

**MCGUIREWOODS LLP**

A. BROOKS GRESHAM SBN #155954

BLAKE S. OLSON SBN # 277293

1800 Century Park East, 8th Floor

Los Angeles, CA 90067-1501

Telephone: 310.315.8200

Facsimile: 310.315.8210

bgresham@mcguirewoods.com

bolson@mcguirewoods.com

Attorneys for Defendant General Nutrition Corporation  
(erroneously sued and served as "General Nutrition Center, Inc.")

**UNITED STATES DISTRICT COURT****NORTHERN DISTRICT OF CALIFORNIA**

SHANTELL OLVERA; DUONG LE; MARK  
WOLFE; BRYAN NOFFSINGER; JULIAN  
KADARIAN; JAMES VENTRE JR.; ERIK  
SICKINGER; WILLIAM HALL JR.;  
ROBERTO IRIONDO; MELVIN BISHOP;  
HENRY CHORLIAN II; and JEFF CRITES,  
on behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

DRIVEN SPORTS, INC., a New York  
corporation; BODYBUILDING.COM, LLC;  
GENERAL NUTRITION CENTER, INC.;  
SPORTS NUTRITION RESEARCH, LTD;  
and DOES 1 through 10, inclusive,

Defendants.

MARCUS WAGNER, an individual, on behalf  
of himself and all others similarly situated,

Plaintiff,

vs.

DRIVEN SPORTS, INC., GENERAL  
NUTRITION CENTER, INC., and DOES 1  
through 50, inclusive,

Defendants.

CASE NO. 3:13-cv-04830-EMC

The Hon. Edward M. Chen

**[PROPOSED] ORDER PERMITTING  
PLAINTIFFS TO FILE PROPOSED  
SECOND AMENDED CLASS ACTION  
COMPLAINT**

Complaint Filed: November 12, 2013

1 Pursuant to the Joint Stipulation Permitting Plaintiffs to File the Proposed Second  
2 Amended Complaint entered into by PLAINTIFFS and Defendants General Nutrition Corporation  
3 (erroneously sued and served as “General Nutrition Center, Inc.”), Driven Sports, Inc.,  
4 Bodybuilding.com, LLC, and Sports Nutrition Research, Ltd., (collectively hereinafter as  
5 “DEFENDANTS”) (PLAINTIFFS and DEFENDANTS collectively as the “Parties”) by and  
6 through their counsel of record, and good cause appearing therefore,  
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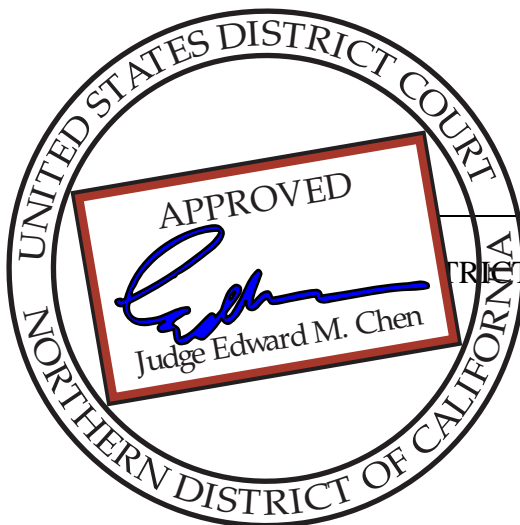
8 It is hereby ORDERED that:

9 1. PLAINTIFFS are permitted to file the Proposed Second Amended Class Action  
10 Complaint clarifying their allegations against Defendant Bodybuilding.com, LLC, which is  
11 attached as **Exhibit C** to the Parties Joint Stipulation filed herewith.

12 2. PLAINTIFFS’ Proposed Second Amended Class Action Complaint shall not  
13 change, alter, or revise any of the allegations against any of the DEFENDANTS except for  
14 Defendant Bodybuilding.com, LLC.

15 3. PLAINTIFFS’ Proposed Second Amended Class Action Complaint shall not  
16 incorporate or allege any new or additional allegations against any of the DEFENDANTS except  
17 for Defendant Bodybuilding.com, LLC.

18  
19 DATED: 9/8/14



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DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2014, I electronically filed the foregoing with the Clerk of the Court using the Court’s electronic filing system (“CM/ECF”) system and served a copy of same upon all counsel of record via the Court’s electronic efileing notification system (“NEF”).

/s/ A. Brooks Gresham  
A. Brooks Gresham