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Interim Class Counsel in *In re Ferrero Litigation*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re Ferrero Litigation

CASE NO. 11-cv-00205 H (CAB)
Pleading Type: Class Action

**DECLARATION OF LAURA RUDE-
BARBADO**

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1 I, Laura Rude-Barbado, declare:

2 1. I am a resident of San Diego County in the State of California. I am the named
3 plaintiff in the above-referenced action. I make this Declaration in support of Plaintiffs' Opposition to
4 defendant Ferrero, USA, Inc.'s ("Ferrero") motion to transfer.

5 2. I am 40 years of age as of today's date and have lived and worked in San Diego my
6 entire adult life.

7 3. Beginning in approximately July 2010, I purchased Nutella from a Vons grocery store
8 in San Diego, and later from CostCo in San Diego, even though it costs more than traditional peanut
9 butter spread, because I thought it was a healthier choice for my active and athletic sons, including my
10 young 7-year old son. I based my choice to purchase Nutella, in part, on the television commercials I
11 have seen in San Diego advertising the product.

12 4. I currently work in Imperial Beach, California in the County of San Diego in a local
13 café that my business partner and I started in November 2010. While my work hours are flexible in
14 order for me to also meet my family responsibilities, my share of the responsibilities of the café
15 include working over 40 hours per week completing various tasks including operating the bakery,
16 opening the store, operating the cash register, waiting tables, and filling food and drink orders.

17 5. I live in San Diego County with my three youngest children, ages 16, 13, and 7. All
18 three of my children are enrolled in California public schools and are involved in extracurricular
19 activities and sports programs. My eldest son is on his high school wrestling team, competes in
20 triathlons and is currently completing 200 hours of community service as part of his commitment to
21 his school and in an effort to meet his graduation requirements.

22 6. In addition to caring and providing for my children and running the business, I also
23 provide care and assistance to my elderly disabled mother. My mother suffers from back and knee
24 problems which has caused her limited mobility. In addition to her physical limitations, my mother
25 also suffers from severe anxiety disorder, obsessive compulsive disorder and severe depression. She
26 completely relies on me for her care and well-being.

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1 7. I brought forth this law suit with the intention that the case would be filed and litigated
2 in California – where I live and work. If this case were to be transferred to New Jersey, because I am
3 committed to my three children, my work and my ailing mother, I would face extreme practical and
4 financial difficulty. In the first instance, I would have to pay for babysitting for all three of my young
5 children, which I currently do not have to pay for since I normally provide care for my children. I
6 would also have to find transportation for all three of my children to each of their separate afterschool
7 activities. Furthermore, the cost of in-home care for my elderly mother would be exceptionally high
8 given the nature of her illnesses. Also, my children, especially my youngest child, would suffer
9 emotionally if I am to be gone for an extended period of time since we have never been separated
10 before.

11 8. In addition to the hardship imposed on my family, it would be financially difficult for
12 me to pay for accommodations and transportation to New Jersey.

13
14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on April 29, 2011 in Imperial Beach, California.

16 
17 Laura Rude-Barbato