

1 Peter R. Afrasiabi (SBN 193336)  
 Christopher W. Arledge (SBN 200767)  
 2 ONE LLP  
 4000 MacArthur Blvd.  
 3 West Tower, Suite 1100  
 Newport Beach, CA 92660  
 4 Telephone: (949) 502-2870  
 Facsimile: (949) 258-5081  
 5 Email: pafraziabi@onellp.com  
 Email: carledge@onellp.com

6 Attorneys for Plaintiff  
 7 LIAT ORSHANSKY, on behalf of herself  
 and others similarly situated

C. Brandon Wisoff (SBN 121930)  
 FARELLA BRAUN & MARTEL LLP  
 235 Montgomery Street, 17th Floor  
 San Francisco, CA 94104  
 Telephone: (415) 954-4400  
 Facsimile: (415) 954-4480  
 Email: bwisoff@fbm.com

Jeremy Feigelson (*admitted pro hac vice*)  
 Jeffrey S. Jacobson (*admitted pro hac vice*)  
 DEBEVOISE & PLIMPTON LLP  
 919 Third Avenue  
 New York, NY 10022  
 Telephone: (212) 909-6000  
 Facsimile: (212) 521-7230  
 Email: jsjacobs@debevoise.com  
 Email: jfeigelson@debevoise.com

Frederick B. Warder, III (*admitted pro hac vice*)  
 PATTERSON BELKNAP WEBB &  
 TYLER LLP  
 1133 Avenue of the Americas  
 New York, NY 10036  
 Telephone: (212) 336-2000  
 Facsimile: (212) 336-2222  
 Email: fbwarder@pbwt.com

Attorneys for Defendants  
 L'ORÉAL USA, INC. and  
 MAYBELLINE, LLC

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

19 LIAT ORSHANSKY, on behalf of herself  
 20 and others similarly situated,  
 21 Plaintiffs,  
 22 v.  
 23 L'ORÉAL USA, INC., a Delaware  
 24 corporation; MAYBELLINE, LLC, a New  
 York limited liability company dba  
 25 MAYBELLINE, NEW YORK,  
 26 Defendants.

Case No. 3:12-cv-06342-CRB  
 Hon. Charles R. Breyer

JOINT STIPULATION TO AMEND  
 AND ORDER

1 WHEREAS, Plaintiff Liat Orshansky and Defendants L'Oréal USA, Inc. and Maybelline,  
2 LLC, a New York limited liability company d/b/a Maybelline, New York (collectively  
3 "Defendants") are presently named parties in the above captioned litigation;

4 WHEREAS, on August 22, 2013, the Court ordered the parties to show cause why this action  
5 and the related action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, should or should  
6 not be transferred to the United States District Court for the Southern District of New York; and

7 WHEREAS, on September 5, 2013, the parties filed a joint response to the order to show  
8 cause asking the Court to discharge the order in light of this forthcoming stipulation;

9 Now, therefore, Plaintiff Liat Orshansky and Defendants, by and through their respective  
10 counsel of record, hereby stipulate as follows:

11 1. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles, plaintiff in the related  
12 action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, shall file an amended complaint  
13 in this action, adding Ms. Nobles as a plaintiff and omitting the currently-pleaded claims respecting  
14 Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss, and thus pleading claims only  
15 with respect to the mascara products, Maybelline's Volum'Express The Falsies and L'Oréal Paris'  
16 Voluminous False Fiber Lashes. Defendants agree that this action, as amended in this matter, should  
17 remain venued in this District subject to the Court's discretion pursuant to 28 U.S.C. section 1404(a).

18 2. Because the parties have agreed to mediate the mascara-related claims before a neutral  
19 mediator on or about October 16, 2013, all deadlines in this action, and all discovery except that  
20 necessary for the mediation, are stayed until a status conference to be held before this Court on  
21 November 1, 2013 at 8:30 AM.

22 3. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles will file an amended  
23 complaint in *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, adding Ms. Orshansky as  
24 a plaintiff and omitting the mascara claims described above, thus pleading claims only with respect  
25 to Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss. Following that  
26 amendment, pursuant to 28 U.S.C. s. 1404(a), all parties consent to the transfer of *Nobles v. L'Oréal*  
27 *USA, Inc., et al.*, Case No. 3:13-cv-01911, to the United States District Court for the Southern  
28 District of New York, where an earlier-filed matter pertaining to the same products, *Leebove v.*

1 *Maybelline, LLC*, No. 1:12-cv-07146 (S.D.N.Y.), is pending. The transfer should note the  
2 relatedness of *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, to that earlier-filed  
3 action. Plaintiff agrees that she will not oppose the consolidation of the *Nobles* action with the  
4 *Leebove* action after the transfer to the Southern District of New York.

5 IT IS SO STIPULATED.

6 DATED: September 9, 2013.

ONE LLP

7 By: /s/ Peter R. Afrasiabi  
8 Peter R. Afrasiabi

9 Attorneys for Plaintiff LIAT ORSHANSKY

10 FARELLA BRAUN & MARTEL LLP

11 By: /s/ C. Brandon Wisoff  
12 C. Brandon Wisoff

13 DEBEVOISE & PLIMPTON LLP

14 By: /s/ Jeffrey S. Jacobson  
15 Jeffrey S. Jacobson

16 PATTERSON BELKNAP WEBB & TYLER LLP

17 By: /s/ Frederick B. Warder, III  
18 Frederick B. Warder, III

19 Attorneys for Defendants L'ORÉAL USA, INC. and  
20 MAYBELLINE, LLC

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22  
23 DATED: 9/10/2013

24  
25 Hon. Charles R. Breyer  
26 United States District Judge

