

# If you bought any of Dr. Dennis Gross Skincare, LLC’s “C+Collagen” Products between March 10, 2016, and June 28, 2024, then you may be entitled to payment.

*A court authorized this notice. This is not a solicitation from a lawyer.*



A settlement has been reached between Dr. Dennis Gross Skincare, LLC (“Defendant” or “DDG”) and Jami Kandel, Mocha Gunaratna, and Renee Camenforte (“Settlement Class Representatives” or “Plaintiffs”), individually and on behalf of the Settlement Class. The Settlement resolves class action lawsuits alleging that: (1) Dr. Dennis Gross Skincare owned, manufactured, and distributed products labeled as “C+Collagen” and purporting to contain collagen, when in reality, the products did not contain any collagen; (2) Settlement Class members lost money in the form of the price premium they paid for products as a result of the label. Defendant denies the allegations, contends that the products contained Vitamin C, which promotes production of collagen in human skin, and further denies that it did anything unlawful or improper. The Court did not rule in favor of either side. The parties agreed to the Settlement to avoid the expense and risks of the lawsuit.

- You are a Settlement Class member if you purchased any C+Collagen Product in the United States, for personal or household use and not for resale or distribution, whether sold alone or in combination with other products (“Class Products”), between March 10, 2016, and June 28, 2024 (the “Class Period”).
- Settlement Class Members who purchased any of the Class Products during the Class Period may submit a claim to receive Fifty Dollars (\$50) per Class Product purchased, capped at two (2) or ten (10) Class Products, depending on whether they submit proof of purchase.

- Settlement Class Members who purchased a Class Product during the Class Period and provide a receipt will receive a cash refund of Fifty Dollars (\$50) per Class Product purchased, with a cap of ten (10) Class Products.
- Settlement Class Members who purchased a Class Product during the Class Period and do not provide a receipt, but complete the Claim Form under penalty of perjury, will receive a cash refund of Fifty Dollars (\$50) per Class Product purchased with a cap of two (2) Class Products.
- Each Settlement Class Member may submit a claim either electronically through a settlement website or by mail.
- If the amount in the Net Settlement Fund (net of costs of notice and settlement administration, Settlement Class Counsel’s attorneys’ fees and litigation expenses and the service awards for Plaintiffs), is either less or more than the amount of the total cash claims submitted by Claimants, the claims of each Claimant will be decreased or increased, respectively, *pro rata*, to ensure the Settlement Fund is exhausted, with no reversion from the Settlement Fund to Defendant. *Pro rata* upward adjustment of cash claims shall be capped at one hundred dollars (\$100) per Class Product. Any amounts remaining in the Net Settlement Fund after checks are issued and cashed or expired shall be disbursed *cy pres*.

**Please read this Notice carefully and in its entirety. Your rights may be affected by the Settlement of this lawsuit, and you have a choice to make now about how to act:**

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:</b>	
SUBMIT A VALID CLAIM BY September 27, 2024	The only way to get a cash payment, is if you submit a valid claim and qualify.
EXCLUDE YOURSELF FROM THE CLASS BY September 27, 2024	You will not get any benefits under this Settlement. This is the only option that allows you to be part of any other lawsuit against Defendant about the legal claims in this case.
OBJECT TO THE SETTLEMENT BY September 27, 2024	Tell the Court about why you don’t like the Settlement.
GO TO A HEARING ON October 31, 2024	Ask to speak in Court about the Settlement.
DO NOTHING	Get no benefits. Give up rights to be part of any other lawsuit against Defendant about the legal claims in this case.

QUESTIONS? CALL 1-844-931-3243 OR VISIT [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).  
 PARA UNA NOTIFICACIÓN EN ESPAÑOL, VISITE NUESTRO SITIO DE INTERNET

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Cash payments for valid claims will be issued only if the Court approves the Settlement and after the time for appeals has ended and any appeals are resolved. Please be patient.

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## BASIC INFORMATION

### 1. Why was this notice issued?

A Court authorized this notice because you have a right to know about the proposed Settlement in this class action lawsuit, and about all of your options, before the Court decides whether to give “final approval” to the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

The case is known as *Kandel, et al., v. Dr. Dennis Gross Skincare, LLC*, Case No. 1:23-cv-01967-ER, currently pending in the U.S. District Court for the Southern District of New York. The Plaintiffs (Jami Kandel, Mocha Gunaratna, and Renee Camenforte) are suing the company Dr. Dennis Gross Skincare, LLC, the Defendant.

### 2. What is the lawsuit about?

On March 10, 2020, a class action lawsuit was filed against Defendant Dr. Dennis Gross Skincare, LLC, entitled *Gunaratna, et al v. Dr. Dennis Gross Skincare, LLC*, in United States District Court for the Central District of California, Case No. 2:20-cv-02311-MWF-GJS, alleging that: (1) Defendant owned, manufactured, and distributed products labeled as “C+Collagen” and purporting to contain collagen, when in reality, the products did not contain any collagen; and (2) Class Members lost money in the form of the price premium they paid for the “C+Collagen” products—that is, had they known that the products did not contain collagen, they would not have purchased the products, let alone paid a “premium” for them. Plaintiffs seek injunctive relief, restitutionary, actual, statutory, compensatory, and punitive damages, as well as reasonable attorneys’ fees and costs.

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On March 7, 2024, a similar class action lawsuit was filed against Defendant Dr. Dennis Gross Skincare, LLC, entitled *Kandel, et al v. Dr. Dennis Gross Skincare, LLC*, in United States District Court for the Southern District of New York, Case No. 1:23-cv-01967-ER, alleging the same claims against Defendant as the California action. On March 26, 2024, the New York action was amended to include the California class and California class representatives. (Collectively, these two lawsuits are referred to as "Actions").

Defendant contends that the products contained Vitamin C, which promotes production of collagen in human skin, among other arguments. Defendant denies that it charged a premium and asserts that consumers suffered no harm because they received what they paid for. Defendant denies all the allegations and claims in these cases and denies that it did anything unlawful or improper.

### 3. Why is this a class action?

In a class action one or more people called "class representatives" (in this case, the named Plaintiffs are Jami Kandel, Mocha Gunaratna, and Renee Camenforte) sue on behalf of people who have similar claims. All of these people or entities are a "class" or "class members." One court resolves the issues for all class members, except for those who exclude themselves from the class.

### 4. Why is there a settlement?

Both sides agreed to the settlement to avoid the cost and risk of further litigation and trial. The settlement does *not* mean that any law was broken. Defendant denies all of the legal claims in this case. The Class Representatives and the lawyers representing them think the settlement is best for all Settlement Class members.

## WHO IS IN THE SETTLEMENT?

To see if you are affected or if you can get benefits, you first have to determine whether you are a Settlement Class Member.

### 5. How do I know if I am part of the Settlement?

You are a member of the Settlement Class if you purchased DDG's C+Collagen Deep Cream, C+Collagen Serum, C+Collagen Mist, C+Collagen Eye Cream or C+Collagen Mask, or any other products sold with the C+Collagen label, whether sold alone or in combination with other products, in the United States, for personal or household use and not for resale or distribution, between March 10, 2016, and June 28, 2024. This time period is referred to as the "Class Period." Excluded from the Settlement Class are the presiding judges in the Actions, any member of those judges' immediate families, Defendant, any of Defendant's subsidiaries, parents, affiliates, and officers, directors, employees, legal representatives, heirs, successors, or assigns, counsel for the Parties, and any persons who timely opt-out of the Settlement Class.

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## 6. I'm still not sure if I'm included in the Settlement.

If you are not sure whether you are included in the Settlement Class, call 1-844-931-3243 or go to [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).

## THE SETTLEMENT BENEFITS—WHAT YOU GET

### 7. What does the Settlement provide?

Dr. Dennis Gross Skincare, LLC, has agreed to make available a Total Settlement Fund of Nine Million Two Hundred Thousand Dollars (\$9,200,000) ("Total Settlement Fund"). Settlement Class Members who submit a valid Claim may receive a benefit from the Settlement Fund.

Settlement Class Members who previously purchased any of the Class Products during the Class Period may submit a claim to receive Fifty Dollars (\$50) per Class Product purchased capped at two (2) or ten (10) Class Products, depending on whether they submit proof of purchase.

Settlement Class Members who purchased a Class Product during the Class Period and provide a receipt will receive a cash refund of Fifty Dollars (\$50) per Class Product purchased, with a cap of ten (10) Class Products.

Settlement Class Members who purchased a Class Product during the Class Period and do not provide a receipt, but complete the Claim Form under penalty of perjury, will receive a cash refund of Fifty Dollars (\$50) per Class Product purchased with a cap of two (2) Class Products.

Each Settlement Class Member may submit a claim either electronically through the Settlement Website ([www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com)) or by mail.

If the amount in the Net Settlement Fund (net of costs of notice and settlement administration, Settlement Class Counsel's attorneys' fees and litigation expenses and the service awards for Plaintiffs), is either less or more than the amount of the total cash claims submitted by Claimants, the claims of each Claimant will be decreased or increased, respectively, *pro rata*, to ensure the Settlement Fund is exhausted, with no reversion from the Settlement Fund to Defendant. *Pro rata* upward adjustment of cash claims shall be capped at one hundred dollars (\$100) per Class Product. Any amounts remaining in the Net Settlement Fund after checks are issued and cashed or expired shall be disbursed *cy pres*.

Those Settlement Class Members whose payments are not cleared within one hundred and eighty (180) calendar days after issuance will be ineligible to receive a cash settlement benefit and the Settlement Administrator will have no further obligation to make any payment from the Settlement Fund pursuant to this Settlement Agreement or otherwise to such Settlement Class Member. Any funds that remain unclaimed or are unused after the distribution of the Settlement Fund will be distributed to an appropriate *cy press* charity or charities approved by the Court. Instructions for submitting a Claim are included in Section 9 below.

Any award of attorneys' fees and litigation costs to Class Counsel (not to exceed \$3,900,000) upon Court approval, service awards (up to \$5000 each for the three Settlement Class Representatives), and costs to administer the Settlement will be paid from the Settlement Fund. More details are in a document called the Settlement Agreement, which is available at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).

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## 8. What am I giving up in exchange for the Settlement benefits?

If the Settlement becomes final, Settlement Class Members will be releasing Defendant and all related people and entities for all the claims described and identified in Section 8 of the Settlement Agreement (“Release”). The Release is included below:

The Releasing Parties (as defined in the Settlement Agreement) hereby fully release and forever discharge the Released Parties (as defined in the Settlement Agreement) from any and all actual, potential, filed, known or unknown, fixed or contingent, claimed or unclaimed, suspected or unsuspected, asserted or unasserted, claims, demands, liabilities, rights, debts, obligations, liens, contracts, agreements, judgments, actions, suits, causes of action, contracts or agreements, extra-contractual claims, damages of any kind, punitive, exemplary or multiplied damages, expenses, costs, penalties, fees, attorneys’ fees, and/or obligations of any nature whatsoever (including “Unknown Claims” as defined below), whether at law or in equity, accrued or unaccrued, whether previously existing, existing now or arising in the future, whether direct, individual, representative, or class, of every nature, kind and description whatsoever, based on any federal, state, local, statutory or common law or any other law, rule or regulation, including the law of any jurisdiction outside the United States, against the Released Parties, or any of them, relating in any way to any conduct prior to the date of the Preliminary Approval Order and that: (a) is or are based on any act, omission, inadequacy, statement, communication, representation (express or implied), harm, injury, matter, cause, or event of any kind related in any way to any Covered Class Product; (b) involves legal claims related to the Covered Class Products that have been asserted in the Actions or could have been asserted in the Actions; or (c) involves the advertising, marketing, promotion, purchase, sale, distribution, design, testing, manufacture, application, use, performance, warranting, communications or statements about the Covered Class Products, packaging or Labeling of the Covered Class Products (collectively, the “Released Claims”).

Notice of the Court’s final judgment will be effected by posting it on the Settlement Administrator’s website and by posting a copy of the final judgment and final approval order on the Settlement Administrator’s website at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com). The full Settlement Agreement is available at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com). The Settlement Agreement describes the Releasing Parties, Released Parties, and Released Claims with specific descriptions, in necessarily accurate legal terminology, so please read it carefully. You can talk to one of the lawyers listed below for free or you can, of course, talk to your own lawyer if you have questions about the Released Claims or what they mean.

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## HOW TO GET A CASH PAYMENT—SUBMITTING A VALID CLAIM FORM

### 9. How can I get a cash payment?

To ask for a Cash Award you must complete and submit a Valid Claim Form along with the required supporting documentation, if you have it. You can get a Claim Form at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com). You may also submit your claim via the website. The Claim Form describes what you must provide to prove your claim and receive a Cash Award and generally requires information regarding the quantity of Class Products you purchased during the Class Period. Please read the instructions carefully, fill out the Claim Form, and either submit it online at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com) or mail it postmarked no later than, **September 27, 2024**, to:

DDG C Plus Collagen Settlement Administrator  
P.O. Box 3553  
Baton Rouge, LA 70821

The Settlement Administrator may seek additional information to validate the Claim Form and/or disqualify an invalid Claim. If you provide incomplete or inaccurate information, your Claim may be denied.

### 10. When will I get my payment?

Payments will be sent to Settlement Class Members who send in Valid Claim Forms on time, after the Court grants “final approval” of the Settlement, and after the time for appeals has ended and any appeals have been resolved. If the Court approves the Settlement after a hearing on **October 31, 2024** (see the section “The Court’s Fairness Hearing” below), there may be appeals. Resolving these appeals can take time. Please be patient.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you want to keep the right to sue or continue to sue Defendant over the legal issues in this case, you must take steps to get out of the Settlement. This is called asking to be excluded from—sometimes called “opting out” of—the Settlement Class. If you exclude yourself from the settlement, you will not be entitled to receive any money from this lawsuit.

### 11. If I exclude myself, can I get anything from the Settlement?

If you ask to be excluded, you will not get a Cash Award under the Settlement, and you cannot object to the Settlement. But you may be part of a different lawsuit against Defendant in the future. You will not be bound by anything that happens in this lawsuit.

### 12. If I don’t exclude myself, can I sue later?

No. Unless you exclude yourself, you give up the right to sue Defendant for the claims that this Settlement resolves. You must exclude yourself from *this* Class to start or continue your own lawsuit.

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### 13. How do I get out of the Settlement?

To opt out of the Settlement, you must send a letter by mail saying that you want to be excluded from *Kandel, et al. v. Dr. Dennis Gross Skincare, LLC*, U.S. District Court for the Southern District of New York, Case No. 1:23-cv-01967-ER. Be sure to include your name, address, telephone number, the approximate date of purchase, and your signature. You can't ask to be excluded at the website or on the phone. You must mail your opt out request postmarked no later than **September 27, 2024**, to:

DDG C Plus Collagen Settlement Administrator  
P.O. Box 3553  
Baton Rouge, LA 70821

Requests to opt out that do not include all required information and/or that are not submitted on a timely basis, will be deemed null, void, and ineffective. Settlement Class Members who fail to submit a valid and timely Request for opting out on or before the deadline above shall be bound by all terms of the Settlement and any Final Judgment entered in this litigation if the Settlement is approved by the Court, regardless of whether they ineffectively or untimely requested exclusion from the Settlement.

### OBJECTING TO THE SETTLEMENT

### 14. How do I tell the Court I don't like the proposed Settlement?

To object to the Settlement, you or your attorney must send a written objection ("Objection") to the Settlement Administrator showing the basis for your objections. Your objection must contain the following information:

- (i) A caption or title that clearly identifies the Action (*Kandel, et al. v. Dr. Dennis Gross Skincare, LLC*, Case No. 1:23-cv-01967-ER (S.D.N.Y.) and that the document is an objection;
- (ii) Your name, current address, and telephone number or your lawyer's name, address, and telephone number if you are objecting through counsel;
- (iii) What Product(s) you bought during the Class Period;
- (iv) a clear and concise statement of the Class Member's objection, as well as any facts and law supporting the objection,
- (v) If applicable, the identity of any other objections you or your counsel (if you have counsel) submitted to any other class action settlements within the past five years including the case name, case number, and court, the general nature of such prior objection(s), and the outcome of said prior objection(s) (or a statement that you and/or your attorneys have submitted no such objections);
- (vi) Your signature attesting that all facts are true and correct; and
- (vii) If applicable, the signature of your counsel (the "Objection").

Any Objection to the Settlement must be postmarked on or before the Objection Deadline and sent to the Settlement Administrator at the addresses set forth in the Class Notice. The Court may, but is not required to, hear Objections in substantial compliance with these requirements, so Settlement Class Members should satisfy all requirements.

QUESTIONS? CALL 1-844-931-3243 OR VISIT [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).  
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You or your lawyer may, but are not required to, appear at the Final Approval Hearing. If you or your lawyer wish to appear at the Final Approval Hearing, you must file with the Court a Notice of Intention to Appear along your written objection no later than **September 27, 2024**. You must file your Notice of Intention to Appear by certified mail or in person, along with any other supporting materials to: Clerk, United States District Court for the Southern District of New York, 40 Foley Square, New York, NY 10007. Your written Objection must be marked with the Case name and Case Number (*Kandel, et al. v. Dr. Dennis Gross Skincare, LLC*, Case No. 1:23-cv-01967-ER, U.S. District Court for the Southern District of New York). In addition, you must also send copies of all documents you file with the Court to:

**CLARKSON LAW FIRM, PC.**

Ryan J. Clarkson, Esq.

Yana Hart, Esq.

Tiara Avanness, Esq.

22525 Pacific Coast Highway

Malibu, CA 90265

[DDG@Clarksonlawfirm.com](mailto:DDG@Clarksonlawfirm.com)

The Court may only require substantial compliance with the requirements for submitting an objection. The requirement to submit a written objection may be waived upon a showing of good cause.

## OBJECTION AND OPT-OUT DIFFERENCES

### 15. What is the difference between objecting and opting out?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. If you stay in the Class, you will be legally bound by all orders and judgments of the Court, and you won't be able to sue, or continue to sue, Defendant as part of any other lawsuit involving the same claims that are in this lawsuit. Opting out is telling the Court that you don't want to be part of the Class. If you opt out, you have no basis to object because the case no longer affects you. You cannot both opt out of and object to the Settlement. If a person attempts to do both, the Court will treat the submissions as an opt-out.

## THE LAWYERS REPRESENTING YOU

### 16. Do I have a lawyer in the case?

The Court has designated Ryan J. Clarkson, Yana Hart, and Tiara Avanness of Clarkson Law Firm, P.C., 22525 Pacific Coast Highway, Malibu, CA 90265 to represent you as "Class Counsel." You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

QUESTIONS? CALL 1-844-931-3243 OR VISIT [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).  
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## 17. How will the costs of the lawsuit and Settlement be paid?

The Settlement Administrator's and costs and fees associated with administering the Settlement, including all costs associated with the publication of the Notice of Settlement will be paid out of the Settlement Fund and shall not exceed \$399,324, plus postage. Class Counsel's reasonable attorneys' fees and costs related to obtaining the Settlement consistent with applicable law will also be paid out of the Settlement Fund, subject to Court approval.

The three Settlement Class Representatives will also request that the Court approve a payment to them of up to \$5,000 each, a total of \$15,000, from the Settlement Fund, as service awards for their participation as the Settlement Class Representatives—for taking on the risk of litigation, and for settlement of their individual claims as Settlement Class Members in the settled Actions. The amounts are subject to Court approval and the Court may award less.

### THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. If you have filed an objection on time, you may attend and you may ask to speak, but you don't have to.

## 18. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at **10:30 a.m. on October 31, 2024**, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, Courtroom 619. The hearing may be moved to a different date or time without additional notice, so please check for updates at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com). At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. In order to speak at the Fairness Hearing, you must file a notice of intention to appear with the Clerk. The Court will also decide how much to pay the Settlement Class Representatives and the lawyers representing Settlement Class Members. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

## 19. Do I have to come to the hearing?

No. Class Counsel will answer any questions the judge may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. If you have sent an objection but do not come to the Court hearing, however, you will not have a right to appeal an approval of the Settlement. You may also pay another lawyer to attend on your behalf, but it's not required.

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## 20. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your “Notice of Intent to Appear” in the *Kandel, et al. v. Dr. Dennis Gross Skincare, LLC*, litigation. Be sure to include your name, address, telephone number, and your signature as well as the name, address and telephone number of any lawyer representing you (if applicable). Your Notice of Intent to Appear must be postmarked no later than no later than **September 27, 2024**, and be sent to the addresses listed in Questions 13 and 14. You cannot speak at the hearing if you excluded yourself from the Class.

## IF YOU DO NOTHING

## 21. What happens if I do nothing at all?

If you are a Settlement Class member and do nothing, you will not receive a payment from this Settlement. And, unless you exclude yourself, you won’t be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant about the claims in this case, ever again.

## GETTING MORE INFORMATION

## 22. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement, download a Claim Form, and review additional case information at [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com). You may also call toll-free 1-844-931-3243.

**PLEASE DO NOT TELEPHONE THE DEFENDANT, THE COURT, OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**

**BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

QUESTIONS? CALL 1-844-931-3243 OR VISIT [www.Cpluscollagenlawsuit.com](http://www.Cpluscollagenlawsuit.com).  
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