Plaintiffs, however, have done nothing other than to tautologically argue that a legal right is “plainly clear” while concluding, without any support, that they are unable to seek documents outside the United States via subpoena. Further, contrary to Plaintiffs’ diatribe above, House of Cheatham, LLC has produced documents from Biorius at:

- HOCLLC0060047 HOCLLC0060112
- HOCLLC0079238 HOCLLC0079240

⁵ See <https://biorius.com/who-we-are/> (accessed on 3/12/25).

⁶ On a meet and confer on March 17, 2025, HOC informed Plaintiffs’ Counsel that they requested records from Biorius, but continue to assert their position that Biorius documents are not in their possession, custody, or control.

⁷ The Court has also ordered Plaintiffs to obtain photographs from others even if they are not directly within Plaintiffs’ possession. (ECF 829, 8/29/24 Hrg. Trans. at 80).

- HOCLLC0079317 HOCLLC0079318
- HOCLLC0079241 HOCLLC0079249
- HOC_00233323 HOC_00233324
- HOC_00233340 HOC_00233348
- HOC_00233349 HOC_00233355
- HOC_00233356 HOC_00233362
- HOC_00234309 HOC_00234310
- HOC_00235153 HOC_00235156
- HOC_00235157 HOC_00235181
- HOC_00236519 HOC_00236520
- HOC_00238744 HOC_00238746
- HOC_00241858 HOC_00241881
- HOC_00241889 HOC_00241913
- HOC_00242956 HOC_00242965
- HOC_00243020 HOC_00243055
- HOC_00243056 HOC_00243065
- HOC_00243265 HOC_00243269
- HOC_00243273 HOC_00243278
- HOC_00243280 HOC_00243290
- HOC_00244053 HOC_00244062
- HOC_00244093 HOC_00244144
- HOC_00244208 HOC_00244231
- HOC_00244232 HOC_00244256
- HOC_00244265 HOC_00244267
- HOC_00244268 HOC_00244271
- HOC_00244368 HOC_00244391
- HOC_00303281 HOC_00303283
- HOC_00303295 HOC_00303297
- HOC_00303301 HOC_00303307
- HOC_00303316 HOC_00303322
- HOC_00303344 HOC_00303350
- HOC_00303351 HOC_00303357
- HOC_00303446 HOC_00303449
- HOC_00303450 HOC_00303454
- HOC_00327781 HOC_00327783
- HOC_00327795 HOC_00327797
- HOC_00327801 HOC_00327807
- HOC_00327816 HOC_00327822

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- HOC_00327851 HOC_00327857
- HOC_00327946 HOC_00327949
- HOC_00327950 HOC_00327954
- HOC_00375405 HOC_00375407
- HOC_00375408 HOC_00375410
- HOC_00375411 HOC_00375413
- HOC_00375414 HOC_00375416
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- HOC_00375868
- HOC_00375869
- HOC_00375870
- HOC_00375871
- HOC_00416901 HOC_00416903
- HOC_00416904 HOC_00416906
- HOC_00416907 HOC_00416909
- HOC_00416910 HOC_00416912
- HOC_00447102

Notwithstanding Plaintiffs lack of any effort to secure documents abroad, eleventh hour effort to secure them domestically, and incorrect recitation of the facts, House of Cheatham informed Plaintiffs on March 18, 2025 that it has asked Biorius for documents beyond those already produced.

II. **Defendant Specific Discovery Status**

Avlon Industries, Inc.:

Plaintiffs' Position:

a. Production of Custodial Files

The PSC is engaged in an in-depth review of Avlon's productions following the close of written discovery. As discussed at the February hearing, should the PSC locate additional custodians or believe there to be deficiencies within the custodial files produced to date, the PSC will communicate these deficiencies to Avlon and will meet and confer to see if we can agree on whether production from these individuals is appropriate. Should the parties reach an impasse, the parties will seek guidance from the court as appropriate.

b. Production of Documents from Alternative Sources:

Through the ongoing review of Avlon's production, the PSC has become aware of the potential existence of responsive documents from additional sources that

are within Avlon's possession, custody, or control. To date, Avlon has refused to confirm whether these additional sources have been searched and/or whether responsive documents have been produced from these sources. Specifically, in response to the ESI Interrogatories, Avlon disclosed that a potential source of responsive documents may include third party file hosts, such as Slack, Base Camp, or Dropbox. Consequently, it was Avlon's responsibility to generate documents from these sources as part of their overall documentation process. The PSC endeavored to raise this issue with Avlon prior to the conclusion of written discovery, allowing Avlon the opportunity to address and rectify any inaccuracies in its document production. Yet, when asked by the PSC via email on February 25, 2025, Avlon refused to confirm that these sources have been searched and/or whether responsive documents have been produced from these sources, stating that they believed Plaintiffs requests were premature as they were going to be completing discovery on February 28th at which point Plaintiffs could review and potentially renew the requests. Based on Avlon's February 28th document production, excluding the pending marketing database documents, there is no evidence that any documents were produced from these sources. Now that Avlon has completed its production of documents, this matter is ready for the Court's consideration.

Additionally, the PSC has recently learned that responsive documents may also exist on an individual custodian's hard drive on the custodian's company-issued physical computers or devices. In other words, a custodian may have saved otherwise responsive documents to their individual computers rather than on company-wide servers. On February 12, 2025, and again on February 21, 2025, the PSC has asked Avlon whether they also applied search terms to these computers or devices to produce responsive documents. To date, Avlon has refused to confirm that they have done so.

Finally, Avlon custodians on multiple occasions appear to have used personal email addresses for company-related communication. The PSC has compiled and provided Avlon with a list of names of custodians with significant gaps in production and asked Avlon what, if anything, it has done to obtain company-related emails from employees' personal email accounts. However, as with the other sources, Avlon has not confirmed that these emails have been searched for responsive documents nor have they produced documents located from such a search.

These sources of information are all within Avlon's possession, custody, or control, and therefore must be searched and responsive documents produced pursuant to Fed R. Civ. P. 34. Avlon's refusal to communicate with the PSC does not alleviate them of their duties to conduct a meaningful search of sources over which they have possession, custody and control and produce responsive documents.

The PSC respectfully requests that the Court order Avlon to conduct a search of these alternative sources and produce any responsive documents by April 30, 2025. If the Court believes that additional briefing is necessary on this matter, given that written discovery has already closed, Plaintiffs request an expedited

briefing schedule so that it may be fully briefed and heard at the April Case Management Conference. The PSC proposes that they submit their motion by April 10, 2025. Defendants' response would be due by April 15, 2025 and the PSC's reply by April 18, 2025.

Avlon's Position:

The Plaintiff's position contains several misstatements regarding the timing of their requests for additional information and Avlon's response. Specifically, while Avlon took the position that the Plaintiffs' inquiries were premature, when it responded on February 25, 2025, it also requested Plaintiffs provide more details for all of their requests. Additionally, Avlon requested to have a meet and confer with Plaintiffs on either March 4th or 5th to further discuss Plaintiffs' requests addressed in this JSR. Consistent with their approach to the Requests to Admit, the Plaintiffs never responded to Avlon's invitation to discuss Plaintiffs additional requests.

Next, the Plaintiffs have created the "timing" issue by failing to request any information regarding Slack, Base Camp, and Dropbox until the eve of the discovery cut off despite Avlon disclosing those sources in April 2024. The Plaintiffs never requested that Avlon search these sources at any time, including those times when the parties met and conferred about custodians and other shared drives that Avlon would search. For example, Avlon identified a number of shared departmental drives in its ESI interrogatory responses and reached agreement with the Plaintiffs to search specific shared drives. Slack, Dropbox, and Base Camp were never discussed, requested, or offered. It is Avlon's position that to request searches of these sources is untimely given that Plaintiffs were aware of them in April 2024. However, as extended in its February 25, 2025 correspondence to Plaintiffs, Avlon requested more specifics about what the plaintiffs were looking for and received no response. Avlon is open to discussion about the parameters of these sources and why in the end it would be unproductive, but Plaintiffs never responded to Avlon's requests for clarity and for a meet and confer.

With respect to the personal emails, Avlon requested more information from the Plaintiffs generally about their questions and concerns. Plaintiffs state that they have a list of custodians who may have used personal email addresses over time; however, the Plaintiffs despite several requests and drafts of this insert, Plaintiffs did not sent Avlon a list until after 5 p.m. on March 20, 2025, the day this insert was due. . Again, it is Avlon's position that a search of personal emails was not requested. Avlon is happy to address this issue with the plaintiffs so long as more specificity is provided. Additionally, contrary to Plaintiffs' inaccurate assertion, the personal emails of Avlon's employees and former employees are not in the custody and control of Avlon. As such, without more specific information as to which personal emails and for what time period Plaintiffs are requesting, Avlon cannot explore whether it is even possible, let alone reasonable to access and collect information from the personal emails of its employees and former employees.

Finally, Avlon offered and searched its shared departmental drives for R&D, marketing, and quality control as sources for individual custodial files and work. Avlon did not search individual computer hard drives because individual custodian work is saved to their respective departmental drives automatically. Again, Avlon sought more detail about what specifically the Plaintiffs were concerned about and received no response. Plaintiffs also never responded to a request for a meet and confer on these issues.

Avlon believes not only that the issues raised herein are premature because the Plaintiffs have provided insufficient information to evaluate their requests and determine Avlon's position concerning an additional disclosure, but also premature to address before this court because the Plaintiffs have failed to complete the required meet and confer process. Moreover, throughout this process, the Plaintiffs have been clear about what sources they wanted Avlon and other defendants to search. Avlon and Plaintiffs met and conferred about what would be searched and even added sources near the start of the ESI search when there was time to comply with court deadlines. Thereafter, Avlon searched more than ten custodians and multiple departmental drives for a company of approximately 75 people. Plaintiffs are simply unsatisfied with the information produced and without detailing specific concerns are now claiming that Avlon should have been searching other sources that were neither discussed nor requested but known to Plaintiffs since April 2024.

Beauty Bell Enterprises and House of Cheatham, LLC:

a. Production of Custodial Files

Plaintiffs' Position:

The PSC requested the production of eight additional custodial files from House of Cheatham LLC on February 27, 2025. The parties are engaging in ongoing discussions regarding the basis for Plaintiffs' request at this time as well as the volume of House of Cheatham's production for each requested custodial file and will meet and confer again on March 24, 2025. The parties will be prepared to address the outcome of that meet and confer with the Court at the March 27, 2025 Case Management Conference.

House of Cheatham's Position:

The requested eight additional custodians are: Shannon Stanislaus; Tabitha Odell; Alex Wilson; John Grippi, India Hairston; Keith Rhodes; Danielle Beckford; and Delford Christmas. House of Cheatham LLC presented a 30(b)(6) witness on October 18, 2023, and during that deposition, John Grippi and Shannon Stanislaus were discussed. Documents identifying Alex Wilson were included in House of Cheatham LLC's December 11, 2024 custodial document production and the remaining individuals were all identified in House of Cheatham LLC's September 6, 2024 custodial document production. Further, Tabitha Odell is not an employee of House of Cheatham LLC, and her company, Cosmetic Answers, was disclosed in House of Cheatham LLC's August 21, 2023 interrogatory answers. House of Cheatham LLC is working to

understand the volume of documents within the custodial files of these individuals who Plaintiffs requested on February 27, 2025.

b. Deficiencies with Interrogatory Responses

Plaintiffs' Position:

On February 24, 2025, Plaintiffs sent House of Cheatham correspondence asserting deficiencies to House of Cheatham's responses to Plaintiffs' First, Third, Fifth, and Seventh Sets of Interrogatories. The parties met and conferred and House of Cheatham agreed to amend its interrogatory responses on or before March 14, 2025. House of Cheatham did not provide amended responses on March 14, 2025 and to date, they still have not served Plaintiffs with its amended interrogatory responses. During the parties' March 18, 2025 meet and confer, House of Cheatham did not provide a date by which it would be able to serve its amended interrogatories. As House of Cheatham continually disregards deadlines, both by agreement and as ordered by this Court (ECF 1088, 2/13/25 Hrg. Trans. at 40-42), Plaintiffs request the Court order House of Cheatham to amend its interrogatories within five (5) days.

House of Cheatham's Position:

For the avoidance of any confusion, this Court ordered House of Cheatham LLC to produce certain interrogatory answers by February 19, 2025, which House of Cheatham LLC complied with. One February 24, 2025, Plaintiffs identified new interrogatory issues. House of Cheatham LLC is working to address those issues and had a productive phone call with Plaintiffs' counsel on March 18, 2025 to explain what information it is still seeking and that it intends to resolve the new issues identified on February 24, 2025, by the time of time of the March 27, 2025 status conference.

House of Cheatham LLC disagrees that it has continually disregarded deadlines. Plaintiffs have continually and repeatedly asked for new information and clarification, despite having House of Cheatham's documents for months. And House of Cheatham LLC has repeatedly provided target dates for providing such information and worked to provide such information as quickly as possible while maintaining its business, which is not litigation.

c. Production of Hard Copy Documents from Iron Mountain

Plaintiffs' Position:

The PSC is aware of potentially responsive documents that may exist at House of Cheatham's off-site archival vendor, Iron Mountain. On March 13, 2025, Iron Mountain informed House of Cheatham it will deliver the documents to House of Cheatham on April 2, 2025. The parties are discussing dates for the physical inspection. Plaintiffs provided dates (April 10 and 11) that they are available to inspect those documents and are awaiting House of Cheatham's confirmation. To the extent that Plaintiffs have not received confirmation from

House of Cheatham as to those dates, Plaintiffs request this Court enter an order setting the inspection for April 10 and 11.

House of Cheatham's Position:

House of Cheatham LLC is in the process of scheduling a date for the inspection of these documents, the existence of which was disclosed in House of Cheatham LLC's October 19, 2023 answers to ESI interrogatories. House of Cheatham LLC anticipates that the inspection will take place between April 9-11.

L'Oréal USA:

a. Production of Custodial Files

Plaintiffs' Position:

On February 21, 2025, for the first time, L'Oreal represented to Plaintiffs that their production of approximately only 60,000 documents from custodial and non-custodial sources (including 17 of the original custodians providing less than 1,000 documents) was essentially complete and that they did not anticipate producing many documents at the close of discovery on February 28, 2025. This was news to Plaintiffs as it was always their understanding that L'Oreal (as well as other Defendants) would document dump at or around February 28, 2025. As soon as the PSC learned this, on February 25, 2025, the PSC requested the custodial files of 35 additional custodians to address the shortcomings of the scant productions and subject matters. Unbeknownst to Plaintiffs, until L'Oreal's representation they were essentially finished with document production on February 21, 2025, several agreed upon custodians yielded zero to minimal documents in their custodial files.

Additionally, on February 18th, L'Oreal provided Action History Reports from ESKO database. Within those Action History Reports were the names of 101 individuals who were involved in the reports. Plaintiffs advised Defendants that they reserved the right to seek certain of those individual's custodial files to the extent they were necessary.

A follow-up meet and confer was set for March 6, 2025, where the PSC intended to discuss the custodians, their rationale for these requested new custodians, and what information L'Oreal could provide, including whether their documents have been collected or not. However, L'Oreal canceled the meet and confer, stating they would send a written response instead. Plaintiffs did not receive a response until late March 18, 2025 (by way of a 37-page letter), wherein L'Oreal rejected the production of any new additional custodians, stating they do not believe any new custodians are appropriate at this juncture despite the Court's instructions to the parties to the contrary at the last Case Management Conference (ECF 1088, 2/13/25 Hrg. Trans. at 16-17) L'Oreal did not provide any of the requested information concerning these custodians nor how to address the issue of the previously agreed to custodians that returned zero or very minimal documents. As such, the parties are at an impasse and seek

a ruling from the Court, specifically ordering L’Oreal to produce files for the custodians outlined on **Exhibit B**, attached and the ability to identify additional limited custodians (from the action history reports produced on February 18th) that Plaintiffs deem necessary.

Since then, L’Oreal has provided their position below. L’Oreal grossly misrepresents the Plaintiffs’ position by suggesting that the Plaintiffs have requested 136 custodians. As outlined above, Plaintiffs have requested 35 additional custodians and requested information from Defendants on the additional 101 people newly identified in the February 18th production.

L’Oreal USA’s Position:

On February 25—just three days before the close of fact discovery—Plaintiffs provided a list of 136 potential additional custodians from whom Plaintiffs sought documents from L’Oréal USA. And yet, despite multiple requests from L’Oréal USA, Plaintiffs have not offered an explanation as to why a single one of these individuals should be made a custodian. Plaintiffs have not made an offer as to their purported significance; their likelihood of having relevant and non-duplicative documents; or the reason why they could not have been identified earlier in the discovery process. Exhibit B, attached to this report by Plaintiffs, does not even purport to address these questions (though it does suggest that Plaintiffs expect to continue to identify even more custodians that “Plaintiffs deem necessary”). L’Oréal USA’s position is that these additional 136 custodians are unnecessary, and that the sheer number of individuals identified at the last minute by Plaintiffs demonstrates that this request is unreasonable. L’Oréal USA believes that it is appropriate for the Court to set a briefing schedule, as L’Oréal USA intends to seek a protective order and/or oppose any motion to compel.

b. Deficiencies in Production of Regulatory Files Outside the US

Plaintiffs’ Position:

The PSC have been trying in vain to obtain production of documents related to regulatory communications that occurred outside the United States for 18 months and this issue has been repeatedly briefed. As the Court already ruled in December 2023, “[a]ll Defendants must produce (1) foreign regulatory materials...” [ECF 353 at 11]. The PSC understood that these documents would be produced by L’Oreal SA, but has yet to receive production of these documents. The PSC informed L’Oreal of this continuing deficiency in production in meet and confers and most recently on March 4, 2025 and have not received a response. The PSC expects that L’Oreal will provide their response prior to the March hearing with enough time to allow for additional meet and confers if necessary. Should this not occur prior to the hearing, the PSC respectfully requests that the Court order L’Oreal to produce these documents no later than April 4, 2025.

Again, L’Oreal misleads when it states that hair relaxer products do not require pre-market approval and that none of the products at issue in this case have been the subject of any regulatory action. That is a complete red-herring. Instead, for example, unlike the US, the EU requires cosmetics manufacturers to maintain and report information about the composition of a cosmetic product—including the cosmetic’s components, their function, and their source—as well as a detailed safety assessment of the potential risks associated with both the components and the finished product. Plaintiffs do not have those documents from the L’Oreal entities, raising questions about the completeness of the production.

L’Oreal USA’s Position:

Simply put, there are no deficiencies with regard to the production of regulatory documents. Hair relaxer products do not require pre-market approval, and none of the products at issue in this case have been the subject of any regulatory action. Accordingly, it is unsurprising that few, if any, “regulatory files” responsive to Plaintiffs’ requests exist. L’Oréal USA has provided this response to Plaintiffs, in writing.

c. Deficiencies in Interrogatory Responses

Plaintiffs’ Position:

Plaintiffs identified deficiencies in L’Oreal USA’s interrogatory responses in several letters. The parties were set to meet and confer on these deficiencies, but shortly before the agreed upon meet and confer on March 6, 2025, L’Oreal canceled the meeting stating it intended to provide a written response to Plaintiffs’ letter dated March 4, 2025, setting forth their position on those matters, as well as other discovery issues the parties have discussed on multiple recent meet-and-confers. Despite Plaintiffs multiple attempts to meet and confer since L’Oreal canceled, L’Oreal has instead maintained it would respond via letter instead of meeting and conferring. Late on March 18, 2025 L’Oreal provided a 37-page response. Plaintiffs are currently digesting the provided information and have asked for a meet and confer on March 21, 2025 to discuss outstanding issues. Should the meet and confers not address the issues, the PSC will be ready to discuss the outstanding issues at the upcoming discovery hearing. Plaintiffs respectfully request that the Court, rather than Special Master Grossman, resolve these disputes at the Case Management Conference or shortly thereafter as they require none of the technical expertise that Special Master Grossman brought to the ESI issues in this litigation.

L’Oreal USA’s Position:

Plaintiffs and L’Oréal USA have had multiple meet and confers regarding Plaintiffs’ claimed deficiencies in L’Oréal USA’s interrogatory responses, and another such meeting is scheduled for March 21. While it is true that one scheduled meet and confer was cancelled due to a personal conflict that arose for L’Oréal USA’s counsel, the issues here are well-known to the parties. Plaintiffs sent a 12-page letter regarding these supposed deficiencies, to which

L'Oréal USA provided a detailed response. To the extent any dispute remains, L'Oréal USA suggests that the parties work with Special Master Grossman to resolve any such dispute.

d. Deficiencies in Production from February 28, 2025 deadline

Plaintiffs' Position:

The PSC has identified a dearth in production in various requested categories to L'Oreal in meet and confers and in a letter dated March 4, 2025. To date, L'Oreal USA, which holds itself out as employing “over 12,000 people in the U.S., including over 400 researchers and scientists” with a “goal of offering the best beauty in terms of quality, efficacy, safety, sincerity and responsibility,” has produced only 63,674 documents in the litigation, of which 15,050 are emails. (See L'Oreal USA's Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories Nos. 2, 3 pursuant to April 9, 2024 Order (ECF 595))

The PSC anticipated, but did not receive much in the way of document production on or around the February 28th deadline, thus are evaluating and intend to raise additional production deficiencies and incompleteness. L'Oreal's productions continue to run afoul of the ESI protocol. Although they continue to attempt to resolve this issue, to date, there are issues with the produced meta-data regarding but not limited to the true creation date of documents, where documents were stored in their systems and the participants on emails. Finally, there are numerous non-custodial sources that L'Oreal listed in their initial disclosures and responses to the second set of interrogatories that have either produced none or a small number of documents. The lack of production from these sources leads Plaintiffs to question whether proper collections were performed, and to the extent this issue is not resolved, the PSC intends to ask the Court to make inquiries concerning litigation holds and collection methods. Given that the February 28th written discovery deadline has passed, the PSC respectfully requests a deadline to meet and confer on these issues so that they may be included in the JSR in advance of the April hearing.

L'Oreal USA's Position:

In short, while Plaintiffs may be frustrated that L'Oréal USA does not have, and therefore cannot produce, more documents in response to many of Plaintiffs' requests, that does not mean L'Oréal USA's production is deficient. As L'Oréal USA has informed Plaintiffs, and certified, it undertook a reasonable and diligent search of both custodial and non-custodial sources to find documents responsive to Plaintiffs' requests. To the extent there are any issues with the metadata fields that L'Oréal USA has provided with its production, L'Oréal USA can provide a metadata overlay to address those, as it has done in the past.

Luster Products, Inc.:

Plaintiffs' Position:

a. Production of Custodial Files

In a letter dated March 8, 2025, and meet and confers held on March 13, 2025, and March 20, 2025, Plaintiffs advised Luster that its ESI document production is deficient for several reasons, including the following:

1. Luster's "Final Hit Report" does not comply with the ESI Protocol in this matter (*see* CMO No. 4, Section VII(B), which requires more than just the number of documents with hits for each term).
2. Luster's ESI production does not comply with the ESI Protocol with respect to metadata (*see* CMO No. 4, Appendix A) because it does not contain any custodial information. To date, none of the documents produced by Luster have custodial information in the metadata.

Defendant Luster has agreed to cure these specific deficiencies to comply with ESI Protocol no later than April 7, 2025 to provide an updated Hit Report and the appropriate custodial metadata. Plaintiffs anticipate updating the Court on this issue at the April 2025 status conference.

b. General Production Issues

To date, Luster has produced a total of 12,077 documents, including 113 e-mails. This includes, but is not limited to, the entirety of emails contained within the 16 agreed-upon custodians. Plaintiffs believe these numbers are low, if not impossible, and therefore deficient. Defendant provided an explanation for the low number of emails. However, after meeting and conferring on March 20, 2025, the parties have agreed it is appropriate to conduct a corporate representative deposition on organizational structure and document collection/production. The parties have agreed that this deposition will occur in the next 45 days. The parties further agree that the taking of this deposition does not preclude plaintiffs from taking additional corporate representative depositions on additional topics in the future.

McBride Research Laboratories, Inc.:

Production of Custodial Files

The PSC is engaged in an in-depth review of McBride's productions following the close of written discovery. As discussed at the February hearing, should the PSC locate additional custodians or believe there to be deficiencies within the custodial files produced to date, the PSC will communicate these deficiencies to McBride and will meet and confer to see if the parties can agree on whether production from these individuals is appropriate. Should we reach an impasse, the parties will seek guidance from the court as appropriate.

Namasté Laboratories, LLC:

a. Production of Custodial Files

Plaintiffs' Position:

The PSC is engaged in an in-depth review of Namaste's productions following the close of written discovery. As discussed at the February hearing, should the PSC locate additional custodians or believe there to be deficiencies within the custodial files produced to date, the PSC will communicate these deficiencies to Namaste and will meet and confer to see if the parties can agree on whether production from these individuals is appropriate. Should we reach an impasse, the parties will seek guidance from the court as appropriate.

Namaste's Position:

At present, Plaintiffs have identified neither additional Namasté custodians nor deficiencies within the custodial files Namasté has produced to date. Namasté agrees to meet and confer with Plaintiffs should any custodial file issues be identified in the future. Namasté notes, however, that Plaintiffs and Namasté briefed substantive custodial file issues late last year. Those issues were presented to Special Master Grossman on November 11, 2024 and she made findings that Namasté believes may be determinative of any issues Plaintiffs may raise on the issue of custodial files.

b. Deficiencies in Interrogatory Responses

Plaintiffs' Position:

The PSC has identified additional deficiencies in Namaste's interrogatory responses and are still awaiting a response. However, given that the February 28th written discovery deadline has passed, the PSC respectfully requests that Namaste provide amended responses or objections no later than April 4, 2025.

Namaste's Position:

On February 18, 2025, Plaintiffs sent Namasté a six (6) page letter listing purported "discovery deficiencies" in Namasté's written responses to nine (9) sets of interrogatories, including Plaintiffs' First Set of Interrogatories to which Namasté initially responded on July 21, 2023 and further supplemented on August 21, 2023 and December 22, 2023. The February 18, 2025 letter provides no explanation for the delay, in some cases, of over 18 months in raising purported deficiencies. Moreover, Plaintiffs have known since October 11, 2024 that "[w]ritten discovery [was] to close on February 28, 2025" [Dkt. No. 884] but still waited over four (4) months to send the purported deficiencies just ten (10) calendar days before the deadline. Compounding the delay, Plaintiffs now point to the fact that "the February 28th written discovery deadline has passed" to "request" that Namaste "provide amended responses or objections no later than April 4, 2025." Plaintiffs should not be permitted to sit on issues for months and then seek the imposition of what amounts to a more or less immediate deadline for Namasté to provide supplemental responses and objections. Namasté has committed to Plaintiffs that they will respond to the

February 18, 2025 letter by March 31, 2025 and further commits to meet and confer with Plaintiffs on the purported deficiencies but objects to the imposition of any deadline to provide amended responses or objections at this time.

Revlon:

Plaintiffs' Position:

a. Production of Custodial Files

The PSC previously identified custodians for whom custodial files have been requested. The parties are continuing to meet and confer on the production of these files. Further, the PSC is engaged in an in-depth review of Revlon's productions following the close of written discovery. As discussed at the February hearing, should the PSC locate additional custodians or believe there to be deficiencies within the custodial files produced to date, the PSC will communicate these deficiencies to Revlon and will meet and confer to see if the parties can agree on whether production from these individuals is appropriate. Should we reach an impasse, the parties will seek guidance from the court as appropriate.

b. Status of 30(b)(6) Deposition Notice

As discussed at the February 13, 2025 hearing, the PSC has issued a 30(b)(6) deposition notice on the topic of product identification. The parties have met and conferred and while progress has been made in terms of identifying the potential witness and narrowing down the dates for the deposition to take place, the parties appear to be approaching an impasse on one issue. Revlon has requested that Plaintiffs provide all topics for 30(b)(6) depositions now, in the event that their proposed witness is the appropriate person to speak on multiple topics. To the extent Revlon seeks to limit Plaintiffs to a "single deposition" notice on all Rule 30(b)(6) topics, Plaintiffs incorporate here by reference the arguments made above.

Additionally, Revlon's argument is flawed because to the extent Revlon chooses to designate an employee as a corporate representative under Rule 30(b)(6), that person is not being deposed in their individual capacity—they are testifying on behalf of the company—and Plaintiffs' ability to obtain corporate testimony should not be sacrificed at the alter of the convenience of a handful of Revlon's employees. This Court has already ordered that a fact witness is separate and distinct from a corporate representative and any argument that a single appearance will be required is flawed. (ECF 1088, 2/13/25 Hrg. Trans. at 102-103).

As argued above, parties should be—and usually are—permitted to amend 30(b)(6) deposition notices to add additional topics as more information about the case becomes available. That is especially true here, where the Defendants recently produced documents that (once their review is complete) will likely form the basis for the need for corporate representative testimony on additional substantive issues.

To be clear, Plaintiffs recognize that Revlon is free to designate the same witness to cover different 30(b)(6) deposition topics, and Plaintiffs will work with Revlon's counsel to coordinate a single deposition on any currently-noticed topics that the individual is designated to cover. But Revlon's desire to limit an individual to only having to sit once for a 30(b)(6) deposition cannot be used to justify prohibiting Plaintiffs' ability to later amend their deposition notice to include additional, and necessary, topics. For the same reason that the Court has unequivocally ruled that an employee's designation as a corporate representative witness does not prevent them from being deposed separately as a fact witness, it should also rule that an individual may need to sit for more than one Rule 30(b)(6) depositions—should Revlon, itself, choose to designate the individual as the person most knowledgeable on a later noticed topic.

c. Status of “For Attorneys’ Eyes Only” Designation

The parties have met and conferred on this issue and are working to resolve this issue prior to the noticed 30(b)(6) deposition. While the parties hope to resolve this without further court intervention, should an impasse be reached, this topic will be included in the JSR for the April hearing.

d. Document Production Deficiencies

In the course of reviewing Revlon's recent document productions, the PSC has become aware of various deficiencies within the production. For example, the PSC has reviewed email correspondence which reference and appear to include an attachment, however the attached file was not produced. There also appears to be inconsistencies within the metadata of the documents produced. Given that the February 28th written discovery deadline has passed, the PSC respectfully requests a deadline to meet and confer on these issues so that they may be included in the JSR in advance of the April hearing.

e. Interrogatory Response Deficiencies

For months, the PSC has informed Revlon of multiple deficiencies within their interrogatory responses. While Revlon has amended their responses to address most of these matters, there remain three (3) unresolved issues: (1) a comprehensive list of all countries and dates sold in each country for each of Revlon's Hair Relaxer Products; (2) foreign and domestic regulatory agency documents; and (3) MSDS information. The parties have met and conferred on these topics and the PSC sent Revlon a letter further outlining these deficiencies on March 14, 2025. Given that the February 28th written discovery deadline has passed, the PSC respectfully requests that Revlon provide amended responses or objections no later than April 4, 2025.

Revlon's Position:

Revlon has been and is available to Meet and Confer as requested by plaintiffs' counsel.

Plaintiff served a 30(b)(6) notice, originally dated May 9, 2024, which covered just one, discreet topic – product identification. Revlon identified a current employee to serve as its 30(b)(6) representative on this top advised plaintiffs’ counsel on March 7, 2025 that Revlon would produce the designated witness in response to Plaintiffs’ 30(b)(6) notice. Revlon is working with the witness to provide some proposed dates but anticipate being able to produce at some point between mid-April and early May of this year. Revlon advised Plaintiffs that it anticipates the witness could potentially be the appropriate person to testify on areas outside the discrete product identification topics contained in the 2024 Notice and that Revlon did want not to have to produce the witness more than once. As such, Revlon requested that Plaintiffs provide an updated 30(b)(6) notice, containing the entirety of topics on which they seek a Revlon corporate representative deposition. Plaintiff’s arguments regarding their right to depose Revlon employees in the capacity of a fact witness is immaterial as Plaintiffs have not sought to depose any Revlon employees, including the suggested product identification witness in a fact capacity. Revlon joins in the co-defendants’ position with respect to depositions and deposition notices and respectfully requests that any Court ruling regarding the above described single deposition notice issue be applicable here, and therefore should the Court determine that Plaintiffs are required to issue all topics within one deposition notice, that they be required to amend their current pending product identification notice to include all topics.

Revlon responded to plaintiff on February 4, 2025 regarding a Bill of Materials produced in this litigation which was marked “For Attorneys’ Eyes Only”. It contains information not only about relaxer products but also proprietary trade secret information as to shampoos, conditioners, and the like that were in the relaxer kits; and which products are still being manufactured by Revlon.

Special Master Grossman, addressed ESI issues in January 2025, and her ruling was confirmed with plaintiffs’ counsel in a January 15, 2025 email. Pursuant to the Special Master ruling, Revlon would review the 62,186 hit only documents and begin production; thereafter plaintiffs were given the opportunity to choose 50 documents for the “Multiple Hits Full Family.” Plaintiffs have not yet chosen those 50 documents for which they are entitled to the “Multiple Hits Full Family”.

By April 4, 2025, Revlon will respond as to relaxer products sold outside the United States from 2011 until 2023 when the products were discontinued. Revlon does not presently have access to information regarding specific product sales outside the United States prior to the 2011 SAP computer changeover by Colomer; other than what may be in the documents produced and plaintiffs’ burden is the same as the Revlon burden to locate Colomer documents as to sales outside the United States. Revlon has searched for and produced all known foreign and US regulatory documents related to relaxers and has produced all known relaxer MSDS; if however any are located at a further time they will be produced.

Sally Beauty Supply LLC:

Production of Custodial Files:

Plaintiffs' Position:

The PSC requested the production of files from six additional custodians on March 7, 2025. The requested custodians were not included in any prior productions beyond appearing in organizational charts before volume nos. 25 and 26, which were produced on February 4, 2025 and February 21, 2025. It was only upon receiving volumes 25 and 26 that Plaintiffs gained further insight into these individuals' roles, warranting

In a response dated March 12, 2025, Sally Beauty initially refused to engage in a meet and confer until Plaintiffs provided a basis for the request. On March 13, 2025, Plaintiffs further provided detailed reasoning for each requested custodian, along with document production volumes that led to their identification.

Despite this transparency and cooperation, Sally Beauty continued to refuse to meet and confer. Instead, on March 17, 2025, Sally Beauty once again demanded additional information before agreeing to any discussions. However, in a response dated March 19, 2025, Sally Beauty has now agreed to engage in a meet and confer regarding these custodians, which is now scheduled for March 24, 2025. Should the parties reach an impasse, the Plaintiffs will promptly inform and seek guidance from the Court.

Sally Beauty's Position:

On March 7, 2025—a full week after the close of written discovery, and 16 months after Plaintiffs last discussed custodians with Sally Beauty—Plaintiffs requested the “custodial files” of six (6) never-before-mentioned custodians. In response, Sally Beauty requested information from Plaintiffs to understand why Plaintiffs believed these custodians have unique, relevant information beyond what Sally Beauty already produced, and why Plaintiffs waited until after the close of discovery to first request these custodians' files when the documents referencing their names were produced over a year ago. As of this writing, Plaintiffs have not provided the information that Sally Beauty has requested. Based on the current record, however, Sally Beauty knows that each of these custodians appeared in Sally Beauty's productions no later than February 2024, more than a full year ago, and in one instance, Plaintiffs even pointed to the custodian's public LinkedIn profile (which was created in 2011) as the basis for Plaintiffs' request. In another instance, Plaintiffs pointed to “organizational charts” (which, as Plaintiffs now acknowledge, were produced well before the more recent productions)⁸ at the basis for their request. Plaintiffs' requests are too late in this specific instance.

⁸ Plaintiffs' position inaccurately describes the date of Sally Beauty's productions that are the supposed basis of Plaintiffs' request. Sally Beauty produced volume 25 on January 10, 2025, and volume 26 on February 4, 2025. Sally Beauty produced volume 27 (its last volume of production)—consisting of 12 documents, none of which involved the late-requested custodians—on February 21, 2025.

At no point has Sally Beauty refused to meet and confer. Instead, Sally Beauty simply asked Plaintiffs to provide Sally Beauty information about the basis for their request in advance of the meet and confer (such as identifying the documents that Plaintiffs believe indicate these late-requested custodians have unique, relevant information), so that Sally Beauty could be prepared to discuss. Plaintiffs refuse to provide that information. Nevertheless, Sally Beauty will continue to meet and confer with Plaintiffs on this topic. If the parties are unable to reach agreement, Sally Beauty asks that the parties be permitted to present this dispute as an issue in the Joint Status Report leading up to the April hearing, so that the issue can be resolved at the April hearing.

Strength of Nature LLC:

Production of Custodial Files:

Plaintiffs' Position:

The PSC requested the production of files for ten (10) custodians and Strength of Nature agreed to produce these documents. The PSC is engaged in an in-depth review of Strength of Nature's productions following the close of written discovery. In January 2025, the PSC requested five (5) additional custodians and Strength of Nature agreed to produce documents for three (3) of those custodians. The Parties are meeting and conferring to verify that production is complete for these custodians from January 2025: Deborah Disher, Karan Sood, and Bhaskar Lakhotia. Further, on March 13, 2025, following review of additional documents produced in February 2025, the PSC requested twelve (12) additional custodial file productions. As discussed at the February hearing, given the PSC located additional custodians, the PSC communicated those requests to Strength of Nature and will meet and confer to see if the parties can agree on whether production from these individuals is appropriate (which is ongoing). Should we reach an impasse, the parties will seek guidance from the court as appropriate.

Strength of Nature's Position:

Strength of Nature has provided custodial productions for the ten custodians requested by Plaintiffs on May 1, 2024, at the beginning of document discovery. Strength of Nature also collected and produced before the February 28, 2025 deadline the files of four additional custodians first requested by Plaintiffs on January 23. These custodial productions are in addition to the go-gets and hard copy productions made by Strength of Nature as part of its document production. On March 13, Plaintiffs identified 12 more individuals for whom they requested custodial productions. Each of the individuals named by Plaintiffs had appeared in Strength of Nature's document productions before the first supplemental request, on January 23, was made, and some appear to have been identified by Strength of Nature to Plaintiffs at the beginning of discovery, in October 2023. Strength of Nature has requested additional information from Plaintiffs, including the basis for including the individual as a custodian and an explanation for why the individual was not identified sooner. Once Strength of Nature has that

additional information, it will be prepared to meet and confer with Plaintiffs regarding their request.

III. **Class Discovery Status:**

Plaintiffs' Position:

On November 13, 2024, defendants L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC served their First Set of Interrogatories and Requests for the Production of Documents on all plaintiffs named in the Master Class Complaint. The class representatives timely responded to these requests on January 27, 2025.

Following the exchange of responses, the parties met and conferred regarding the defendants' alleged deficiencies. Despite limited movement and insight from defense counsel, the class representatives served supplemental responses to Defendants' Interrogatories and Requests for Production on March 14, 2025. These supplemental responses reflect the class representatives' ongoing cooperation and commitment to fulfilling their discovery obligations.

Defendants' assertions regarding the class representatives' discovery responses misrepresent the current status of their compliance efforts. The class representatives have acted in good faith and made substantial progress in responding to the defendants' discovery requests. To date, 31 class representatives have served updated interrogatory responses, with seven producing responsive documents addressing many of the concerns raised by defendants, including those related to the typicality of plaintiffs' claims. Of note, a class representative is not required to prove typicality in response to discovery. Typicality is a legal determination made during class certification under Rule 23(a)(3) of the Federal Rules of Civil Procedure. The class representatives are actively working to continue supplementing their productions and will continue to do so through their ongoing responsibility to supplement throughout discovery.

Regarding the defendants' claims about deficiencies in responses to requests seeking medical information, there remains an unresolved dispute regarding the scope of the medical records that the defendants are entitled to receive. The class representatives have asserted valid relevance, privacy, and burden objections that go beyond the protective order and have not been resolved through the meet and confer process. Despite the class representatives' willingness to engage in good-faith negotiations, defendants were unwilling to move from their position or consider reasonable limitations, making judicial intervention necessary to resolve the issue.

Despite our efforts in the meet and confer, the class representatives' objections to the discovery requests continue to be ignored. Fundamentally, the scope and nature of the discovery requests, which fail to account for the distinction between a class action bringing claims for economic harm and medical monitoring and a personal injury mass tort proceeding. Defendants seek discovery that is more appropriate for individual

plaintiffs with claims based on past personal and physical injuries that are individualized rather than representative plaintiffs bringing class claims based on a common economic harm and need for medical monitoring in the future. The discovery burden imposed on the class representatives must be proportional to the evidentiary needs of their claims and Defendants' potential defenses to those claims. The class representatives have responded per their obligations as class plaintiffs and maintain that defendants' demands exceed the permissible scope of discovery in this class action context.

Concerning product identification, the class representatives have provided reasonably available information, including identifying the brands of hair relaxers they used. Where class representatives cannot recall specific product names, they have responded to the best of their knowledge. Additionally, the class representatives' responses regarding marketing representations reflect the reality that they cannot reasonably be expected to recall every statement they viewed over years of product use. Nonetheless, they have provided details to the best of their recollection, including identifying the types of marketing materials they were exposed to, such as in-store promotions, magazine advertisements, and online marketing. Further, Defendants' claim that class representatives improperly object to certain requests on the grounds that they require expert input misrepresents their position. The class representatives have appropriately objected to requests seeking expert-level scientific or technical information outside their personal knowledge, as such information will be addressed through expert discovery. Finally, the defendant's assertion that the class representatives have "wholly objected" to document requests is inaccurate. The class representatives have already begun producing documents, and this process is ongoing. The claim that only one class representative has produced documents is incorrect, as six class representatives have now served productions for categories of document requests appropriate for class discovery.

The class plaintiffs remain committed to cooperating in discovery and will continue to supplement their responses and productions in accordance with their obligations. However, the ongoing dispute over the scope of medical record production requires judicial resolution, as defendants have refused to engage in a reasonable compromise and continue their overall push for a scope of discovery that is improper for a class lawsuit.

Defendants' Position:

On November 13, 2024, L'Oréal USA served its First Set of Interrogatories and Requests for Production of Documents on all Plaintiffs named in the Consolidated Class Action Complaint. Plaintiffs responded to the requests on January 27, 2025—after L'Oréal USA granted their request for a 45-day extension—, but these responses were substantively deficient. (*See* Ex. C, Letter from A. Alajajian to J. Hoekstra (Feb. 12, 2025).) Per the Court's order, the parties met and conferred on February 27, 2025, and at a minimum, the following issues remain outstanding.

First, with respect to requests seeking medical information from Plaintiffs (*see, e.g.*, Ex. D, Plaintiff Markeia Hines’s Response to Interrogatory Nos. 15, 18-19), several Plaintiffs continue to stand on their relevance and privacy objections and have not provided substantive responses, despite Plaintiffs’ acknowledgment that the Protective Order governing the MDL applies here. These requests are narrowly tailored (seeking, *e.g.*, “communications with any HEALTHCARE PROVIDER, orally or in writing, about whether YOUR ALLEGED INJURY is related to YOUR exposure to HAIR RELAXER PRODUCTS”), and are squarely relevant to Plaintiffs’ allegations that they are at an “increased risk” of developing cancer.

Second, Plaintiffs’ responses to requests concerning product identification are deficient. For requests seeking the identity of hair relaxer products Plaintiffs used (*see, e.g.*, Ex. E, Plaintiff Alicia Glenn’s Response to Interrogatory No. 2), several Plaintiffs identify only hair relaxer brands—not products. These Plaintiffs should either provide the names of the products at issue, or confirm that they do not recall the same. Certain Plaintiffs’ responses to requests seeking the identity of other hair care products they have used are similarly deficient. (*See, e.g., id.* at Interrogatory No. 6.)

Third, Plaintiffs’ interrogatory responses concerning representations they viewed/heard in connection with product purchases are deficient. For example, nine Plaintiffs continue to assert that they “cannot be expected to identify each and every statement or representation that [they] reviewed or heard about” during their years of product use. (*See, e.g.*, Ex. F, Plaintiff Theresa Baldwin’s Response to Interrogatory No. 3.) Additionally, 30 Plaintiffs state that they have “routinely seen publicly available marketing materials including in store promotions and various ads in magazines and online marketing” without identifying the advertisement’s content, the product advertised, or approximately when they saw or heard the advertisement, as requested. (*See, e.g., id.* Response to Interrogatory No. 7.)

Fourth, some Plaintiffs respond to requests seeking information about the basis of their claims in this lawsuit by stating that this information is –not within their personal knowledge and requires expert input. (*See, e.g., id.* Response to Interrogatory Nos. 9-14 and 16 (seeking, *inter alia*, information supporting Plaintiffs’ allegation that “EDCs are present in some of Defendants’ Toxic Hair Relaxer Products under the guise of ‘fragrance’ and ‘perfumes’”).) Plaintiffs should amend their responses to clarify that they do not possess any facts in support of the allegations at issue. Moreover, no Plaintiff has provided a substantive response to interrogatories seeking information concerning how their claims are typical of the putative classes. (*See, e.g.*, Ex. G, Plaintiff Shaquota Jackson’s Response to Interrogatory No. 21.) While Plaintiffs contend that they do not need to “prove typicality” at this juncture, they are obligated to respond to discovery requests on this point. Objections that this request calls for a legal “conclusion” or “determination” are inappropriate. *See* Fed. R. Civ. P. 33(a)(2). Several Plaintiffs also object to providing information regarding communications with other persons –about their participation in this lawsuit, and object to interrogatories asking how they first became aware that hair relaxer products they used were “toxic,” “unsafe,” and “adulterated,” as alleged in the Complaint, claiming this information

“has no effect on the litigation.” (*See, e.g., id.* Response to Interrogatory No. 22; Ex. D, Response to Interrogatory No. 15.)

With respect to document requests, Plaintiffs have wholly objected to requests that seek squarely relevant information. (*See, e.g.,* Ex. H, Plaintiff Ariel Richardson’s Response to Requests for Production Nos. 12 and 21.)¹ Further, the four Plaintiffs who have amended their responses to the document requests to date continue to assert privacy objections with respect to several requests, despite their acknowledgment that there is a Protective Order in place. (*See, e.g.,* Ex. I, Plaintiff Tori Duncan’s Amended Response to RFP Nos. 1, 2, 6, 19, 20, 22, 23-29, 31-36.) Moreover, despite numerous Plaintiffs indicating in their January 27, 2025 responses that they were in possession of relevant and responsive documents, to date, only five Plaintiffs have produced documents.

L’Oréal USA respectfully requests that Plaintiffs be ordered to provide amended responses to the above-referenced requests, and begin their document production, within seven days of the upcoming status conference.

IV. **Special Master Grossman Invoice Status:**

Plaintiffs’ Position:

Plaintiffs have no outstanding payments owed to Special Master Grossman.

Defendants’ Position:

Liaison Counsel coordinated with Special Master Grossman to verify the amount of any outstanding fees. Special Master Grossman confirmed receipt of payment in full on all outstanding defendant fees on March 20, 2025. Liaison Counsel has further committed to Special Master Grossman that all fees going forward will be promptly and timely submitted to her account.

Dated: March 20, 2025

FOR PLAINTIFFS:

Respectfully Submitted,

/s/Edward A. Wallace

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Edward A. Wallace

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Exhibit A

IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF ILLINOIS EASTERN DIVISION

**IN RE: HAIR RELAXER MARKETING
SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

Case No. 23-cv-00818

MDL No. 3060

Judge Mary M. Rowland

**DEFENDANT NAMASTÉ LABORATORIES, LLC'S RESPONSES AND OBJECTIONS
TO PLAINTIFFS' SECOND AMENDED NOTICE OF ORAL DEPOSITION PURSUANT
TO FEDERAL RULE OF CIVIL PROCEDURE 30(B)(6)**

Defendant Namasté Laboratories, LLC hereby provides the following responses and objections to Plaintiff's Second Amended Notice of Oral Deposition of Defendant Namasté Laboratories, LLC Pursuant to Federal Rule of Civil Procedure 30(b)(6) (the "Notice") served on Namasté on October 26, 2023:

PRELIMINARY STATEMENT

By responding to the Notice, Namasté does not concede, but specifically denies, that the operative complaints are adequately pleaded or state legally sufficient claims for relief against Namasté. Namasté does not waive or otherwise relinquish in any way its right to move to dismiss the claims asserted against it. Moreover, Namasté's investigation is ongoing, and the responses and information provided herein are based on information presently known and available to Namasté. Namasté specifically reserves the right to produce evidence of any fact or fact subsequently discovered or recalled.

This response is made in a good faith effort to supply as much factual information as is presently known, but should in no way prejudice these parties in relation to further discovery, research, or analysis. Should the need arise by way of further discovery, investigation, or legal analysis, Namasté reserves the right to alter, supplement, amend, or otherwise modify its responses

in any way and at any time prior to a final judgment in this case. Namasté also reserves the right to amend or supplement its responses with any information that has been inadvertently or unintentionally omitted and/or to introduce such information into evidence at the time of hearing or trial, though Namasté is not presently aware of any such information.

Namasté provides information as a part of this deposition subject to, and without waiving, any objections as to competence, relevance, materiality, propriety, and admissibility, and any and all other objections and grounds which would require the exclusion of any statement if the information were asked of, or any statements contained were made by, a witness present and testifying in court, all of which objections and grounds are reserved and may be interposed at time of trial.

GENERAL OBJECTIONS

Namasté makes the following general objections to the Notice, and these general objections are hereby incorporated into each specific response. The assertion of the same, similar or additional objections or partial responses to the individual Subject Matters for Testimony or Requests for Production of Documents does not waive any of these general objections.

1. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they seek information that is not proportional to the needs of the litigation.

2. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they purport to impose on Namasté obligations broader than, or inconsistent with, those imposed by the Federal Rules of Civil Procedure, the Local Rules of Civil Practice and Procedure of the United States District Court for the Northern District of Illinois, any orders of the Court, or by any other applicable law or

negotiated protocol governing discovery obligations in the above-captioned action.

3. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent they seek discovery of any confidential information or communication that is protected from disclosure by the attorney-client privilege, the work product doctrine or any other applicable privilege, immunity or exception. No such information will be produced and nothing in these responses, or any inadvertent production or identification of documents or other information by Namasté, is intended as, or shall be deemed, a waiver of any applicable privilege, immunity or exception.

4. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they are overbroad, unduly burdensome and seek information that is neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Namasté further objects to the extent that the plaintiffs seek to require Namasté to provide information other than that which may be obtained through a reasonably diligent search and/or information that is in the public domain or equally available to the plaintiffs.

5. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent they would require Namasté to produce information covered by confidentiality agreements or protective orders with others, or that constitute an unwarranted invasion of constitutional, statutory and/or common-law rights of privacy and confidentiality.

6. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they seek private, privileged and confidential commercial, financial and/or proprietary information, trade secrets

and/or any other non-public information protected from disclosure by law, a court order or agreement.

7. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, insofar as they are repetitive, redundant or overlapping.

8. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they, or any words or terms used therein, are vague, ambiguous, compound, confusing, unintelligible, unclear, subject to different interpretations and/or lacking in definition. Namasté is producing a witness and responding to document requests to the extent possible based on the most objectively reasonable interpretation of the Subject Matters for Testimony and Requests for Production of Documents, and in light of agreements reached by the parties during meet-and-confer efforts. If the plaintiffs assert an interpretation that differs from Namasté's understanding, Namasté reserves the right to supplement, amend or modify their responses or objections.

9. Namasté objects to the Notice in its entirety, and to the Subject Matters for Testimony and Requests for Production of Documents propounded therein, to the extent that they seek information not in Namasté's possession, custody or control, and/or purport to call for information that Namasté does not possess and has no obligation to maintain. Namasté has made a diligent effort to gather relevant information but there may be information that is beyond Namasté's possession, custody or control.

10. Plaintiffs allege only one Namasté brand that they purport caused them injury: ORS Olive Oil. (Master Complaint ¶ 2.) Any Subject Matters for Testimony or Requests for Production of Documents regarding brands other than ORS Olive Oil would not bear on the operative

complaint and, instead, would reflect an improper fishing expedition in the hopes of finding some other brand from which they could attempt to develop a claim. *See E.E.O.C. v. Harvey L. Walner & Assocs.*, 91 F.3d 963, 971–72 (7th Cir. 1996).

11. Namasté objects that the term “Affiliate” is defined to include “direct or indirect” subsidiaries or parents of Namasté to the extent it is inconsistent with the MDL Court’s Order of October 2, 2023. The definition is overly broad, vague and ambiguous.

12. Namasté objects to the term “any” as used in the Requests for Production of Documents as overly broad, unduly burdensome, vague, ambiguous, and not proportional to the needs of this litigation. Namasté will provide documents that it locates as part of a reasonable, diligent investigation, in accordance with the ESI Protocol entered in this litigation and consistent with the searching protocols the parties have negotiated and finalized, including search terms, a discrete set of custodians and such other conditions and processes as may be agreed on by the parties or ordered by the Court.

13. Namasté objects to the definition of the term “Communication” to the extent it renders the Document Request overly broad, unduly burdensome, vague, ambiguous, requires Namasté to engage in speculation and/or is not proportional to the needs of this litigation. Namasté objects to the definition of the term “Communication” to the extent this definition seeks information protected by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity, seeks confidential commercial, financial, and/or proprietary business information, or seeks information otherwise not proportional to the needs of this case. Namasté further objects to the definition of the term “Communication” to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons’ constitutional, statutory and/or common-law rights of privacy and

confidentiality. Namasté further objects to this definition to the extent it renders the Document Request overly broad and requires Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to this definition to the extent the plaintiffs seek to require Namasté to provide information other than that which may be obtained through a reasonably diligent search of its own records, and/or to the extent the plaintiffs seek documents that are in the public domain or are equally available to the plaintiffs.

14. Namasté objects to the definition of the term “Documents” to the extent that it purports to set forth a definition different from that of Rule 34 of the Federal Rules of Civil Procedure and any other applicable authority. “Documents” shall have the meaning of the term documents as defined in Rule 34.

15. Namasté objects to the definition of the term “Electronic communications” as overly broad, unduly burdensome, vague and ambiguous.

16. Namasté objects to the definition of the term “Electronic information” as overly broad, unduly burdensome, vague and ambiguous.

17. Namasté objects to the definition of the term “Employee” as overly broad, unduly burdensome, vague and ambiguous.

18. Namasté objects to the definition of “Hair Relaxer Products,” “Hair Relaxing Products,” “Hair Relaxer Brands,” “Hair Relaxing Brands,” and “Products” as overly broad, vague and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to

include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and “Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States. Namasté markets certain “Hair Relaxers” (as Namasté defines the term herein) in “kits” that include products that are not “Hair Relaxers.” For the purposes of these responses, Namasté will identify the name of the kit in which the “Hair Relaxer” is sold.

19. Namasté objects to the definition of “Harm” as overly broad, unduly burdensome, vague and ambiguous.

20. Namasté objects to the definition of “Health Effect” as overly broad, unduly burdensome, vague and ambiguous.

21. Namasté objects to the definition of “Possession, custody and control” to the extent it exceeds the definition of that terms has interpreted by courts sitting in the Seventh Circuit.

22. Namasté objects to the definition of “Subsidiary” as overly broad to the extent that it includes individuals and entities other than Namasté Laboratories, LLC.

23. Namasté objects to the definition of “Successor” as overly broad to the extent that

it includes individuals and entities other than Namasté Laboratories, LLC.

24. Namasté objects to the definition of “You” and “Your” as overly broad to the extent that it includes individuals and entities other than Namasté Laboratories, LLC. To the extent that the plaintiffs purport to include individuals or entities that are separate and distinct from Namasté, Namasté objects and declines to respond on behalf of any such entities. Namasté further objects to this definition on the grounds that it is vague, ambiguous, unduly burdensome and encompasses or seeks information that is not relevant to this litigation. Namasté further objects to the definition of the terms “You,” and “Your” to the extent that a request using that definition seeks information protected by the attorney-client privilege, the attorney work product doctrine and/or any other applicable privilege or immunity, seeks confidential commercial, financial and/or proprietary business information, or seeks information otherwise not proportional to the needs of the litigation. Namasté further objects to the definition of the terms “You” and “Your” to the extent that a request using this definition seeks information outside of Namasté’s possession, custody or control and only in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of,” Namasté. In responding to the requests, Namasté understands the terms “You” and “Your” to mean only Namasté Laboratories, LLC.

25. Namasté further objects to the extent that any of the below Subject Matters for Testimony seek to elicit information unrelated to the corporate legal structure of Namasté or the organizational structure of individual departments or divisions within Namasté. The parties have previously met and agreed to limit the scope of the deposition noticed herein to the corporate structure of Namasté, to the identification of divisions and departments within Namasté, and to the organizational structure of those divisions and departments, including the identity of individuals

in charge of each. More specifically, the parties have agreed to electronic-search terms aimed at narrowing the millions of documents in Namasté's possession, and the plaintiffs are aware that from the results of those searches, Namasté has exclusively produced documents depicting corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division. Plaintiffs are additionally aware that Namasté's review and production of documents remains ongoing as to their other discovery requests, and despite this the plaintiffs have agreed in writing to move forward with the deposition noticed herein. More specifically, the plaintiffs promised to withhold any objection on those grounds and will not request an additional opportunity to depose the witness despite the ongoing nature of production and the limited scope upon which the parties have agreed for this deposition.

26. For the reasons stated *supra* ¶ 25, Namasté objects to the Requests for Production in their entirety. The parties have previously met and agreed to move forward with the deposition noticed herein despite the ongoing nature of Namasté's document production. Plaintiffs are aware that Namasté has not produced, and has no intention of producing prior to the deposition noticed herein, any documents that do not meet *each* of the following two criteria: (1) electronically stored documents that were identified by the party-agreed search terms; *and* (2) documents that depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division. To date, Namasté has exclusively produced documents relevant to the organizational structure of Namasté and its individual departments, and the plaintiffs have, notwithstanding, expressly agreed to move forward with the deposition noticed herein. Plaintiffs have promised not to object on those grounds or to otherwise request an additional opportunity to depose the witness despite the ongoing nature of production and the limited scope of deposition upon which the parties have agreed f. Namasté accordingly

objects to the plaintiffs' request for "produc[tion] in advance of the deposition" of any documents not meeting the above-mentioned criteria, as well as to each and every request for production exceeding that agreed-upon scope.

The foregoing objections are incorporated by reference into each of the specific responses made herein. Notwithstanding the specific responses to the Requests for Production of Documents, Namasté does not waive any of the general or specific objections made herein. Subject to and without waiving the foregoing general objections, Namasté responds as follows:

**SPECIFIC OBJECTIONS TO PLAINTIFFS’
SUBJECT MATTERS FOR TESTIMONY**

SUBJECT MATTER NO. 1:

YOUR organizational and corporate history.

RESPONSE TO SUBJECT MATTER NO. 1:

Namasté objects to this Subject Matter on the grounds that it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See* Fed. R. Civ. P. 30(b)(6). Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information.

Namasté also objects to this Subject Matter on the grounds that it is overbroad. Namasté started selling hair relaxer products in the United States in 2003 and offered products through various brands and divisions, the vast majority of which have no connection to this case. This Subject Matter, thus, seeks information that is not proportional to the needs of this case and not relevant to the subject matter of this litigation. Moreover, no witness can reasonably be expected to recite historical facts spanning 25 years (*e.g.*, five years prior to Namasté beginning to sell these products), nor are they required to do so. *See Clay v. Dart*, 2023 WL 4205531, at *4 (N.D. Ill. June 27, 2023) (“Rule 30(b)(6) depositions are not designed to be a memory contest . . . nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”).

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 2:

YOUR corporate structures and organizations, and all of YOUR domestic and foreign SUCCESSORS in interest, predecessors in interest, SUBSIDIARIES, PARENTS, AFFILIATES, and any of its divisions, subdivisions, PARENTS, SUBSIDIARIES, AFFILIATES, partners, directors, officers, EMPLOYEES, servants, AGENTS, joint venturers, independent contractors, third-party contractors, attorneys, accountants, consultants, investment advisors, bankers or other representatives, whether present or former, and any other person acting or purporting to act on its behalf, as they relate to YOUR HAIR RELAXER PRODUCT(S) and any predecessor, SUCCESSOR, or non-final derivation of the product; Plaintiffs provide the following descriptions to assist YOUR selection and preparation of the witness(es) pursuant to Rule 30(b)(6), and, therefore, state with more particularity the following:

a. The identification of each individual, department or group, region, and/or division with knowledge of the allegations described in the Complaint, including but not limited to dangers of YOUR HAIR RELAXER PRODUCT(S) use, design and/or design flaws of YOUR HAIR RELAXER PRODUCT(S), complications of the YOUR HAIR RELAXER PRODUCT(S) use, studies or investigations concerning YOUR HAIR RELAXER PRODUCT(S), and/or training related to YOUR HAIR RELAXER PRODUCT(S) use.

b. The identification of each individual, department or group, region, and/or division with knowledge of the allegations described in the Complaint, including but not limited to promotion, marketing, distribution and/or training related to use of YOUR HAIR RELAXER PRODUCT(S).

c. The identification of each individual, department or group, region, and/or division with knowledge of adverse health events related to YOUR HAIR RELAXER PRODUCT(S) and which department or group, region, and/or division they reported to, how adverse events were tracked,

monitored, evaluated or investigated and corrective action taken with respect thereto (if any).

d. The identity of all of YOUR divisions, departments, teams, groups, AFFILIATES, SUBSIDIARIES, EMPLOYEES, former EMPLOYEES, contractors, AGENTS and/or representatives involved in communicating with the FDA and responsible for branding and marketing compliance with the FD&C and the Fair Packaging and Labeling Act.

e. The identification of YOUR corporate structure and organization, both before and after any mergers or acquisitions, reorganizations and moves, with respect to all SUBSIDIARIES, AFFILIATES, branches, operating units, departments divisions, and/or other subdivisions and their relationship, if any, to YOUR HAIR RELAXER PRODUCT(S) from the past to the present and how each of those entities preserved documents referring or relating to YOUR HAIR RELAXER PRODUCT(S).

f. The identity of all YOUR entities including, but not limited to PARENT(S) SUBSIDIARIES and affiliated entities (foreign and domestic) past or present, involved in any matter with YOUR HAIR RELAXER PRODUCT(S), including, but not limited to involvement by agreement or otherwise with knowledge of the allegations in the described in the Master Complaint including but not limited to dangers of using, development, design and/or design flaws, complications from use, studies or investigations, testing, promotion, safety, regulation, oversight, distribution and/or training related YOUR HAIR RELAXER PRODUCT(S) and/or its uses.

g. The identity of any and all third parties engaged to assist YOU (including its predecessor(s)) in the design, testing, development, manufacturing, marketing, selling, and/or distribution of YOUR HAIR RELAXER PRODUCT(S), and the development, drafting and/or placement of warnings and/or LABELS related to YOUR HAIR RELAXER PRODUCT(S), and the regulatory compliance for YOUR HAIR RELAXER PRODUCT(S).

h. The identity, description and responsibilities of all of YOUR divisions, departments, groups, AFFILIATES, SUBSIDIARIES, EMPLOYEES, former EMPLOYEES, contractors AGENTS, and/or representatives involved in evaluating, initiating and/or conducting research and development for YOUR HAIR RELAXER PRODUCT(S).

i. The identify, description and responsibilities of any and all third parties engaged to assist DEFENDANT in evaluating whether any of YOUR HAIR RELAXER PRODUCT(S) caused personal injury to users of YOUR HAIR RELAXER PRODUCT(S), including but not limited to Cancer.

RESPONSE TO SUBJECT MATTER NO. 2:

Namasté objects to this Subject Matter on the grounds that it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See* Fed. R. Civ. P. 30(b)(6). Plaintiffs’ demand for an identification of individuals or entities “with knowledge of the allegations described in the Complaint” and their use of several “including but not limited to” phrases within this Subject Matter render the Subject Matter impermissibly overbroad, unduly burdensome and in violation of Rule 30(b)(6). *See Centurylink Comm’s LLC v. Peerless Network, Inc.*, 2020 WL 11647818, at *1 (N.D. Ill. Jan. 28, 2020) (“Even before the 2015 amendments to Rule 26(b)(1), courts commonly held that topic descriptions containing the term “includ[ing] but not limited to” were too broad to comply with Rule 30(b)(6) and subjected the noticed party to an impossible task of preparing a 30(b)(6) witness.”); *see also Lang v. Colonial Penn Life Ins. Co.*, 2022 WL 4465719, at *7 (N.D. Ill. Sept. 26, 2022) (party’s use of “includes, but is not limited to,” in deposition topic “almost necessitates an overbreadth finding, as ‘stating that the inquiry may extend beyond the enumerated topics defeats the purpose of having any topics at all.’”); *Winfield v. City of New York*, 2018 WL 840085, at *5 (S.D.N.Y. Feb. 12, 2018) (“‘Reasonable particularity’ requires the topics listed to be specific as to subject area and to have discernible boundaries. This means that the topics should not be listed as

‘including but not limited to;’ rather, they must be explicitly stated.” (internal citations omitted)).

Namasté further objects to this Subject Matter on the grounds that it seeks information that is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, not proportional to the needs of this case, and unduly burdensome, as it encompasses products that no plaintiff used. Namasté further objects to the phrase “as they relate to YOUR HAIR RELAXER PRODUCT(S),” “training,” “dangers,” “involvement by agreement or otherwise” and “the identity” as vague, ambiguous and overbroad. Namasté further objects that this Subject Matter seeks duplicative information, rendering it unintelligible (*compare* (a) “dangers of YOUR HAIR RELAXER PRODUCT(S) use, design and/or design flaws” *with* (f) “dangers of using, development, design and/or design flaws....”; *compare* (a) “training related to YOUR HAIR RELAXER PRODUCT(S) use” *with* (b) “training related to use of YOUR HAIR RELAXER PRODUCT(S)” *and* (f) “training related YOUR HAIR RELAXER PRODUCT(S) and/or its uses.”).

Namasté further objects to the definition of “Hair Relaxer Products” as overly broad, vague and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean

products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and “Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States.

Namasté further objects to the definition of “Your” as overly broad to the extent it includes individuals and entities other than Namasté. Namasté further objects to the definition of “Your” to the extent this definition seeks information in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of” Namasté that is not consistent with the MDL Court’s order of October 2, 2023. Namasté further objects to this definition on the grounds that it is ambiguous, unduly burdensome, encompasses or seeks information that is not relevant to this litigation, and exceeds the parties’ agreed-upon scope of matters for testimony—namely, the corporate structure of Namasté and the organizational structure of Namasté’s individual departments and divisions. Namasté further objects to the request for distribution dates to the extent it seeks information that is not in Namasté’s possession, custody or control or the possession, custody or control of its affiliates disclosed on October 10, 2023. Namasté further objects to the term “any” to the extent it renders the request overly broad, unduly burdensome, vague, or ambiguous, requires Namasté to engage in speculation, and/or is not proportional to the needs of this litigation.

Namasté further objects to “non-final derivation of the product” as vague, ambiguous, irrelevant and not proportional to the needs of the case. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business

information. Namasté further objects to this Subject Matter to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons' constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to this Subject Matter on the grounds that it is overbroad, especially with respect to the phrase "from the past to the present." No witness can reasonably be expected to provide the identity, description and responsibilities of all persons and third parties from the "past to the present" who may have had some involvement with Hair Relaxer Products, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 s("Rule 30(b)(6) depositions are 'not designed to be a memory contest,' ... nor are they 'meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.'").

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties' agreement that the noticed deposition would be limited to testimony concerning Namasté's legal corporate structure, the organizational structure of Namasté's internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 3:

The organizational structure within each department, group, region, and/or division identified pursuant to subject matter No. 2

RESPONSE TO SUBJECT MATTER NO. 3:

Namasté objects to this Subject Matter on the grounds that, by virtue of its incorporation of Subject Matter No. 2, it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See Fed. R. Civ. P. 30(b)(6)*. Namasté further objects to this Subject Matter on the grounds that "organizational structure" as to "region" is vague, ambiguous and

unintelligible. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Subject Matter on the grounds that it is overbroad. No witness can reasonably be expected to provide the organizational structure of every department, group, and/or division from the “past to the present” which may have had some involvement with Hair Relaxer Products, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 (“Rule 30(b)(6) depositions are ‘not designed to be a memory contest,’ ... nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”). Namasté further objects that this Subject Matter seeks information that is duplicative of Subject Matter Nos. 1 and 2, which seek Namasté’s organizational history, corporate structures and organizations, thus rendering this Subject Matter unintelligible.

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 4:

The functions and duties of each such department, group, region, and/or division identified pursuant to subject matter No. 2.

RESPONSE TO SUBJECT MATTER NO. 4:

Namasté objects to this Subject Matter on the grounds that, by virtue of its incorporation of Subject Matter No. 2, it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See Fed. R. Civ. P. 30(b)(6)*. Namasté further objects to this Subject Matter on the grounds that “functions and duties” as to “region” is vague, ambiguous and

unintelligible. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Subject Matter on the grounds that it is overbroad. No witness can reasonably be expected to identify the functions and duties of every department, group, and/or division from the “past to the present” which may have had some involvement with Hair Relaxer Products, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 (“Rule 30(b)(6) depositions are ‘not designed to be a memory contest,’ ... nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”). Namasté further objects that this Subject Matter seeks information that is duplicative of Subject Matter No. 2, which seeks the “description and responsibilities” of Namasté’s divisions, departments and groups, thus rendering this Subject Matter unintelligible.

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 5:

The name, job title, and job duty of each individual who performed any function within each department, group, region, and/or division identified pursuant to subject matter No. 2.

RESPONSE TO SUBJECT MATTER NO. 5:

Namasté objects to this Subject Matter on the grounds that, by virtue of its incorporation of Subject Matter No. 2, it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See Fed. R. Civ. P. 30(b)(6)*. Namasté further objects to this

Subject Matter on the grounds that a demand seeking the “name, job title, and job duty of each individual who performed any function within each department, group, region, and/or division identified pursuant to subject matter No. 2” is overly broad and unduly burdensome. Namasté further objects that “any function” is overly broad, irrelevant and not proportional to the needs of the case. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Subject Matter to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons’ constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to this Subject Matter on the grounds that it is overbroad. No witness can reasonably be expected to identify the name, job title and job duty of every individual from the “past to the present” who may have had some involvement with Hair Relaxer Products, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 (“Rule 30(b)(6) depositions are ‘not designed to be a memory contest,’ ... nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”). Namasté further objects that this Subject Matter seeks information that is duplicative of Subject Matter No. 2, which seeks the identification of each individual . . . with knowledge of the allegations described in the Complaint,” thus rendering this Subject Matter unintelligible.

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 6:

The name, job title, and job duty of each individual who had any decision-making authority within each department group, region, and/or division identified pursuant to subject matter No. 2.

RESPONSE TO SUBJECT MATTER NO. 6:

Namasté objects to this Subject Matter on the grounds that, by virtue of its incorporation of Subject Matter No. 2, it fails to comply with the reasonable particularity requirement of Rule 30(b)(6) and, therefore, is unduly burdensome. *See* Fed. R. Civ. P. 30(b)(6). Namasté further objects to this Subject Matter on the grounds that a demand seeking the “name, job title, and job duty of each individual who had any decision-making authority within each department, group, region, and/or division identified pursuant to subject matter No. 2” is overly broad and unduly burdensome. Namasté further objects that “any decision-making authority” is overly broad, irrelevant, and not proportional to the needs of the case. Namasté further objects to this phrase to the extent it seeks a legal conclusion. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Subject Matter to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons’ constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to this Subject Matter on the grounds that it is overbroad. No witness can reasonably be expected to identify the name, job title and job duty of every individual from the “past to the present” who may have had some involvement with Hair Relaxer Products, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 (“Rule 30(b)(6) depositions are ‘not designed to be a memory contest,’ ... nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”). Namasté further objects that this Subject Matter seeks information that is duplicative of Subject Matter No. 2, which seeks “identification of

each individual . . . with knowledge of the allegations described in the Complaint” and “who performed any function,” thus rendering this Subject Matter unintelligible.

Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

SUBJECT MATTER NO. 7:

The name, job title, and job duty of each individual who had any decision-making authority in relation to License Agreements, Royalty Agreements or Trademark as they relate to YOUR HAIR RELAXER PRODUCT(S).

RESPONSE TO SUBJECT MATTER NO. 7:

Namasté objects to this Subject Matter on the grounds that a demand seeking the “name, job title, and job duty of each individual who had any decision-making authority in relation to License Agreements, Royalty Agreements or Trademark as they relate to YOUR HAIR RELAXER PRODUCT(S)” is overly broad and unduly burdensome. Namasté further objects to “License Agreements, Royalty Agreements or Trademark” as vague and ambiguous. These terms are capitalized but not defined. Namasté further objects to this phrase as seeking irrelevant information that is not proportional to the needs of this case and, thus, is unduly burdensome. Namasté further objects that “any decision-making authority” is overly broad, irrelevant, and not proportional to the needs of the case. Namasté further objects to this phrase to the extent it seeks a legal conclusion. Namasté further objects to this Subject Matter to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Subject Matter to the

extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons' constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to this Subject Matter on the grounds that it is overbroad. No witness can reasonably be expected to identify the name, job title and job duty of every individual who may have had some involvement with license agreements, royalty agreements or trademarks, nor are they required to do so. *See Clay*, 2023 WL 4205531, at *4 (“Rule 30(b)(6) depositions are ‘not designed to be a memory contest,’ ... nor are they ‘meant to be traps in which the lack of an encyclopedic memory commits an organization to a disadvantageous position.’”).

Namasté further objects to the definition of “Hair Relaxer Products” as overly broad, vague, and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and

“Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States.

Namasté further objects to the definition of “Your” as overly broad to the extent it includes individuals and entities other than Namasté. Namasté further objects to the definition of “Your” to the extent this definition seeks information in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of” Namasté to the extent it is inconsistent with the MDL Court’s order of October 2, 2023, and to the extent it exceeds the parties’ agreed-upon scope of testimony. Namasté further objects to this definition on the grounds that it is ambiguous, unduly burdensome, and encompasses or seeks information that is not relevant to this litigation. Namasté further objects to the request for distribution dates to the extent it seeks information that is not in Namasté’s possession, custody or control. Finally, Namasté objects to this Subject Matter to the extent it exceeds the parties’ agreement that the noticed deposition would be limited to testimony concerning Namasté’s legal corporate structure, the organizational structure of Namasté’s internal departments and divisions, and the identity of individuals in charge of those departments and divisions during time periods relevant to this litigation.

**SPECIFIC OBJECTIONS AND RESPONSES TO
REQUESTS FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 1

All documents referred to by the Deponent(s) or anyone assisting the Deponent(s) in preparing for his or her testimony on the above deposition topics.

RESPONSE TO REQUEST NO. 1:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant

to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to the phrase “the above deposition topics” as overbroad and unduly burdensome, given the failure of the Notice to comply with the particularity requirements of Rule 30(b)(6). Namasté further objects to this Request to the extent it seeks documents before they have been reviewed. Namasté further objects to this Request to the extent it seeks confidential communications between Namasté and any of its attorneys, or information that is otherwise covered by the attorney-client privilege, the work-product doctrine, or any other right or privilege recognized.

Subject to and without waiving the foregoing objections and to the extent it understands this Request, Namasté responds as follows: To the extent not previously produced, Namasté will produce relevant, non-privileged and responsive documents in its possession, custody or control that it is able to locate following a reasonably diligent search. Discovery is continuing.

REQUEST NO. 2:

All documents which the Deponent has utilized or may need to refresh his or her recollection as to any issues concerning this lawsuit.

RESPONSE TO REQUEST NO. 2:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to the phrase “any issues concerning this lawsuit” as overbroad and unduly burdensome. Namasté further objects to this Request on the grounds that it presupposes the Deponent’s recollection needs to be refreshed.

Namasté further objects to this Request to the extent it seeks confidential communications between Namasté and any of its attorneys, or information that is otherwise covered by the attorney-client privilege, the work-product doctrine, or any other right or privilege. Namasté further objects to this Request to the extent it seeks documents before they have been reviewed.

Subject to and without waiving the foregoing objections and to the extent it understands this Request, Namasté responds as follows: To the extent not previously produced, Namasté will produce relevant, non-privileged and responsive documents in its possession, custody or control that it is able to locate following a reasonably diligent search. Discovery is continuing.

REQUEST NO. 3:

All documents which the Deponent consults or relies upon in preparation for the deposition.

RESPONSE TO REQUEST NO. 3:

Namasté objects to this Request on the grounds that it is duplicative of Request No. 1, thus rendering the Request unintelligible. Namasté further objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to this Request to the extent it seeks documents before they have been reviewed. Namasté further objects to this Request to the extent it seeks confidential communications between Namasté and any of its attorneys, or information that is otherwise covered by the attorney-client privilege, the work-product doctrine, or any other right or privilege.

Subject to and without waiving the foregoing objections and to the extent it understands this Request, Namasté responds as follows: To the extent not previously produced, Namasté will produce relevant, non-privileged and responsive documents in its possession, custody or control that it is able to locate following a reasonably diligent search. Discovery is continuing.

REQUEST NO. 4:

All documents that refer to or relate to the items above concerning corporate organization and structure that is the topic of this Rule 30(b)(6) deposition.

RESPONSE TO REQUEST NO. 4:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to the use of the phrase “all documents” as overly broad, unduly burdensome, and not proportional to the needs of this

litigation. Namasté objects to the phrase “that is the topic of this Rule 30(b)(6) deposition” as vague and ambiguous, as the Notice identifies several Subject Matters, and overly broad, given the failure of the Notice to comply with the particularity requirements of Rule 30(b)(6). Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Request to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons’ constitutional, statutory and/or common-law rights of privacy and confidentiality.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties’ prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 5:

All documents, such as organizational charts, diagrams, or employee lists that reflect the current and historical organizational structure and staffing of departments that correspond with the topics set forth in the Subject Matters for Testimony.

RESPONSE TO REQUEST NO. 5:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to the use of the phrase “all documents” as overly broad, unduly burdensome, and not proportional to the needs of this

litigation. Namasté objects to “correspond with the topics” as vague and ambiguous, given the failure of these topics to comply with the particularity requirements of Rule 30(b)(6). Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Request to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons’ constitutional, statutory and/or common-law rights of privacy and confidentiality.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties’ prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 6:

All documents and/or COMMUNICATIONS that discuss the name, job title, and job description of DEFENDANT or its AGENTS who have knowledge of the allegations described in this lawsuit.

RESPONSE TO REQUEST NO. 6:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to “who have knowledge of the allegations described in this lawsuit” as overly broad, vague and ambiguous. Namasté further objects to the use of the phrase “all documents” as overly broad, unduly burdensome, and not

proportional to the needs of this litigation. Namasté objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects to this Request to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons' constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to "Communications" to the extent it renders the Request overly broad, unduly burdensome, vague, or ambiguous, or requires Namasté to engage in speculation and/or is not proportional to the needs of this litigation. Namasté further objects to "Communications" to the extent this seeks information protected by the attorney-client privilege, attorney work-product doctrine, and/or any other applicable privilege or immunity, seeks confidential commercial, financial, and/or proprietary business information, or seeks information otherwise not proportional to the needs of this case.

Namasté further objects to the term "Communications" to the extent it seeks information, the disclosure of which would constitute an unwarranted invasion of the affected persons' constitutional, statutory and/or common-law rights of privacy and confidentiality. Namasté further objects to "Communications" to the extent it renders the Request overly broad and requires Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to "Communications" to the extent the plaintiffs seek to require Namasté to provide information other than that which may be obtained through a reasonably diligent search of its own records, and/or to the extent the plaintiffs seek documents that are in the public domain or are equally available to the plaintiffs.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties' prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 7:

A copy of each designated representative's current curriculum vitae or resume.

RESPONSE TO REQUEST NO. 7:

Namasté objects to this Request to the extent it seeks documents that are in the public domain or are equally available to the plaintiffs. Subject to and without waiving the foregoing objections, Namasté will produce a curriculum vitae for its designated witness to the extent one is in its possession, custody or control and that it can be located following a reasonably diligent search. Discovery is continuing.

REQUEST NO. 8:

Annual reports for the relevant time period.

RESPONSE TO REQUEST NO. 8:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to this Request to the extent it seeks documents that are in the public domain or are equally available to the plaintiffs.

Subject to and without waiver of said objections, Namasté will produce non-privileged,

electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties' prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 9:

SEC filings consisting of 10K's and 10Q's for the relevant time period.

RESPONSE TO REQUEST NO. 9:

Namasté objects to this Request on the grounds that it is overly broad as to time and scope and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information. Namasté further objects this Request to the extent it seeks documents that are in the public domain or are equally available to the plaintiffs.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties' prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 10:

License Agreements as they relate to YOUR HAIR RELAXER PRODUCT(S).

RESPONSE TO REQUEST NO. 10:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to “License Agreements” as vague, ambiguous and overbroad and, thus, unduly burdensome. This term is capitalized but not defined. Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information.

Namasté further objects to the definition of “Hair Relaxer Products” as overly broad, vague, and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and

“Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States.

Namasté further objects to the definition of “Your” as overly broad to the extent it includes individuals and entities other than Namasté. Namasté further objects to the definition of “Your” to the extent this definition seeks information in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of” Namasté to the extent it is inconsistent with the MDL Court’s order of October 2, 2023. Namasté further objects to this definition on the grounds that it is ambiguous, unduly burdensome, and encompasses or seeks information that is not relevant to this litigation. Namasté further objects to the request for distribution dates to the extent it seeks information that is not in Namasté’s possession, custody or control.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties’ prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 11:

Royalty Agreements as they relate to YOUR HAIR RELAXER PRODUCT(S).

RESPONSE TO REQUEST NO. 11:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information beyond the time-frame relevant to this litigation and unrelated to products actually used by the plaintiffs, thus requiring Namasté to

make an unreasonable and unduly burdensome investigation. Namasté further objects to “Royalty Agreements” as vague, ambiguous and overbroad and, thus, unduly burdensome. This term is capitalized but not defined. Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information.

Namasté further objects to the definition of “Hair Relaxer Products” as overly broad, vague, and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and “Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States.

Namasté further objects to the definition of “Your” as overly broad to the extent it includes individuals and entities other than Namasté. Namasté further objects to the definition of “Your” to the

extent this definition seeks information in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of” Namasté to the extent it is inconsistent with the MDL Court’s order of October 2, 2023. Namasté further objects to this definition on the grounds that it is ambiguous, unduly burdensome, and encompasses or seeks information that is not relevant to this litigation. Namasté further objects to the request for distribution dates to the extent it seeks information that is not in Namasté’s possession, custody or control.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties’ prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

REQUEST NO. 12:

Trademark documents as they relate to YOUR HAIR RELAXER PRODUCT(S).

RESPONSE TO REQUEST NO. 12:

Namasté objects to this Request on the grounds that it is overly broad and seeks information that is not proportional to the needs of this case, as it seeks information unrelated to products actually used by the plaintiffs, thus requiring Namasté to make an unreasonable and unduly burdensome investigation. Namasté further objects to “Trademark Documents” as vague, ambiguous and overbroad and, thus, unduly burdensome. This term is capitalized but not defined. Namasté further objects to this Request to the extent it seeks private, privileged, and confidential commercial, financial, and/or proprietary business information.

Namasté further objects to the definition of “Hair Relaxer Products” as overly broad, vague, and ambiguous. The definition purports to include all products that “chemically straighten and/or alter the texture of the hair” and products that “maintain[] a person’s relaxed hair through an on-going application,” and products that were never developed into a complete or final product. The definition further indicates that it includes, but is not limited to, “any Hair Relaxer Kit and/or Hair Relaxer System and/or Hair Relaxer Collection or Texturizer.” This definition is so broad as to include thousands of products that are not relevant to this litigation and, thus, is unduly burdensome and seeks discovery not proportional to the needs of this case as indicated by the MDL Court in its ruling on October 2, 2023. Namasté further objects to this definition as overbroad, unduly burdensome, and not proportional to the needs of this litigation as seeking irrelevant information to the extent it seeks information concerning Namasté products that the plaintiffs did not use. Namasté understands the term “Hair Relaxer” to mean products intended to cause a hydroxide relaxer process referred to as lanthionization. This includes both “lye” and “no lye” relaxers that may contain sodium hydroxide, potassium hydroxide, lithium hydroxide, guanidine hydroxide, guanidine carbonate and calcium hydroxide. For the purposes of these responses, Namasté defines “Hair Relaxers,” “Hair Relaxing Products,” “Hair Relaxer Products,” and “Product” to include only products that (1) contain one or more of these chemicals; and (2) were sold by Namasté in the United States.

Namasté further objects to the definition of “Your” as overly broad to the extent it includes individuals and entities other than Namasté. Namasté further objects to the definition of “Your” to the extent this definition seeks information in the possession, custody or control of Namasté’s “affiliates, successors, predecessors, any current or former directors, officers, employees, agents, and/or representatives or other persons acting, or purporting to act, on behalf of” Namasté to the extent it is inconsistent with the MDL Court’s order of October 2, 2023. Namasté further objects to this definition

on the grounds that it is ambiguous, unduly burdensome, and encompasses or seeks information that is not relevant to this litigation. Namasté further objects to the request for distribution dates to the extent it seeks information that is not in Namasté's possession, custody or control.

Subject to and without waiver of said objections, Namasté will produce non-privileged, electronically-stored documents responsive to this request in advance of the noticed deposition if and only if, consistent with the parties' prior agreement, they satisfy the following two criteria: (1) they are responsive to the specific search terms negotiated by the parties on September 26, 2023; and (2) they depict corporate organizational charts showing Namasté and its affiliates or departmental/divisional charts showing the leadership of each department or division.

Dated: November 10, 2023

Respectfully submitted,

/s/ Mark D. Taylor

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Counsel for Defendants Namasté Laboratories, LLC

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2023, the foregoing Defendant Namasté Laboratories, LLC's Responses and Objections to Plaintiff's Second Amended Notice of Oral Deposition of Defendant Namasté Laboratories, LLC Pursuant to Federal Rule of Civil Procedure 30(b)(6), was served on all counsel of record via electronic mail on the following:

- Mark Abramowitz – mabramowitz@dicellolevitt.com
- Jennifer Hoekstra – jhoekstra@awkolaw.com
- Ed Wallace – eaw@wallacemiller.com
- Fidelma Fitzpatrick – ffitzpatrick@motleyrice.com
- Ben Crump – ben@bencrump.com
- Aimee Wagstaff – awagstaff@wagstafflawfirm.com
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- MDL 3060 Joint Defense Group – MDL3060_DefenseLiaison@bakerserv.com

/s/ Laura A. Kelley

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*Counsel for Defendants Namasté
Laboratories, LLC*

Exhibit B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	MDL No. 3060 Case No. 23 C 818 Judge Mary M. Rowland This document relates to: All Cases
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L'Oreal

The following custodians were requested by Plaintiffs on February 25, 2025.

Custodian	Title	Area
1. Laura Wurzburger	Principal Scientist, Product Safety	Product Safety, Regulatory Compliance
2. Donna Breach	Dir. Regulatory Affairs	Ingredient Compliance
3. Miao Wang	Assistant VP of Advanced Research	Safety, Regulatory Compliance, Testing
4. Sophie Thornback	Safety evaluation of products from open development and acquisitions	Ingredient Safety, Testing
5. Françoise Roberge	VP of Scientific & Regulatory Affairs	Regulatory Compliance, Product Warnings
6. Tanuja Ramasbramaniam	American Regulatory affairs	Regulatory, Evaluation of Endocrine Disrupting Chemicals
7. Alex Perez	Principal Toxicologist , US Product safety evaluations	Regulatory, Product Safety Evaluations, Internal Review of Medical Literature linking Hair Relaxers to Cancer
8. Alex Perez-Rivera	Potentially duplicate of above	
9. Grace Park	Project Manager	Chemical Impact Analysis, Regulatory
10. Kelly Molinari	VP of Corporate Affairs & Engagement- Head of Public Affairs	Chemical Impact Analysis, Lobbying/Legislative/Regulatory efforts
11. Robert Mahler	Principal Scientist Regulatory Affairs	Safety, Regulatory
12. Mickael Leblanc	Chemical Mgt Task Force	Chemical Risk Assessment, Manufacturing
13. Maggie Laforte	Senior Scientist, Regulatory Affairs - Americas	Regulatory, Ingredient Safety Evaluation

14. Franck Frank Atienzar	Head of Non-Clinical Safety, L'Oreal	R&D, Silico & Invitro Toxicology
15. Anne Borelli	Director, Post-Marketing Safety - Americas	Post Market Vigilance, Safety
16. Ann Detroyer	Adv. Research / Digital Sciences, In Silico Safety expert	Cosmetic Safety Assessments,
17. Dave Gossai	Director, Product Safety Skin	R&D, Chemical Impact Analysis
18. Ashley Green	Product Safety Senior Toxicologist	R&D, Safety, Risk Assessment, Testing
19. Ashley Woolard-Green	Potentially duplicate of above	
20. Alexander Habib	Head of Sustainability, Corporate Communications	Cosmetic Trade Group, Corporate affairs and Crisis Response
21. Teresa Hachmeyer	Industrial Product Development	Product Development and Reformulations
22. Jennifer Jose	Asst. VP of Regulatory Affairs	Regulatory, R&D
23. Danielle Ferreira		Product Safety, Testing
24. Perveen Kazmi	Principal Scientist	Regulatory Compliance, including OUS, Testing/Studies
25. Ed Reverdy	Toxicology Consultant	Testing, Studies
26. Viny Srinivasan	Asst. VP of Vigilance & Product Safety	Testing, Studies
27. Ronald Weslosky	VP-Corporate Regulatory Affairs	Regulatory, Safety
28. Chandra Jennings	Director of Corporate Regulatory Affairs	Regulatory, Safety
29. Lalita Vedantam	Corporate Regulatory Services	Regulatory, Safety, Product Development/ Formula Replacement
30. Assaf Hind	Toxicologist	Product Safety, Internal Review of Studies linking Hair Relaxers to Cancer, Toxicological Evaluations
31. Diane Wiltzer	Physician, Safety Assessor	Regulatory, Internal Review of Studies linking Hair Relaxers to Cancer
32. Dagmar Bury	Associate Director at L'Oreal, Worldwide Safety Evaluation	Product/Consumer safety, Internal Review of Studies linking Hair Relaxers to Cancer, Regulatory compliance
33. Stephane Dhalluin	VP, Head Worldwide Human & Environmental Safety Evaluation	Assessment of Toxicological Hazards to Human Health, Post Market surveillance

34. Daniel Mooney	Toxicologist- R&D	Safety Evaluation, Raw Material Approval
35. Timothy Stakhiv	Assistant Principal Scientist Product Safety - Americas	Safety, Regulatory Affairs, Formula Approvals

Additionally, Plaintiffs reserved all rights concerning individuals identified in Action History Reports produced on February 18th and request the ability to identify limited custodians that Plaintiffs deem necessary.

Exhibit C

February 12, 2025

File No. 8016-309

ATTORNEY-CLIENT PRIVILEGED & CONFIDENTIAL

Via Electronic Mail

Jennifer M. Hoekstra
Aylstock, Witkin, Kreis & Overholtz
17 E. Main Street, Suite 200
Pensacola, FL 32502
Email: jhoekstra@awkolaw.com

Re: ***In re: Hair Relaxer Marketing, Sales Practices, and Products Liability Litigation***; MDL No. 3060; Master Docket No. 1:23-cv-00818—**Class Action Plaintiffs’ Objections and Responses to L’Oréal USA’s First Set of Interrogatories and Requests for Production of Document(s)**

Dear Counsel:

We write with respect to Plaintiffs’ Objections and Responses to L’Oréal USA’s First Set of Interrogatories and Requests for Production of Document(s) (together, the “Requests”), which we received on January 27, 2025 through the MDL-Centrality platform. Even with the benefit of a 45-day extension, Plaintiffs’ responses to the Requests are woefully deficient for the reasons stated below.

L’Oréal USA’s First Set of Interrogatories

Plaintiffs’ responses to L’Oréal USA’s First Set of Interrogatories are deficient, as Plaintiffs rely on baseless, boilerplate objections, and fail to provide complete and substantive responses.

As a preliminary matter, Plaintiffs’ objection to the Interrogatories on the grounds that they are “overbroad, vague, ambiguous, burdensome, and unclear” is unsupported. (*See, e.g.*, Plaintiff Nicole Boyd’s Objections and Responses to L’Oréal USA’s First Set of Interrogatories, Response to Interrogatory No. 20.) The Interrogatories are narrowly tailored and contain either defined terms or common words with well-understood meanings. If Plaintiffs have any questions about the meaning of these terms or common words, or the scope of the same, please let us know so that we can resolve any ambiguities.

Moreover, Plaintiffs Alicia Glenn, Ariel Richardson, Carliss Smith, Cynthia Harris, DaShawn Harris-Robinson, Markeia Hines, Nicole Boyd, Ramika Guillory, Shaquota Jackson, Tameka Meadows, Tanica Washington, Temitrius Burton, Tiana Lane and Trisha Vaughn object

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to Interrogatories seeking medical information claiming that these requests “seek[], sensitive, confidential, and/or privileged financial, medical, and/or other personal information.” (*See, e.g.*, Plaintiff Ramika Guillory’s Objections and Responses to L’Oréal USA’s First Set of Interrogatories, Response to Interrogatory Nos. 17, 18 and 19.) Plaintiffs’ objection is baseless, as any purported privacy concerns are mooted by the protective order governing this action. (*See* ECF Nos. 109, 112.)

Furthermore, Plaintiffs have not provided substantive and complete responses to the Interrogatories, despite their duty to do so. *Ropak Corp. v. Plastikan, Inc.*, No. 04 C 5422, 2006 WL 1005406, at *4 (N.D. Ill. Apr. 17, 2006). Under the Federal Rules of Civil Procedure (“FRCP”) Rule 33(b)(3), “[e]ach interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath.” Fed. R. Civ. P. 33(b)(3) (emphasis added). In other words, “an interrogatory answer should stand on its own” and “be complete.” *Ropak*, 2006 WL 1005406, at *4. Plaintiffs’ responses are woefully deficient in this regard.

For instance, Plaintiffs Alicia Glenn, Carolyn Provo, Cordelia Pullen-Smith, Cyleisia Longley, Evelyn Williams, Jennifer Wall, Marcia Dalton, Markeia Hines, Nicole Boyd, Shaquota Jackson, Tanica Washington, Theresa Baldwin and Tiana Lane’s responses to Interrogatory No. 2 is incomplete, as Plaintiffs do not provide the requested information sought therein. *See* Fed. R. Civ. P. 33(b)(3). Specifically, while this Interrogatory seeks the identity of each specific hair relaxer product Plaintiffs used, Plaintiffs identified only general brands sold by Defendants. Please either amend these responses to reflect specific products, or confirm that Plaintiffs do not have further information in response to this Request.

Plaintiffs’ responses to Interrogatory Nos. 9, 10, 11, 12, 13 and 14 are also deficient. These requests seek information regarding the EDCs Plaintiffs contend were present in Defendants’ hair relaxer products. But each Plaintiff objects to these interrogatories on the grounds that “Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks” and that the Interrogatory “is better suited for expert discovery and expert reports.” Plaintiffs provide a curt response to each Interrogatory: “[T]he information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.” But, the “argument that the interrogatories may call for expert testimony does not justify Plaintiffs’ failure to respond.” *Beeman v. Anthem Prescription Mgmt., Inc.*, No. EDCV 04-407-VAP (KKx), 2017 WL 5564535, at *4 (C.D. Cal. Nov. 17, 2017). None of these Interrogatories seek “expert conclusions.” On the contrary, these Interrogatories seek facts supporting Plaintiffs’ allegation that the EDCs in the hair relaxer products they used caused or contributed to their alleged injuries. L’Oréal USA presumed that Plaintiffs, in accordance with their Rule 11 obligations, have factual support for this allegation. *See* Fed. R. Civ. P. 11(b). It is clearly entitled to that factual support now. That Plaintiffs intend

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to introduce expert opinion on this topic does not excuse their obligation to answer interrogatories regarding the same based on the facts currently available to them. Rather, they “must respond fully and completely to the best of their knowledge, based on this information they have to date.”¹ *Beeman*, 2017 WL 5564535, at *4 (C.D. Cal. Nov. 17, 2017). Please confirm that Plaintiffs will promptly amend their responses to these Interrogatories to correct this deficiency.²

Equally unacceptable is Plaintiffs’ response to the Interrogatory seeking “all facts that support YOUR contention that YOUR claims are typical of the putative classes, as alleged in Paragraphs 166 and 167 of the COMPLAINT.” Plaintiffs respond that they are “not qualified to make the legal conclusions requested in this Interrogatory and they “lack[] the legal expertise to meaningfully respond and defer[] to Plaintiff’s counsel’s analysis.” (*See, e.g.*, Plaintiff Nicole Boyd’s Objections and Responses to L’Oréal USA’s First Set of Interrogatories, Response to Interrogatory Nos. 23 and 24.) Plaintiffs’ response is inappropriate because “[a]n interrogatory is not objectionable merely because it asks for an opinion or contention that relates to fact or *the application of law to fact.*” Fed. R. Civ. P. 33(a)(2) (emphasis added). Plaintiffs must amend their responses to correct this error.

Similarly, Plaintiffs Alicia Glenn, Ariel Richardson, Carolyn Provo, Evelyn Williams, Jennifer Wall, Markeia Hines, Shaquota Jackson, Tanica Washington, Theresa Baldwin and Tiana Lane fail to respond to Interrogatory No. 7, which asks Plaintiffs to “[i]dentify any advertisements (*e.g.*, in magazines, television commercials, internet, radio, point of sale, social media, outdoors) YOU saw or heard for any HAIR RELAXER PRODUCT that YOU have purchased or used, and include a summary of the advertisement’s content, the product advertised,

¹ Plaintiffs’ assertion that “[t]he information requested in this Interrogatory is not within Plaintiff’s personal knowledge” is also no excuse; “personal lack of knowledge does not excuse [a party’s] failure to answer the interrogatories, because [the] duty to fully answer implies a duty to make reasonable efforts to obtain information within the knowledge and possession of others.” *Hanley v. Como Inn, Inc.*, No. 99 C 1486, 2003 WL 1989607, at *4 (N.D. Ill. Apr. 28, 2003).

² For these same reasons, Plaintiffs’ response to interrogatories requesting that Plaintiffs “state and explain the amount of economic damages” they contend they suffered as a result of their use or exposure to hair relaxer products is improper. Plaintiffs consistently respond that the requested information “will be addressed by expert testimony at the appropriate time.” (*See, e.g.*, Plaintiff Alicia Glenn’s Objections and Responses to L’Oréal USA’s First Set of Interrogatories, Response to Interrogatory No. 16; Plaintiff Alicia Glenn’s Objections and Responses to L’Oréal USA’s First Set of Interrogatories, Response to Interrogatory No. 20.) Plaintiffs must promptly amend this response to include all responsive information in their possession.

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and approximately when and where YOU saw or heard it.” Instead, Plaintiffs object to this Interrogatory “on the basis that it is not relevant and i[t] asks Plaintiff to identify with specificity a broad range of advertisements for the hair relaxer products she has used throughout her life.” Plaintiffs’ relevance objection is meritless, as this information is squarely relevant to Plaintiffs’ claims. For instance, Plaintiffs assert state consumer protection claims against Defendants based on allegations that Defendants made “false and misleading representations and omissions of material facts regarding the safety and potential risks of their Hair Relaxer Products.” (Dkt. No. 185 ¶ 284.) Thus, what representations, via advertisements, Plaintiffs viewed or relied on in connection with the hair relaxer products they purchased or used bears on the central issues in this case. *See* Fed. R. Civ. P. 33(a)(2) (“an interrogatory may relate to any matter that may be inquired into under Rule 26(b)”); Fed. R. Civ. P. 26(b)(1) (“Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense and proportional to the needs of the case”). Plaintiffs’ relevance objection cannot stand. Please confirm Plaintiffs will promptly provide a response to Interrogatory No. 7.³

In addition, Plaintiffs Alicia Glenn, Ariel Richardson, Carolyn Provo, Evelyn Williams, Jennifer Wall, Markeia Hines, Shaquota Jackson, Tanica Washington, Theresa Baldwin and Tiana Lane improperly fail to respond to Interrogatory No. 5, which seeks a description of any risk or warning they contend is or was not adequately disclosed on the hair relaxer products they used. Plaintiffs object to this Interrogatory “on the basis that it misplaces the burden on Plaintiff to identify the risks and warnings that Defendants should have placed on their products.” Plaintiffs also state that they are a consumer and are “not expected to have personal knowledge of the hidden dangers of Defendants’ products.” Plaintiffs’ response is nonsensical. Plaintiffs assert failure to warn claims against Defendants based on allegations that their hair relaxer products did not provide adequate warnings, but avoid identifying what that inadequate risk or warning was. As explained above, Plaintiffs are required to provide substantive responses to this request. *See Ropak*, 2006 WL 1005406, at *4. As also noted above, “personal lack of knowledge does not excuse [a party’s] failure to answer the interrogatories.” *Hanley*, 2003 WL 1989607, at *4.

The same problem arises with Plaintiffs Alicia Glenn, Ariel Richardson, Markeia Hines, Shaquota Jackson, Tanica Washington and Tiana Lane’s failure to respond to Interrogatory No. 16, and Plaintiffs Carolyn Provo, Evelyn Williams, Jennifer Wall and Theresa Baldwin’s failure to respond to Interrogatory No. 15, which asks Plaintiff to state “the date and describe how

³ For these same reasons, Plaintiffs Alicia Glenn, Ariel Richardson, Jennifer Wall, Markeia Hines, Shaquota Jackson, Tanica Washington and Tiana Lane’s relevance objection to Interrogatory No. 15—which seeks whether Plaintiff has ever participated in any studies, clinical trials, clinical research or taken any experimental medications—falls flat and must be rectified.

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[Plaintiff] first became aware that the HAIR RELAXER PRODUCTS [she] used and/or purchased could be ‘toxic,’ ‘unsafe’ and ‘adulterated.’” Plaintiffs’ objections that “the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means” is improper; Plaintiffs have not, and cannot, articulate any burden that would warrant not responding to this request. Plaintiffs’ assertion that the specific date sought “has no effect on the litigation” is similarly unavailing. This information is plainly relevant. *See* Fed. R. Civ. P. 26(b)(1). *See, e.g., Meyer v. S. Pac. Lines*, 199 F.R.D. 610, 615-16 n.12 (N.D. Ill. 2001) (holding that even if the information sought by a discovery request can be obtained through less burdensome means, that does not relieve a party of its duty to provide the information).

L’Oréal USA’s First Set of Requests for Production of Documents (“RFPs”)

As with the Interrogatories, Plaintiffs’ objections and responses to L’Oréal USA’s RFPs are deficient. It is not clear whether Plaintiffs are actually withholding documents from production on the basis of any of the objections they have asserted, many of which are boilerplate and nonsensical.

For instance, Plaintiffs object to several RFPs on the grounds that the documents sought “may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation.”⁴ As a preliminary matter, Plaintiffs’ purported concerns about the disclosure of confidential and/or sensitive information is mooted by the protective order governing this action. (*See* ECF Nos. 109, 112.) Similarly baseless is Plaintiffs’ objection that the RFPs are “not relevant to the matters at issue or of consequence in this litigation.” This objection is plainly improper. For discovery purposes, relevance is construed broadly to include “any matter that bears on, or that reasonably could lead to other matter that could bear on, any issue that is or may be in the case.” *White v. Kenneth Warren & Son, Ltd.*,

⁴ This objection is asserted in response to RFP Nos. 1, 2, 3, 5, 7, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, and 38 by the following named Plaintiffs: Nicole Boyd, Alicia Glenn; Ariel Richardson; Carliss Smith; Cynthia Harris; DaShawn Harris-Robinson; Markeia Hines; Ramika Guillory; Shaquota Jackson; Tameka Meadows; Tanica Washington; Temitrius Burton; Tiana Lane; and Trisha Vaughn. It is also asserted in response to RFP Nos. 1, 2, 6, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 by Plaintiffs Angela Burton; Bridgette Quinn; Carolyn Provo; Cyleisia Longley; Dollie Dillon; Evelyn Williams; Gaudy Martinez; Jennifer Wall; Laura Lawes; MMRenee Edwards; Natasha Casby; Sondra Loggins; Tabatha Taggart; Theresa Baldwin; and Tori Duncan, and in response to RFP Nos. 1, 2, 4, 6, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 by Plaintiffs Cordelia Smith-Pullen and Marcia Dalton.

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203 F.R.D. 364, 366 (N.D. Ill. 2001). The requests at issue are squarely relevant. For instance, each Plaintiff objects to the RFP seeking “[a]ny and all DOCUMENTS concerning YOUR use of HAIR RELAXER PRODUCTS, including DOCUMENTS establishing, referencing, or concerning the dates on which YOU used them, how frequently YOU used them and where YOU used them” on the grounds of relevancy. (*See, e.g.*, Plaintiff Theresa Baldwin’s Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP No. 2.) Plaintiffs’ objection cannot stand, as the crux of Plaintiffs’ claims are that they were purportedly injured by their use of hair relaxer products manufactured by Defendants. Documents establishing each Plaintiff’s use of the challenged hair relaxer products is highly relevant to the litigation. Please confirm that Plaintiffs are not withholding any documents based on this objection.

Moreover, several Plaintiffs’ responses to numerous RFPs are evasive, incomplete and/or non-responsive, and therefore must be corrected.⁵ Plaintiffs’ responses to these RFPs violate Rule 34(b), which requires Plaintiffs to “either state that inspection and related activities will be permitted as requested or state with specificity the grounds for objecting to the request, including the reasons.” Plaintiffs’ responses that they have “access” to documents and/or have documents “in their possession,” without stating whether those documents will be provided, does not satisfy their burden under the law. Indeed, the Court has already cautioned the parties in this respect regarding RFP responses. (*See* ECF No. 416 (ordering responses to RFPs to indicate whether: (1) there are no responsive documents; (2) there are responsive documents that are not being produced based on privilege or objections; or (3) documents are provided).) Plaintiffs’ deficient responses must be corrected.

Furthermore, for each RFP where Plaintiffs agreed to produce documents, Plaintiffs have neither produced such responsive documents concurrently with their written responses nor

⁵ Plaintiffs’ responses to the following RFPs are deficient in this regard and must be amended: Plaintiff Carliss Smith’s Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP Nos. 9, 10, 14, 15, 16, 17, 18, 19 and 20; Plaintiff Cynthia Harris’ Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP No. 18; Plaintiff Gaudy Martinez’s Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP Nos. 4, 7, 9, 12, 13 and 14; Plaintiff MMRenee Edwards’ Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP Nos. 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37; Plaintiff Natasha Casby’s Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP No. 16; Plaintiff Sondra Loggins’ Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP Nos. 6 and 7; and Plaintiff Tabatha Taggart’s Objections and Responses to L’Oréal USA’s First Set of RFPs, Response to RFP Nos. 1, 2, 3, 4, 6, 7, 8, 9, 14, 15, 25, 27, 28, 29 and 30.

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provided a date for production of such documents. (*See, e.g.*, Plaintiff Natasha Casby's Objections and Responses to L'Oréal USA's First Set of RFPs, Response to RFP Nos. 25 and 27 (agreeing that "Plaintiff will produce a statement from her hair stylist"; Plaintiff Nicole Boyd's Objections and Responses to L'Oréal USA's First Set of RFPs, Response to RFP No. 7 (responding that "Plaintiff has photographs of her relaxed hair style to produce"); Plaintiff Cordelia Smith-Pullen's Objections and Responses to L'Oréal USA's First Set of RFPs, Response to RFP No. 35 (stating that "Plaintiff will produce documents from a TurboTax Class Action").) This approach is not code-compliant. *See* Fed. R. Civ. P. 34(b)(2)(B) ("The production must then be completed no later than the time for inspection specified in the request or another reasonable time specified in the response."). Plaintiffs must, at minimum, immediately begin producing documents responsive to the requests.

Once you have had an opportunity to review this letter, please contact me in order to schedule a meet and confer regarding the Requests. I am generally available next week. We are hopeful that the parties can resolve the foregoing issues without resort to motion practice.

Very truly yours,



Armine Alajajian

AA:mji

cc: Dennis S. Ellis
Katherine F. Murray
Serli Polatoglu
John E. Tangren (jtangren@dicellolevitt.com)

Exhibit D

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland MDLC ID: 14211
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**PLAINTIFF MARKEIA HINES'S AMENDED RESPONSES TO DEFENDANT'S FIRST
SET OF INTERROGATORIES TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Markeia Hines, through the undersigned attorney, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Responses to Defendants' First Set of Interrogatories to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: March 14, 2025

Respectfully Submitted,

/s/ Jennifer Hoekstra

Jennifer Hoekstra, LA Bar No. 31476
Hannah Pfeifler, FL Bar No. 1020526
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Phone: (850) 202-1010

Attorneys for Plaintiff

“fragrance” concealed the presence of EDCs in that HAIR RELAXER PRODUCT, identify each EDC that was concealed by that term appearing on the label.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is overbroad, vague, ambiguous, burdensome, and unclear.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 15:

State whether YOU have ever participated in any studies, clinical trials, clinical research, or taken any experimental medications, identifying the name of the medication or medical device(s); for what MEDICAL CONDITION YOU took such medication or used such device(s); the date(s) of the study or clinical trial; who conducted the study or clinical trial; where the study or trial took place; and the administrator of the study or trial.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that it seeks confidential medical information in a violation of Plaintiff's privacy.

INTERROGATORY NO. 18:

Has any HEALTHCARE PROVIDER told YOU whether YOUR ALLEGED INJURY is related to something other than YOUR use of HAIR RELAXER PRODUCTS? If so, identify the name, address, telephone number and approximate date of communication with each HEALTHCARE PROVIDER and the substance of those COMMUNICATIONS, including the potential cause of the ALLEGED INJURY.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear. Plaintiff objects to this Interrogatory to the extent it seeks sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation.

Plaintiff further objects to this Interrogatory on the basis that it seeks confidential medical information in a violation of Plaintiff's privacy.

INTERROGATORY NO. 19:

Has any HEALTHCARE PROVIDER recommended that YOU cease using HAIR RELAXER PRODUCTS? If so, identify the name, address, phone number and approximate date of communication with said HEALTHCARE PROVIDER.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear. Plaintiff objects to this Interrogatory to the extent it seeks sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of

consequence in this litigation.

Plaintiff further objects to this Interrogatory on the basis that it seeks confidential medical information in a violation of Plaintiff's privacy.

INTERROGATORY NO. 20:

State and explain the amount of economic damages YOU contend YOU suffered as a result of YOUR exposure to HAIR RELAXER PRODUCTS, including an identification of all medical monitoring costs YOU contend YOU incurred, or will incur, as a result of YOUR ALLEGED INJURY.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous and unclear, in part as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects to the extent this Interrogatory requires Plaintiff to lay out her entire case against the Defendants while discovery is in its early stages by "stating and explaining" the amount of economic damages suffered by Plaintiff.

Notwithstanding said objections and without waiving same, Plaintiff states: Plaintiff has sustained various categories of economic damages including but not limited to price premium damages and purchase price. The specific economic calculations are best suited and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 21:

State all facts that support YOUR contention that YOUR claims are typical of the putative classes, as alleged in Paragraphs 166 and 167 of the COMPLAINT.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, burdensome, ambiguous and unclear in that it fails to contain any reasonable limitations as to time or scope, and fails to define "instruction(s)" or "warnings." See Fed. R. Civ. P. 26(b)(1).

Exhibit E

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland MDLC ID: 14207
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**PLAINTIFF ALICIA GLENN'S AMENDED RESPONSES TO DEFENDANT'S FIRST
SET OF INTERROGATORIES TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Alicia Glenn, through the undersigned attorney, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Responses to Defendants' First Set of Interrogatories to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: March 14, 2025

Respectfully Submitted,

/s/ Jennifer Hoekstra

Jennifer Hoekstra, LA Bar No. 31476
Hannah Pfeifler, FL Bar No. 1020526
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Phone: (850) 202-1010

Attorneys for Plaintiff

GENERAL OBJECTIONS

answers with the assistance of counsel, based on a combination of Plaintiff's own personal knowledge and information revealed to counsel and to the Parties in the course of this litigation.

**PLAINTIFF'S OBJECTIONS & ANSWERS TO
DEFENDANT'S FIRST SET OF INTERROGATORIES**
INTERROGATORY NO. 1:

State YOUR full name, current address and date of birth.

RESPONSE: Alicia Danae Glenn; 512 North Apperson Way, Apt. #219, Kokomo, IN 46901;

01/27/1970

INTERROGATORY NO. 2:

IDENTIFY each and every HAIR RELAXER PRODUCT YOU have used.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope.

Plaintiff further objects to this Interrogatory to the extent that it is requiring Plaintiff to identify "each and every" hair relaxer product Plaintiff has used, which is patently overbroad. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Notwithstanding said objections and without waiving same, Plaintiff states: I used a variety of products believed to be manufactured by (MFG), including but not limited to, to the best of my recollection: products from the Dark & Lovely, Just For Me, and Optimum product lines. Plaintiff reserves the right to supplement this response as discovery continues and more products are identified.

INTERROGATORY NO. 3:

For each of the HAIR RELAXER PRODUCTS identified in Interrogatory No. 2, IDENTIFY all statements or representations YOU reviewed or heard about each HAIR

Plaintiff. Plaintiff cannot be expected to state every fact relating to her hair relaxer use, which spanned from 1990 through 2010.

INTERROGATORY NO. 5:

For each HAIR RELAXER PRODUCT identified in Interrogatory No. 2, describe any risk or warning that YOU contend is or was not adequately disclosed on its label(s).

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope and fails to define “risk” or “warning” or “disclosed.” Further, Plaintiff objects to the extent that this Interrogatory is requiring Plaintiff to “describe any risk or warning” which Plaintiff contends “is not adequately disclosed on the label,” which is subjective, potentially prejudicial, patently overbroad, vague, and unclear. Plaintiff also objects on the ground that Plaintiff is not a regulatory expert or otherwise knowledgeable about product labeling requirement(s) and does not otherwise possess the skills, knowledge, education, experience, or training to make determinations regarding the information required in product labeling and/or any other expert or legal opinions or conclusions sought otherwise. See Fed. R. Civ. P. 26(b)(1). Plaintiff further objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Notwithstanding said objections and without waiving same, Plaintiff states: the labels and included marketing materials with the products did not disclose or adequately warn of the dangers of these products to human health, including but not limited to tissue damage and exposure to cytotoxic and carcinogenic substances.

INTERROGATORY NO. 6:

IDENTIFY all OTHER HAIR CARE PRODUCTS that YOU have ever used.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant, and disproportionate to the needs of the case to the extent it seeks information about events unrelated to Plaintiff's use of the Defendants' Hair Relaxer Product(s). Plaintiff objects to this Interrogatory as it is disproportional to the needs of the case to the extent it requires Plaintiff to identify "all" other hair care products she has ever used. Plaintiff further objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that it casts an undue burden on Plaintiff. Plaintiff cannot be expected to identify each and every hair care product that she has ever used in her life. This purpose of this Interrogatory is harassment and/or annoyance.

INTERROGATORY NO. 7:

Identify any advertisements (*e.g.*, in magazines, television commercials, internet, radio, point of sale, social media, outdoors) YOU saw or heard for any HAIR RELAXER PRODUCT that YOU have purchased or used, and include a summary of the advertisement's content, the product advertised, and approximately when and where YOU saw or heard it.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope. Further, Plaintiff objects to the extent that this Interrogatory is requiring Plaintiff to "identify any advertisement" Plaintiff saw or heard for "any hair relaxer product" Plaintiff has purchased or used, including when and where Plaintiff saw such advertisement, which is patently overbroad, vague, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Exhibit F

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland MDLC ID: 14200
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**PLAINTIFF THERESA BALDWIN'S AMENDED RESPONSES TO DEFENDANT'S
FIRST SET OF INTERROGATORIES TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Theresa Baldwin, through the undersigned attorney, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Responses to Defendants' First Set of Interrogatories to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: March 14, 2025

Respectfully Submitted,

/s/ Jennifer Hoekstra

Jennifer Hoekstra, LA Bar No. 31476
Hannah Pfeifler, FL Bar No. 1020526
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Attorneys for Plaintiff

answers with the assistance of counsel, based on a combination of Plaintiff's own personal knowledge and information revealed to counsel and to the Parties in the course of this litigation.

**PLAINTIFF'S OBJECTIONS & ANSWERS TO
DEFENDANT'S FIRST SET OF INTERROGATORIES**

INTERROGATORY NO. 1:

State YOUR full name, current address and date of birth.

RESPONSE: Theresa M. Baldwin; 757 N 79th St., East Saint Louis, IL 62203; 01/23/1979

INTERROGATORY NO. 2:

IDENTIFY each and every HAIR RELAXER PRODUCT YOU have used.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope. Plaintiff further objects to this Interrogatory to the extent that it is requiring Plaintiff to identify "each and every" hair relaxer product Plaintiff has used, which is patently overbroad. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Notwithstanding said objections and without waiving same, Plaintiff states: I used a variety of products believed to be manufactured by L'Oreal USA, Inc., L'Oreal USA Products, Inc., and SoftSheen-Carson, LLC, including, but not limited to, to the best of my recollection, products within the Dark and Lovely and Just For Me product lines. Plaintiff reserves the right to supplement this response as discovery continues and more products are identified.

INTERROGATORY NO. 3:

For each of the HAIR RELAXER PRODUCTS identified in Interrogatory No. 2,

IDENTIFY all statements or representations YOU reviewed or heard about each HAIR RELAXER PRODUCT prior to or contemporaneously with YOUR purchase.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope and fails to define “statements” or “representations”. Further, Plaintiff objects to the extent that this Interrogatory is requiring Plaintiff to “Identify all statements or representations” Plaintiff “reviewed or heard about” which is patently overbroad, vague, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that it casts an undue burden on Plaintiff. Plaintiff cannot be expected to identify each and every statement or representation that she reviewed or heard about over twenty nine years of product use.

INTERROGATORY NO. 4:

For each product purchase identified in YOUR response to Interrogatory No. 2, state each and every fact concerning, referring or relating to YOUR use or application of such product.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope and fails to define “fact” or “use or application”. Further, Plaintiff objects to the extent that this Interrogatory requires Plaintiff to “state each and every fact concerning, referring or relating to” Plaintiff’s “use or application” of hair relaxer products which is patently overbroad, vague, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient

exposure to cytotoxic and carcinogenic substances.

INTERROGATORY NO. 6:

IDENTIFY all OTHER HAIR CARE PRODUCTS that YOU have ever used.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant, and disproportionate to the needs of the case to the extent it seeks information about events unrelated to Plaintiff's use of the Defendants' Hair Relaxer Product(s). Plaintiff objects to this Interrogatory as it is disproportional to the needs of the case to the extent it requires Plaintiff to identify "all" other hair care products she has ever used. Plaintiff further objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that it casts an undue burden on Plaintiff. Plaintiff cannot be expected to identify each and every hair care product that she has ever used in her life. This purpose of this Interrogatory is harassment and/or annoyance.

INTERROGATORY NO. 7:

Identify any advertisements (*e.g.*, in magazines, television commercials, internet, radio, point of sale, social media, outdoors) YOU saw or heard for any HAIR RELAXER PRODUCT that YOU have purchased or used, and include a summary of the advertisement's content, the product advertised, and approximately when and where YOU saw or heard it.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope. Further, Plaintiff objects to the extent that this Interrogatory is requiring Plaintiff to "identify any advertisement" Plaintiff saw or heard for "any hair relaxer product" Plaintiff

has purchased or used, including when and where Plaintiff saw such advertisement, which is patently overbroad, vague, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Notwithstanding said objections and without waiving same, Plaintiff states: I have routinely seen publicly available marketing materials including in-store promotions and various ads in magazines and online marketing. The ads generally promoted the efficacy and safety of the products.

INTERROGATORY NO. 8:

For each of the HAIR RELAXER PRODUCTS identified in Interrogatory No. 2, describe the instructions or warnings YOU received or read for each. If these instructions were provided orally, please include the name of the individual who provided the instructions and/or warnings in YOUR response.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, burdensome, ambiguous and unclear in that it fails to contain any reasonable limitations as to time or scope, and fails to define “instruction(s)” or “warnings.” See Fed. R. Civ. P. 26(b)(1). Plaintiff further objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that Plaintiff has not used hair relaxer products since 2023. She is no longer in possession of the boxes or labels of the hair relaxer products, on which she relied for the requested instructions or warnings.

INTERROGATORY NO. 9:

For each of the HAIR RELAXER PRODUCTS identified in Interrogatory No. 2, identify the ingredient in that HAIR RELAXER PRODUCT that YOU contend is an Endocrine Disrupting Chemical (“EDC”), as defined in Paragraph 120 of the COMPLAINT.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s lay person personal knowledge and Defendants in this litigation did not disclose complete formularies. As such, Plaintiff incorporates the allegations of the class complaint along with reliance upon expert testimony and reports that will be forthcoming at the appropriate time.

INTERROGATORY NO. 10:

For each ingredient identified in response to Interrogatory No. 9, state whether the ingredient appeared on the label of that HAIR RELAXER PRODUCT.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is

overbroad, vague, ambiguous, burdensome, and unclear in that it fails to define “ingredient” or “label”.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 11:

For each HAIR RELAXER PRODUCT identified in Interrogatory No. 2, identify each ingredient/component in that HAIR RELAXER PRODUCT that YOU claim caused the HAIR RELAXER PRODUCT to be toxic, unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to define “ingredient/component”, “toxic”, “unsafe” or “adulterated”.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 12:

For each ingredient/component identified in response to Interrogatory No. 11, state whether the ingredient/component appeared on the label of that HAIR RELAXER

PRODUCT.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to define “ingredient” or “label”.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 13:

For each HAIR RELAXER PRODUCT identified in Interrogatory No. 2, do YOU contend that the term “fragrance” concealed the presence of EDCs in that HAIR RELAXER PRODUCT? If so, state all facts that support YOUR contention.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is overbroad, vague, ambiguous, burdensome, and unclear. Plaintiff further objects to this

Interrogatory to the extent is asks Plaintiff to state “all facts” that support Plaintiff’s contention, which is patently overbroad.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 14:

For each of the HAIR RELAXER PRODUCTS that YOU contend that the term “fragrance” concealed the presence of EDCs in that HAIR RELAXER PRODUCT, identify each EDC that was concealed by that term appearing on the label.

RESPONSE: Plaintiff objects to this Interrogatory to the extent that Plaintiff is not an expert and is not qualified with the requisite skill, knowledge, education, experience, or training to render the expert or legal conclusions that this Interrogatory seeks. Plaintiff further objects on the ground that this Interrogatory lacks specificity and fails to contain any limits as to time or scope. Plaintiff further objects to this Interrogatory in that it is better suited for expert discovery and expert reports. Plaintiff also objects to this Interrogatory insofar as it is overbroad, vague, ambiguous, burdensome, and unclear.

Notwithstanding said objections and without waiving same, the information requested in this Interrogatory is not within Plaintiff’s personal knowledge and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 15:

Identify the date and describe how YOU first became aware that the HAIR RELAXER PRODUCTS YOU used and/or purchased could be “toxic,” “unsafe” and “adulterated,” as alleged in Paragraph 6 of the COMPLAINT.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that it asks Plaintiff to identify a specific date that has no effect on the litigation.

INTERROGATORY NO. 16:

State and explain the amount of economic damages YOU contend YOU suffered as result of YOUR purchase and/or use of the HAIR RELAXER PRODUCT(S) YOU claim are unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous and unclear, in part as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects to the extent this Interrogatory requires Plaintiff to lay out her entire case against the Defendants while discovery is in its early stages by "stating and explaining" the amount of economic damages suffered by Plaintiff.

Notwithstanding said objections and without waiving same, Plaintiff has sustained various categories of economic damages including, but not limited to, price premium damages and purchase price. The specific economic calculations are best suited and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 17:

State all facts that support YOUR contention that YOUR claims are typical of the putative classes, as alleged in Paragraphs 166 and 167 of the COMPLAINT.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague,

Exhibit G

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland
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**PLAINTIFF SHAQUOTA JACKSON'S FIRST AMENDED RESPONSES TO
DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Shaquota Jackson, through the undersigned attorneys, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Responses to Defendants' First Set of Interrogatories to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: March 13, 2025

Respectfully Submitted,

/s/ Larry Taylor, Jr.

Larry Taylor, Jr.
SBOT: 24071156
Danae N. Benton
SBOT: 24080422
The Cochran Firm
1825 Market Center Blvd., Suite 500
Dallas TX, 75207
Phone: 214-651-4260
Fax: 214-651-4261
Email: ltaylor@cochran texas.com
dbenton@cochran texas.com
Attorneys for Plaintiff

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, ambiguous and unclear, in part as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects to the extent this Interrogatory requires Plaintiff to lay out her entire case against the Defendants while discovery is in its early stages by "stating and explaining" the amount of economic damages suffered by Plaintiff.

Notwithstanding said objections and without waiving same, Plaintiff has sustained various categories of economic damages including but not limited to medical expenses, lost wages, cost of replacement products, out of pocket expenses, price premium damages, and purchase price. Additional categories will be supplemented as discovery moves forward. The specific economic calculations are best suited and will be addressed by expert testimony at the appropriate time.

INTERROGATORY NO. 21:

State all facts that support YOUR contention that YOUR claims are typical of the putative classes, as alleged in Paragraphs 166 and 167 of the COMPLAINT.

RESPONSE: Plaintiff objects to this Interrogatory on the ground that it is overbroad, vague, burdensome, ambiguous and unclear in that it fails to contain any reasonable limitations as to time or scope, and fails to define "instruction(s)" or "warnings." See Fed. R. Civ. P. 26(b)(1). Plaintiff further objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Notwithstanding said objections and without waiving same, Plaintiff is not qualified to make the legal conclusions requested in this Interrogatory. Plaintiff lacks the legal expertise to meaningfully respond and defers to Plaintiff's counsel's analysis.

INTERROGATORY NO. 22:

IDENTIFY all COMMUNICATIONS between YOU and any person (including potential class members) regarding or relating to their participation in this lawsuit.

RESPONSE: Plaintiff objects to this Interrogatory on the grounds that it is overbroad, vague, ambiguous, burdensome, and unclear in that it fails to contain limitations as to time and scope. Further, Plaintiff objects to the extent that this Interrogatory is requiring Plaintiff to identify communications with "any person", which is patently overbroad, vague, and unclear. Plaintiff objects on the ground that the information sought through this Interrogatory may be better obtained through less burdensome and more efficient means, including through depositions.

Plaintiff further objects to this Interrogatory on the basis that is not relevant and casts an undue burden on Plaintiff. Plaintiff's communications with any person regarding that person's participation in this lawsuit bears no effect on the litigation.

Exhibit H

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland MDLC ID: 14221
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**PLAINTIFF ARIEL RICHARDSON'S OBJECTIONS &
RESPONSES TO DEFENDANTS' FIRST SET OF REQUESTS FOR
PRODUCTION TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Ariel Richardson, through the undersigned attorney, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Objections & Responses to Defendants' First Set of Requests for Production to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: January 27, 2025

Respectfully Submitted,

/s/ Jennifer Hoekstra

Jennifer Hoekstra, LA Bar No. 31476
Hannah Pfeifler, FL Bar No. 1020526
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Attorneys for Plaintiff

and does not possess the skill, knowledge, education, experience, or training to make the expert or legal determinations and/or conclusions that this request seeks. Plaintiff further objects to this request to the extent it prematurely seeks information on topics that will be the subject of expert testimony. Plaintiff objects on the ground that requests for production may not be used to require Plaintiff to marshal all of the available proof or the proof Plaintiff intends to offer at trial. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 12:

Any and all DOCUMENTS sufficient to identify any product YOU have used that contains the same claimed defect and/or challenged ingredient as implicated in your response to Request for Production No. 11.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "defect" and "challenged ingredient". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to this request to the extent that Plaintiff is not an expert and does not possess the skill, knowledge, education, experience, or training to make the expert or

legal determinations and/or conclusions that this request seeks. Plaintiff further objects to this request to the extent it prematurely seeks information on topics that will be the subject of expert testimony. Plaintiff objects on the ground that requests for production may not be used to require Plaintiff to marshal all of the available proof or the proof Plaintiff intends to offer at trial. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff reserves the right to supplement.

REQUEST FOR PRODUCTION NO. 13:

Any and all DOCUMENTS that support YOUR allegation that the HAIR RELAXER PRODUCT(S) YOU allege in YOUR COMPLAINT caused and/or contributed to YOUR ALLEGED INJURY.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to this request to the extent that Plaintiff is not an expert and does not possess the skill, knowledge, education, experience, or training to make the expert or legal determinations and/or conclusions that this request seeks. Plaintiff further objects to this request to the extent it prematurely seeks information on topics that will be the subject of expert testimony. Plaintiff objects on the ground that requests for production may not be used to require Plaintiff to marshal all of the available proof or the proof

requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control.

Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege, consulting expert privilege and/or the attorney work product doctrine, pursuant to Fed. R. Civ. P. 26(b)(5) Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 21:

Any and all DOCUMENTS sufficient to identify all entities and/or individuals other than the named defendants whom YOU believe caused or contributed in any way to YOUR ALLEGED INJURY.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request to the extent that Plaintiff is not an expert and does not possess the skill, knowledge, education, experience, or training to make the expert or legal determinations and/or conclusions that this request seeks. Plaintiff further objects to this request to the extent it prematurely seeks information on topics that will be the subject of expert testimony. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff objects to the extent

that this request improperly seeks to invade the protections afforded under the attorney-client privilege, consulting expert privilege and/or the attorney work product doctrine, pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff reserves the right to supplement.

REQUEST FOR PRODUCTION NO. 22:

Any and all written COMMUNICATIONS (or summaries of oral COMMUNICATIONS) YOU had with any manufacturer of HAIR RELAXER PRODUCTS regarding HAIR RELAXER PRODUCTS and/or YOUR ALLEGED INJURY.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 23:

Any and all written COMMUNICATIONS (or summaries of oral COMMUNICATIONS) YOU had with the Food and Drug Administration, the Centers for Disease Control and Prevention, the National Institutes of Health, or any other government or regulatory agency regarding HAIR

Exhibit I

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	Master Docket No. 1:23-cv-00818 MDL No. 3060 Hon. Mary M. Rowland MDLC ID: 14206
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**PLAINTIFF TORI DUNCAN'S AMENDED OBJECTIONS &
RESPONSES TO DEFENDANTS' FIRST SET OF REQUESTS FOR
PRODUCTION TO PLAINTIFF**

TO: Defendant L'Oréal USA, Inc., L'Oréal USA Products, Inc., and Softsheen-Carson, LLC's ("L'Oréal"), and through its Attorneys of Record: Dennis S. Ellis, Katherine F. Murray, Serli Polatoglu, Maggie Icart, 2121 Avenue of the Stars, 30th Floor, Los Angeles, CA 90067, Email: dellis@ellisgeorge.com; kmurray@ellisgeorge.com; spolatoglu@ellisgeorge.com; micart@ellisgeorge.com.

COMES NOW, Plaintiff, Tori Duncan, through the undersigned attorney, and in accordance with the Federal Rules of Civil Procedure, submits the following Plaintiff's Objections & Responses to Defendants' First Set of Requests for Production to Plaintiff. As discovery in this matter is ongoing, Plaintiff reserves the right to amend, supplement, modify, or change their responses.

Dated: March 14, 2025

Respectfully Submitted,

/s/ Jennifer Hoekstra

Jennifer Hoekstra, LA Bar No. 31476
Hannah Pfeifler, FL Bar No. 1020526
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Phone: (850) 202-1010

Attorneys for Plaintiff

conceding the relevancy or materiality of the subject matter of any request for production, document produced, or that any responsive documents, materials, or information exist. Plaintiff reserves the right to contest any such characterization as inaccurate.

Plaintiff also objects to Defendants' Requests for Production to the extent they contain any express or implied assumptions of fact or law concerning matters at issue in this litigation. These responses and objections are made on the basis of information now known to Plaintiff and pursuant to the documents within their current possession, and are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested. Plaintiff's investigation, discovery, and preparation for proceedings are continuing and all answers are given without prejudice to Plaintiff's right to introduce or object to the discovery of any documents, facts, or information discovered after the date hereof. Plaintiff likewise does not waive the right to object, on any and all grounds, to (1) the evidentiary use of the information contained in these responses and objections; and (2) discovery requests relating to these objections and responses.

All of Plaintiff's responses below are subject to each of these general objections. Plaintiff reserves the right to amend and/or supplement any answers given herein. Specifically, Plaintiff reserves the right to amend and/or supplement these responses upon receipt of any additional records requested and/or otherwise received by counsel and reviewed by Plaintiff.

**PLAINTIFF'S RESPONSES TO DEFENDANTS'
FIRST SET OF REQUESTS FOR PRODUCTION**

REQUEST FOR PRODUCTION NO. 1:

Any and all DOCUMENTS YOU referenced in or used to prepare YOUR answers to L'Oréal USA's first set of Interrogatories.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague,

ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 2:

Any and all DOCUMENTS concerning YOUR use of HAIR RELAXER PRODUCTS, including DOCUMENTS establishing, referencing, or concerning the dates on which YOU used them, how frequently YOU used them and where YOU used them.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to define "concerning". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or

duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation.

Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 3:

Any and all receipts and/or proofs of purchase for each HAIR RELAXER PRODUCT that YOU used, or had applied by another individual or at a salon, that YOU claim are toxic, unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate.

documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 5

Any and all DOCUMENTS referencing or identifying any OTHER HAIR CARE PRODUCTS that were applied to YOUR hair, including but not limited to DOCUMENTS demonstrating that such OTHER HAIR CARE PRODUCTS were applied to YOUR hair.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "referencing". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 6:

Any and all DOCUMENTS, photographs, or videos related to YOUR hairstyle.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague,

ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "related to". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff has photographs of her relaxed hair style to produce.

REQUEST FOR PRODUCTION NO. 7:

Ingredient lists for any and all OTHER HAIR CARE PRODUCTS applied to YOUR hair prior to YOUR use of HAIR RELAXER PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "ingredient list". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects to this request because it seeks information which is not relevant and/or is sought solely for the purposes of harassment, embarrassment, or

the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 19:

Any and all written COMMUNICATIONS (or summaries of oral COMMUNICATIONS) YOU had with any manufacturer of HAIR RELAXER PRODUCTS regarding HAIR RELAXER PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have

documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 20:

Any and all written COMMUNICATIONS (or summaries of oral COMMUNICATIONS) YOU had with any manufacturer of OTHER HAIR CARE PRODUCTS and any actual or potential harm or injury to YOU.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 21:

Any and all DOCUMENTS sufficient to identify all entities and/or individuals other than the named defendants whom YOU believe caused the HAIR RELAXER PRODUCTS to be toxic, unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request to the extent that Plaintiff is not an expert and does not possess the skill, knowledge, education, experience, or training to make the expert or legal determinations and/or conclusions that this request seeks. Plaintiff further objects to this request to the extent it prematurely seeks information on topics that will be the subject of expert testimony. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege, consulting expert privilege and/or the attorney work product doctrine, pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects to this request on the ground that the information and/or documentation sought is equally available to and in the possession, custody, or control of the requesting party. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 22:

Any and all written COMMUNICATIONS (or summaries of oral COMMUNICATIONS) YOU had with the Food and Drug Administration, the Centers for Disease Control and Prevention, the National Institutes of Health, or any other government or regulatory agency regarding HAIR RELAXER PRODUCTS and/or OTHER HAIR CARE PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 23:

Any and all written COMMUNICATIONS YOU had with the authors of the CHANG ARTICLE, the WHITE ARTICLE, or any other article cited in YOUR COMPLAINT.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or

not relevant to the matters at issue or of consequence in this litigation. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REOUEST FOR PRODUCTION NO. 24:

Any and all DOCUMENTS related to any studies or research YOU participated in regarding HAIR RELAXER PRODUCTS and/or OTHER HAIR CARE PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "related to". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 25:

Any and all DOCUMENTS and COMMUNICATIONS establishing, referencing, or concerning the dates YOU purchased HAIR RELAXER PRODUCTS, where YOU purchased them, and how frequently YOU purchased them.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 26:

Any and all DOCUMENTS and COMMUNICATIONS with any person or entity related to YOUR use of all OTHER HAIR CARE PRODUCTS, including, but not limited to, text messages, emails, and medical records.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 27:

Any and all DOCUMENTS and COMMUNICATIONS establishing, referencing, or

concerning the dates YOU purchased all OTHER HAIR CARE PRODUCTS that YOU have applied or have had applied to YOUR hair, where YOU purchased them, and how frequently YOU applied them or had them applied.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 28:

Any and all DOCUMENTS that support YOUR allegation that YOU overpaid for the HAIR RELAXER PRODUCT(S) YOU contend are toxic, unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "overpaid". Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 29:

Any and all DOCUMENTS that support the amount of economic damages YOU contend YOU suffered as a result of the HAIR RELAXER PRODUCTS YOU contend are toxic, unsafe and/or adulterated.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope and fails to define "overpaid". Plaintiff objects on the ground that this request lacks specificity.

Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 30:

All DOCUMENTS (including but not limited to product packaging, labeling, advertisements, direct mailers, circulars, flyers, social media postings, blog postings, and website postings) that YOU reviewed prior to or contemporaneously with YOUR purchase of HAIR RELAXER PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, ambiguous and unclear as it fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to the extent that this request presupposes that the information and/or documentation sought is or was contained or commemorated in a written document or record, which is not necessarily accurate. Plaintiff objects that the documentation sought by this request is disproportionate to the needs of the case to the extent that, when read literally, it requires Plaintiff to produce documents outside

of Plaintiff's possession, custody, or control. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff has produced photographs of advertising materials. The documents are Duncan, Tori-Advertisements-00001-00004.

REOUEST FOR PRODUCTION NO. 31:

All DOCUMENTS that support YOUR contention that YOUR claims are typical of the putative classes, as alleged in Paragraphs 166 and 167 of the COMPLAINT.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REOUEST FOR PRODUCTION NO. 32:

All DOCUMENTS that support YOUR contention that the commonality and predominance requirements of Federal Rule of Civil Procedure 23 are met here, as alleged in Paragraphs 169 and 170 of the COMPLAINT.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 33:

All COMMUNICATIONS between YOU and any person (including potential class members) regarding or relating to their participation in this lawsuit.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous and fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the

extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REOUEST FOR PRODUCTION NO. 34:

All DOCUMENTS concerning, referring or relating to any benefits, pecuniary or otherwise, YOU have received for participating in this lawsuit.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous and fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects to this request because it seeks information which is not relevant and/or is sought solely for the purposes of harassment, embarrassment, or as part of Defendants' fishing expedition. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REOUEST FOR PRODUCTION NO. 35:

All DOCUMENTS concerning, referring or relating to all class action lawsuits in which YOU have been a named plaintiff or have sought to be a lead plaintiff or class representative, whether the class was certified or not.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous and fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff objects to this request because it seeks information which is not relevant and/or is sought solely for the purposes of harassment, embarrassment, or as part of Defendants' fishing expedition. Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 36:

All DOCUMENTS that reflect COMMUNICATIONS between YOU and any other PERSON concerning, referring or relating to HAIR RELAXER PRODUCTS.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous and fails to contain any reasonable limitations as to time or scope. Plaintiff objects on

the ground that this request lacks specificity. Plaintiff objects to this request as unreasonably cumulative or duplicative, or the information can be obtained from another source that is more convenient and less burdensome. Fed. R. Civ. P. 26(b)(2)(C)(i). Plaintiff objects on the ground that the documentation sought may contain sensitive, confidential, and/or privileged financial, medical, and/or other personal information sought solely for the purpose of harassment and/or not relevant to the matters at issue or of consequence in this litigation. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.

REQUEST FOR PRODUCTION NO. 37:

All DOCUMENTS concerning, referring or relating to YOUR efforts to locate potential class members for this case.

RESPONSE: Plaintiff objects to this request on the ground that it is overbroad, vague, and ambiguous and fails to contain any reasonable limitations as to time or scope. Plaintiff objects on the ground that this request lacks specificity. Plaintiff objects to the extent that this request improperly seeks to invade the protections afforded under the attorney-client privilege pursuant to Fed. R. Civ. P. 26(b)(5). Plaintiff reserves the right to supplement.

Notwithstanding said objections and without waiving same, Plaintiff does not have documents to produce in response to this Request.