

DENIED

BY ORDER OF THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

Gordon Rees Scully Mansukhani, LLP
633 West Fifth Street, 52nd Floor
Los Angeles, CA 90071

SKINSOLUTIONS.MD, LLC, a California
Limited Liability Company;
TRUVENTURE, INC, a California
Corporation; VISHAL VERMA, M.D., INC.,
a California Corporation; and VISHAL
VERMA, M.D., an Individual,

Plaintiffs,

vs.

GLOBAL BOOST MD, LLC;
PHARMAMEDRX, LLC;
TELLADERMMD, LLC; GAIL GENTILE,
an Individual; ANDREW MCCULLOCH, an
Individual, also known as ANDREW
MCCULLOCH; and ALEXEI JOUKOV,

Defendants.

Case No. 17-cv-01990-JVS-KES

[PROPOSED] JUDGMENT

1 Plaintiffs SKINSOLUTIONS.MD, LLC, TRUVENTURE, INC., VISHAL
2 VERMA, M.D., INC. and VISHAL VERMA, M.D. (collectively referred to herein
3 as “Plaintiffs”) and Defendants GLOBAL BOOST MD, LLC,
4 PHARMAMEDRX, LLC, TELLADERMMD, LLC, GAIL GENTILE, ANDREW
5 MCCULLOCH, and ALEXEI JOUKOV (collectively referred to herein as
6 “Defendants”), having stipulated to Judgment in favor of Plaintiffs and against
7 Defendants, and each of them,

8 **IT IS NOW ORDERED, ADJUDGED AND DECREED** that:

9 1. Plaintiffs shall recover from Defendants, jointly and severally, the
10 sum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00);

11 2. Defendants, and each of them, together with their agents,
12 representatives, affiliates, and all persons or entities acting with them or at their
13 direction or control, shall be permanently enjoined from:

14 A. Representing Defendants to patients and other consumers as an
15 “authorized” seller of LATISSE® products, during any period they are not;

16 B. Claiming to have received an award from Allergan for “ethical
17 practice” and “safely compliance” when they have not received any such
18 award;

19 C. Misrepresenting the generic version of LATISSE® to be
20 Allergan-branded LATISSE®;

21 D. Enrolling patients in Brilliant Distinctions® accounts, and then
22 not passing on the program rewards to them, preventing them from obtaining
23 additional discounts or other promotional materials from Allergan,
24 preventing them from using their points with other doctors or re-sellers
25 (including Plaintiffs), and preventing patients from using accrued points for
26 other Allergan products that Global Boost did not sell; and
27
28

1 E. Using the Brilliant Distinctions® program scheme to unfairly
2 enrich themselves and artificially deflate prices for Allergan products,
3 including but not limited to LATISSE®.

4 3. Plaintiffs are awarded reasonable attorneys' fees and costs, incurred in
5 the Action, in an amount subject to proof on noticed Motion.

6 4. Plaintiffs shall be and are entitled to reasonable attorney fees and
7 costs to be incurred in connection with the enforcement of this Judgment.

8 **DENIED**

9 BY ORDER OF THE COURT

10 Dated: _____

11 UNITED STATES DISTRICT JUDGE

12 Denied without prejudice to a noticed motion. However, before such a motion is
13 brought, the parties would be well served by discussions to resolve what appears to
14 be a minor and transitory problem. JVS April 18, 2018