



United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

Petitioner
 Tatiana Korolshteyn, on behalf of herself and all
 others similarly situated

V.

Defendant
 NBTY, Inc.

V.

Respondent
 Costco Wholesale Corporation

Amicus
 The Council for Responsible Nutrition

Civil Action No. 15-cv-0709-CAB-RBB

JUDGMENT IN A CIVIL CASE

IT IS HEREBY ORDERED AND ADJUDGED:

CRN’s motion to file a brief amicus curiae is Granted; Plaintiff’s motions to exclude the testimony of Susan Mitmesser and Edward Rosick are denied; Plaintiff’s motion to exclude the testimony of Stephen Ogenstad is Denied As Moot; Defendants’ motion to exclude the testimony of Richard Bazinet and Martin Lee is Denied As Moot; Defendants’ request for judicial notice and Plaintiff’s motion to strike are Denied As Moot; and, Defendants’ motion for summary judgment is Granted. Accordingly, the Clerk of Court is instructed to enter Judgment for Defendants and to Close this case. It is So Ordered.

Date: 8/23/17

CLERK OF COURT
JOHN MORRILL, Clerk of Court
 By: s/ J. Gutierrez

J. Gutierrez, Deputy