

# Exhibit B

1 [Submitting Counsel on Signature Page]  
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10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
12

13 IN RE: JUUL LABS, INC., MARKETING,  
14 SALES PRACTICES, AND PRODUCTS  
15 LIABILITY LITIGATION

CASE NO. 19-MD-02913-WHO

16 This Document Relates to: **Plaintiffs'**  
17 **Amended Consolidated Class Action**  
18 **Complaint (ECF Doc. No. 679)**

19  
20 **PLAINTIFFS' AND ABSENT CLASS MEMBERS' OBJECTIONS TO JUUL LABS, INC.'S**  
21 **FIRST SET OF INTERROGATORIES TO ABSENT CLASS MEMBERS**  
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PLAINTIFFS' AND ABSENT CLASS MEMBERS' OBJECTIONS TO JUUL LABS, INC.'S  
FIRST SET OF INTERROGATORIES TO ABSENT CLASS MEMBERS  
CASE NO. 19-MD-02913-WHO

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Local Civil Rule 33-1 of  
2 the United States District Court for the Northern District of California, Plaintiffs<sup>1</sup> and certain absent class  
3 members hereby provide objections to JUUL Labs, Inc.’s (“JLI’s”) First Set of Interrogatories  
4 propounded on individuals who filed class actions but were ultimately not included as named plaintiffs  
5 in the Amended Consolidated Class Action Complaint (ECF Doc. No. 679) (“Absent Class Members”)<sup>2</sup>,  
6 as set forth below.

7 **PRELIMINARY STATEMENT OF GENERAL OBJECTIONS,**  
8 **RESERVATIONS AND CLARIFICATIONS**

9 1. The failure of Plaintiffs and Absent Class Members to object on a particular ground to a  
10 specific Interrogatory should in no way be construed to be a waiver of Plaintiffs’ and Absent Class  
11 Members’ right to object on additional grounds or to supplement these objections and responses at a later  
12 time after further investigation and discovery and/or in response to clarifications or interpretations  
13 provided by JLI.

14 2. Plaintiffs and Absent Class Members object to the Requests in their entirety because they  
15 seek discovery from Absent Class Members – individuals who are part of the putative class but are not  
16 named plaintiffs in the Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery  
17 of members of the proposed class is permissible only with leave of the Court and with a showing of  
18 particularized need.

19 3. Plaintiffs and Absent Class Members object to the Interrogatories in their entirety since  
20 discovery of Absent Class Members defeats the purpose of streamlining the Class Action litigation to  
21 focus on preparing for the bellwether proceedings.

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23 <sup>1</sup> The term “Plaintiffs” as used in the objections and responses herein, refers to the named plaintiffs in the Amended  
Consolidated Class Action Complaint (ECF Doc. No. 679).

24 <sup>2</sup> The term “Absent Class Members,” for purposes of the objections and responses herein, refers to Anastasia Quercia, Ethan  
25 Cooper, Giovanni Ferraro, J.G. (individually and on behalf of C.G.), Elizabeth Ann Swearingen, John Thomas Via Peavy,  
26 Kaytlin McKnight, Kewmarse Imani, M.D. (individually and on behalf of M.E.D.), Matthew Pedecine, David Lechtzin, R.E.  
27 (individually and on behalf of P.K.E.), Rebecca Ledbetter, Sabrina Zampa (individually and on behalf of both J.M. and  
J.M.), Sebastian Oberhauser, Sebastian Soulas, Shawn Hochhauser, William O’Reilly, Andrew Tekulve, Morgan Wright,  
Christine Langlois (individually and on behalf of E.L.), Lisa Yore (individually and on behalf of B.Y.), Erin Nessmith, Jared  
Nessmith, Matthew Murphy, Cade Beauparlant, Marianne Savage (on behalf of M.), Sean E. Doker, and Jacob Harrison.

1 4. Plaintiffs and Absent Class Members reserve the right to supplement, modify, or amend  
2 these objections and responses in accordance with the provisions of the Federal Rules of Civil Procedure  
3 and decisions relevant to this case.

4 5. To the extent an Interrogatory does not seek responsive information for a defined time  
5 period, Plaintiffs and Absent Class Members will interpret that Interrogatory as requesting responsive  
6 information for a reasonable time period.

7 **OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

8 1. In responding to the Interrogatories, Plaintiffs and Absent Class Members do not adopt,  
9 embrace or accept any term or definition employed by JLI. These responses are made based upon  
10 Plaintiffs' and Absent Class Members' interpretation of words contained in the Interrogatories, unless a  
11 specific definition or instruction has been agreed upon.

12 2. Specifically, with respect to JLI's definition of "Complaint" Plaintiffs and Absent Class  
13 Members do not adopt the definition of "Complaint" employed by JLI. Instead, Plaintiffs and Absent  
14 Class Members interpret "Complaint" to mean Plaintiffs' Amended Consolidated Class Action  
15 Complaint (ECF Doc. No. 679), including all appendices.

16 3. Plaintiffs and Absent Class Members further object to JLI's definitions of "Plaintiffs,"  
17 "You," "Your," and "Plaintiff" to the extent it directs these Interrogatories towards Absent Class  
18 Members. Discovery of members of the proposed class is permissible only with leave of the Court and  
19 with a showing of particularized need.

20 **SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES**

21 Each of the General Objections set forth above, whether contained in the Preliminary Statement,  
22 or in the Objections to Definitions and Instructions ("General Objection(s)"), are hereby incorporated in  
23 each objection to each Interrogatory as though fully set forth therein, whether or not a further specific  
24 objection is made with respect to an individual Interrogatory. Plaintiffs' and Absent Class Members'  
25 specific objections may repeat or restate a General Objection; however, the failure to repeat or restate a  
26 General Objection in response to a specific Interrogatory shall not constitute a waiver of any general  
27

1 objection or of the Plaintiffs’ or Absent Class Members’ rights to assert that or any other objection at a  
2 later date.

3 **DOCUMENT REQUEST NO. 1:** State Your full name and any other names and nicknames that  
4 You have been known by, current residence address, all prior residence addresses within the past ten  
5 years, date of birth, and social security number.

5 Response to Interrogatory No. 1:

6 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
7 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
8 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
9 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
10 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
11 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
12 further object to the extent this Interrogatory seeks information that falls within the bounds of Absent  
13 Class Members’ legitimate expectation of privacy, or is otherwise of a highly personal nature, not of  
14 legitimate concern to the public, and/or protected under federal or state laws. Plaintiffs and Absent Class  
15 Members further object to this Interrogatory to the extent it seeks information that is not relevant to the  
16 claims or defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P.  
17 26(b)(1). Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related  
18 to JUUL Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’  
19 consequent purchase of JUUL Products. Some of the information sought by this Interrogatory – i.e.,  
20 nicknames, past address information and social security number – are unrelated to the purchase of JUUL  
21 Products, Defendants’ marketing of and representations regarding JUUL Products and the impact that  
22 Defendants’ marketing and representations had on the decision to purchase JUUL Products. That  
23 information is therefore irrelevant to any claims or defenses at issue in this Class Action. Plaintiffs and  
24 Absent Class Members further object to this Interrogatory as unduly burdensome to the extent that it  
25 seeks information that is already readily accessible to JLI and to the extent that it calls for Absent Class  
26 Members to reproduce, in narrative answer format, information that has already been disclosed to  
27 Defendants in response to Questions 8-12 of Absent Class Members’ submitted Plaintiff Fact Sheet.

1 Absent Class Members will withhold otherwise responsive information on the basis of these  
2 objections.

3 **DOCUMENT REQUEST NO. 2:** Identify, in chronological order (by month and year), each  
4 employer for whom You work or have worked for the past ten years and, for each employer listed,  
5 provide Your job title(s) and Identify Your job duties.

5 Response to Interrogatory No. 2:

6 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
7 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
8 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
9 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
10 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
11 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
12 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
13 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
14 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
15 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
16 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., employment  
17 history – is unrelated to the purchase of JUUL Products, Defendants’ marketing of and representations  
18 regarding JUUL Products and the impact that Defendants’ marketing and representations had on the  
19 decision to purchase JUUL Products. That information is therefore irrelevant to any claims or defenses  
20 at issue in this Class Action. Plaintiffs and Absent Class Members further object to this Interrogatory as  
21 unduly burdensome to the extent that it seeks information that is already readily accessible to JLI and to  
22 the extent that it calls for Absent Class Members to reproduce, in narrative answer format, information  
23 that has already been disclosed to Defendants in response to Question 15 of Absent Class Members’  
24 submitted Plaintiff Fact Sheet.

25 Absent Class Members will withhold otherwise responsive information on the basis of these  
26 objections.

1 **DOCUMENT REQUEST NO. 3:** Identify each school You have attended in the past ten years,  
2 including but not limited to all schools, colleges, universities, or trade schools, and state the dates  
(month and year) of attendance and any diplomas, degrees, or certifications received.

3 Response to Interrogatory No. 3:

4 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
5 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
6 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
7 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
8 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
9 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
10 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
11 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
12 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
13 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
14 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., Absent Class  
15 Members’ educational history – is unrelated to the purchase of JUUL Products, Defendants’ marketing  
16 of and representations regarding JUUL Products and the impact that Defendants’ marketing and  
17 representations had on the decision to purchase JUUL Products. That information is therefore irrelevant  
18 to any claims or defenses at issue in this Class Action. Plaintiffs and Absent Class Members further  
19 object to this Interrogatory as unduly burdensome to the extent that it seeks information that is already  
20 readily accessible to JLI and to the extent that it calls for Absent Class Members to reproduce, in narrative  
21 answer format, information that has already been disclosed to Defendants in response to Question 14 of  
22 Absent Class Members’s submitted Plaintiff Fact Sheet.

23 Absent Class Members will withhold otherwise responsive information on the basis of these  
24 objections.

1 **DOCUMENT REQUEST NO. 4:** State whether You have ever been a plaintiff in a civil litigation  
2 (whether as class representative in a class action or otherwise) or a defendant in a criminal or  
3 administrative proceeding or litigation, and for each such action or proceeding, state: (a) The caption of  
4 the proceeding or investigation, including parties and docket number; (b) The name of the court in  
5 which it was filed; (c) The date it was filed; (d) The nature of the claims made; and (e) The outcome of  
6 the case, or if pending, the expected date of trial or hearing.

7 Response to Interrogatory No. 4:

8 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
9 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
10 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
11 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
12 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
13 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
14 further object to the extent this Interrogatory seeks information that falls within the bounds of Absent  
15 Class Members’ legitimate expectation of privacy, or is otherwise of a highly personal nature, not of  
16 legitimate concern to the public, and/or protected under federal or state laws. Plaintiffs and Absent Class  
17 Members further object to this Interrogatory to the extent it seeks information that is not relevant to the  
18 claims or defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P.  
19 26(b)(1). Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related  
20 to JUUL Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’  
21 consequent purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., past  
22 or current status as a party to other litigation or proceeding – is unrelated to the purchase of JUUL  
23 Products, Defendants’ marketing of and representations regarding JUUL Products and the impact that  
24 Defendants’ marketing and representations had on the decision to purchase JUUL Products. That  
25 information is therefore irrelevant to any claims or defenses at issue in this Class Action.

26 Absent Class Members will withhold otherwise responsive information on the basis of these  
27 objections.  
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1 **DOCUMENT REQUEST NO. 5:** Identify and describe each alleged physical, psychiatric,  
2 psychological, mental, emotional, behavioral, or other health-related impact, illness, condition, or other  
3 injuries of any kind whatsoever You claim to have sustained as a result of purchasing and/or using  
4 JUUL Products and Identify all health care providers from whom you sought treatment for these  
5 injuries.

6 **Response to Interrogatory No. 5:**

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object that this Interrogatory seeks information that is irrelevant to the claims or defenses of any  
14 of the Parties in the Class Action. Plaintiffs’ Amended Consolidated Class Action Complaint claims  
15 economic damages related to JUUL Product marketing and Plaintiffs’ consequent purchase of JUUL  
16 Products. Information related to damages or injury other than economic damages is therefore irrelevant  
17 to Plaintiffs’ Class Action claims. Plaintiffs and Absent Class Members further object to the extent this  
18 Interrogatory seeks information that falls within the bounds of Absent Class Members’ legitimate  
19 expectation of privacy, or is otherwise of a highly personal nature, not of legitimate concern to the public,  
20 and/or protected under federal or state laws. Plaintiffs and Absent Class Members further object to this  
21 Interrogatory as unduly burdensome to the extent that it seeks information that is already readily  
22 accessible to JLI and to the extent that it calls for Absent Class Members to reproduce, in narrative answer  
23 format, information that has already been disclosed to Defendants in response to Questions 37-44 of  
24 Absent Class Members’s submitted Plaintiff Fact Sheet.

25 Absent Class Members will withhold otherwise responsive information on the basis of these  
26 objections.  
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1 **DOCUMENT REQUEST NO. 6:** If You contend You were overcharged for JUUL Products,  
2 specify the amount You contend You were overcharged.

3 Response to Interrogatory No. 6:

4 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
5 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
6 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
7 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
8 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
9 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
10 further object to this Interrogatory to the extent that it calls for the premature disclosure of information  
11 that will be the subject of expert reports and testimony. Such expert opinion will be disclosed in  
12 accordance with the Orders of the Court and the applicable Federal Rules of Civil Procedure. Plaintiffs  
13 and Absent Class Members further object that this is a premature contention interrogatory.

14 Absent Class Members will withhold otherwise responsive information on the basis of these  
15 objections.

16 **DOCUMENT REQUEST NO. 7:** Identify each entity or Person, other than Your attorneys, with  
17 whom You communicated about Your use of JUUL Products, any injury or damages sustained as a  
18 result, or the substance of the allegations of the Complaint, including but not limited to any  
19 Communications You have had with the Better Business Bureau or any of its independently  
20 incorporated local organizations.

21 Response to Interrogatory No. 7:

22 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
23 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
24 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
25 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
26 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
27 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
28 further object that this Interrogatory’s use of the phrase “use” is, in this instance, overbroad in that it

1 encompasses a request for information that is irrelevant to the claims or defenses of any of the Parties in  
2 the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1). Plaintiffs' Amended  
3 Consolidated Class Action Complaint claims economic damages related to JUUL Product marketing and  
4 Plaintiffs' consequent purchase of JUUL Products. Information related solely to an individual's use of  
5 JUUL Products – without any reference to that individual's purchase of JUUL Products – is therefore  
6 irrelevant to Plaintiffs' Class Action claims or any defense to those claims. Plaintiffs and Absent Class  
7 Members further object to the extent that this Interrogatory calls for the production of information that is  
8 related to communications with individuals who are not Plaintiffs' attorneys but are still within the ambit  
9 of the attorney-client privilege, the attorney work-product doctrine, the common interest privilege, or any  
10 other applicable privilege or confidentiality doctrine. Such individuals may include but are not limited  
11 to consultants or experts employed by Plaintiffs' attorneys for the purpose of assisting Plaintiffs'  
12 attorneys in preparing Plaintiffs' case. Plaintiffs and Absent Class Members further object to the extent  
13 this Interrogatory seeks information that falls within the bounds of Absent Class Members' legitimate  
14 expectation of privacy, or is otherwise of a highly personal nature, not of legitimate concern to the public,  
15 and/or protected under federal or state laws.

16 Absent Class Members will withhold otherwise responsive information on the basis of these  
17 objections.

18 **DOCUMENT REQUEST NO. 8:** Identify all Communications regarding Your use of JUUL  
19 Products or the allegations of the Complaint that You have made on any social media platform or  
20 website, or to any media entity or reporter.

21 **Response to Interrogatory No. 8:**

22 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
23 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
24 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
25 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
26 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
27 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
28 further object that this Interrogatory's use of the phrase "use" is, in this instance, overbroad in that it

1 encompasses a request for information that is irrelevant to the claims or defenses of any of the Parties in  
2 the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1). Plaintiffs' Amended  
3 Consolidated Class Action Complaint claims economic damages related to JUUL Product marketing and  
4 Plaintiffs' consequent purchase of JUUL Products. Information related solely to an individual's use of  
5 JUUL Products – without any reference to that individual's purchase of JUUL Products – is therefore  
6 irrelevant to Plaintiffs' Class Action claims or any defense to those claims.

7 Absent Class Members will withhold otherwise responsive information on the basis of these  
8 objections.

9 **DOCUMENT REQUEST NO. 9:** Describe in detail the circumstances under which You first used a  
10 JUUL Product, including: (a) product type; (b) product flavor; (c) nicotine strength; (d) date of use; (e)  
11 location (city and state of use); (f) method of acquisition (e.g., convenience store, e-commerce website,  
12 friend); (g) whether You purchased the product yourself or received it from another Person (and if so,  
13 Identify any Persons who provided it to you); (h) reasons for trying JUUL on that occasion; (i) how  
14 much You paid for the product (or if you received it for free); (j) whether and how your age was  
15 verified; and (k) Identify any Persons who were present during such use.

14 Response to Interrogatory No. 9:

15 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
16 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
17 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
18 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
19 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
20 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
21 further object that this Interrogatory's use of the phrase “use” is, in this instance, overbroad in that it  
22 encompasses a request for information that is irrelevant to the claims or defenses of any of the Parties in  
23 the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1). Plaintiffs' Amended  
24 Consolidated Class Action Complaint claims economic damages related to JUUL Product marketing and  
25 Plaintiffs' consequent purchase of JUUL Products. Information related solely to an individual's use of  
26 JUUL Products – without any reference to that individual's purchase of JUUL Products – is therefore  
27 irrelevant to Plaintiffs' Class Action claims or any defense to those claims.

1 Absent Class Members will withhold otherwise responsive information on the basis of these  
2 objections.

3 **DOCUMENT REQUEST NO. 10:** Identify each and every JUUL Product You have ever used,  
4 including the type(s) of products used, flavor(s) of any pods used, and/or nicotine strength(s) of any  
5 pods used.

6 Response to Interrogatory No. 10:

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object that this Interrogatory’s use of the phrase “use” is, in this instance, overbroad in that it  
14 encompasses a request for information that is irrelevant to the claims or defenses of any of the Parties in  
15 the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1). Plaintiffs’ Amended  
16 Consolidated Class Action Complaint claims economic damages related to JUUL Product marketing and  
17 Plaintiffs’ consequent purchase of JUUL Products. Information related solely to an individual’s use of  
18 JUUL Products – without any reference to that individual’s purchase of JUUL Products – is therefore  
19 irrelevant to Plaintiffs’ Class Action claims or any defense to those claims. Plaintiffs and Absent Class  
20 Members further object to this Interrogatory as unduly burdensome to the extent that it seeks information  
21 that is already readily accessible to JLI and to the extent that it calls for Absent Class Members to  
22 reproduce, in narrative answer format, information that has already been disclosed to Defendants in  
23 response to Questions 16-18 of Absent Class Members’s submitted Plaintiff Fact Sheet.

24 Absent Class Members will withhold otherwise responsive information on the basis of these  
25 objections.

1 **DOCUMENT REQUEST NO. 11:** Identify each and every store, retailer, and/or website from which  
2 You purchased or obtained a JUUL Product, including the date(s) of purchase, how much You paid for  
3 the Juul Product, city and state of purchase, and for any of Your online purchases directly from JLI  
4 (e.g., [www.JUUL.com](http://www.JUUL.com)), any online accounts related to JUUL Products, any email address(es), and any  
5 physical address(es) associated with the online account.

6 Response to Interrogatory No. 11:

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object that this Interrogatory’s use of the phrase “obtained” is, in this instance, overbroad in that  
14 it encompasses a request for information that is irrelevant to the claims or defenses of any of the Parties  
15 in the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1). Plaintiffs’ Amended  
16 Consolidated Class Action Complaint claims economic damages related to JUUL Product marketing and  
17 Plaintiffs’ consequent purchase of JUUL Products. Information related solely to an individual obtaining  
18 JUUL Products – without any reference to that individual purchasing JUUL Products – is therefore  
19 irrelevant to Plaintiffs’ Class Action claims or any defense to those claims. Plaintiffs and Absent Class  
20 Members further object to this Interrogatory as unduly burdensome to the extent that it seeks information  
21 that is already readily accessible to JLI and to the extent that it calls for Absent Class Members to  
22 reproduce, in narrative answer format, information that has already been disclosed to Defendants in  
23 response to Questions 20-23 of Absent Class Members’s submitted Plaintiff Fact Sheet.

24 Absent Class Members will withhold otherwise responsive information on the basis of these  
25 objections.  
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1 **DOCUMENT REQUEST NO. 12:** If you ever obtained JUUL Products from any source other than a  
2 store, retailer, and/or website, Identify: (a) all Persons from whom You received or acquired JUUL  
3 Products; (b) how much You paid for the product(s) or if You received the product(s) for free; (c)  
4 whether Your age was verified and if so, how; (d) any Persons who were present during Your use of  
5 each product; and (e) whether You used the product.

6 **Response to Interrogatory No. 12:**

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object that this Interrogatory’s use of the phrases “obtained” and “used” is, in this instance,  
14 overbroad in that they encompass a request for information that is irrelevant to the claims or defenses of  
15 any of the Parties in the Class Action litigation and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
16 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
17 Product marketing and Plaintiffs’ consequent purchase of JUUL Products. Information related solely to  
18 an individual obtaining or using a JUUL Product – without any reference to that individual purchasing a  
19 JUUL Product – is therefore irrelevant to Plaintiffs’ Class Action claims or any defense to those claims.

20 Absent Class Members will withhold otherwise responsive information on the basis of these  
21 objections.

22 **DOCUMENT REQUEST NO. 13:** Identify all other ENDS (including any non-JUUL pods or  
23 cartridges used in a JUUL device) and any Tobacco Products You have used (including but not limited  
24 to cigarettes, cigars, pipe tobacco, dip, pouches, and other smokeless tobacco), the frequency of use for  
25 each product (i.e., how many pods, cartridges, cigarettes, pods, etc. per day), and the month(s) and  
26 year(s) in which You used each one.

27 **Response to Interrogatory No. 13:**

28 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the

1 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
 2 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
 3 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
 4 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
 5 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
 6 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
 7 Plaintiffs' Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
 8 Product marketing and Defendants' representations regarding JUUL Products and Plaintiffs' consequent  
 9 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
 10 the use of non-JUUL ENDS products – is unrelated to the purchase of JUUL Products, Defendants'  
 11 marketing of and representations regarding JUUL Products and the impact that Defendants' marketing  
 12 and representations had on the decision to purchase JUUL Products. That information is therefore  
 13 irrelevant to any claims or defenses at issue in this Class Action.

14 Absent Class Members will withhold otherwise responsive information on the basis of these  
 15 objections.

16 **DOCUMENT REQUEST NO. 14:** Identify all Cannabis Products You have used, the manner of use  
 17 (including but not limited to smoking, vaping, dabbing, topicals, oils, edibles, suppositories, tinctures,  
 18 sublingual), the frequency of use for each product (i.e., amount of Cannabis Products consumed per  
 day), and the month(s) and year(s) in which You used each one.

19 Response to Interrogatory No. 14:

20 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
 21 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
 22 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
 23 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
 24 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
 25 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
 26 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
 27 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).



1 Plaintiffs' Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
2 Product marketing and Defendants' representations regarding JUUL Products and Plaintiffs' consequent  
3 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
4 the use of Cannabis Products – is unrelated to the purchase of JUUL Products, Defendants' marketing of  
5 and representations regarding JUUL Products and the impact that Defendants' marketing and  
6 representations had on the decision to purchase JUUL Products. That information is therefore irrelevant  
7 to any claims or defenses at issue in this Class Action.

8 Absent Class Members will withhold otherwise responsive information on the basis of these  
9 objections.

10  
11 **DOCUMENT REQUEST NO. 15:** Identify all substances (natural or synthetic) other than ENDS,  
12 Tobacco Products, and Cannabis Products You have vaped, the frequency of Your vaping or smoking  
13 of each one, and the month(s) and year(s) in which You vaped or smoked each one.

14 **Response to Interrogatory No. 15:**

15 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
16 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
17 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
18 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
19 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
20 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
21 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
22 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
23 Plaintiffs' Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
24 Product marketing and Defendants' representations regarding JUUL Products and Plaintiffs' consequent  
25 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
26 vaping history– is unrelated to the purchase of JUUL Products, Defendants' marketing of and  
27 representations regarding JUUL Products and the impact that Defendants' marketing and representations

1 had on the decision to purchase JUUL Products. That information is therefore irrelevant to any claims  
2 or defenses at issue in this Class Action.

3 Absent Class Members will withhold otherwise responsive information on the basis of these  
4 objections.

5 **DOCUMENT REQUEST NO. 16:** Have You ever used a modified or altered JUUL device or  
6 JUULpod (including, but not limited to, refilling a JUULpod with any substance) in any manner?  
7 Unless Your answer is an unqualified “no,” please Identify each modification or alteration and describe  
8 and Identify the substance(s) that were used, including but not limited to: (a) nicotine; (b) Cannabis  
9 Products; (c) homemade e-liquid.; and/or (d) e-liquid from another manufacturer.

9 Response to Interrogatory No. 16:

10 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
11 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
12 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
13 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
14 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
15 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
16 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
17 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
18 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
19 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
20 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
21 the use of a modified JUUL Product – is unrelated to the purchase of JUUL Products, Defendants’  
22 marketing of and representations regarding JUUL Products and the impact that Defendants’ marketing  
23 and representations had on the decision to purchase JUUL Products. That information is therefore  
24 irrelevant to any claims or defenses at issue in this Class Action.

25 Absent Class Members will withhold otherwise responsive information on the basis of these  
26 objections.

1 **DOCUMENT REQUEST NO. 17:** Have You ever used a JUULpod with a non-JUUL device in any  
2 manner, or a JUUL device with anything other than a JUULpod? Unless Your answer is an unqualified  
3 “no,” please Identify each instance of use, including a description and identification of the device(s)  
4 that were used and the JUULpod(s) that were used with those device(s).

4 Response to Interrogatory No. 17:

5 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
6 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
7 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
8 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
9 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
10 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
11 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
12 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
13 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
14 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
15 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
16 the use of a JUULpod with a non-JUUL device, or a JUUL device with anything other than a JUULpod  
17 – is unrelated to the purchase of JUUL Products, Defendants’ marketing of and representations regarding  
18 JUUL Products and the impact that Defendants’ marketing and representations had on the decision to  
19 purchase JUUL Products. That information is therefore irrelevant to any claims or defenses at issue in  
20 this Class Action.

21 Absent Class Members will withhold otherwise responsive information on the basis of these  
22 objections.

1 **DOCUMENT REQUEST NO. 18:** Have You ever used a JUUL Product that You knew, suspected,  
2 or had reason to believe was counterfeit, diverted from outside the United States, or was not a genuine  
3 JLI-manufactured product? Unless Your answer is an unqualified “no,” please Identify each instance  
4 of use, including a description and identification of the products that were used and how you obtained  
5 the products.

6 Response to Interrogatory No. 18:

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
14 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
15 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
16 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
17 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
18 the use of “a JUUL Product that [Absent Class Member] knew, suspected, or had reason to believe was  
19 counterfeit, diverted from outside the United States, or was not a genuine JLI-manufactured product” –  
20 is unrelated to the purchase of JUUL Products, Defendants’ marketing of and representations regarding  
21 JUUL Products and the impact that Defendants’ marketing and representations had on the decision to  
22 purchase JUUL Products. That information is therefore irrelevant to any claims or defenses at issue in  
23 this Class Action.

24 Absent Class Members will withhold otherwise responsive information on the basis of these  
25 objections.  
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27  
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1 **DOCUMENT REQUEST NO. 19:** If You have ever attempted to stop smoking combustible  
2 cigarettes, please Identify in chronological order (by month and year), all products, programs, methods,  
3 medications (including over-the-counter or prescription), and/or therapies (e.g., nicotine replacement)  
4 You have used, and provide the results/outcome for each. If you stopped smoking combustible  
5 cigarettes, please state the month and year that you last smoked combustible cigarettes.

6 Response to Interrogatory No. 19:

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
14 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
15 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
16 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
17 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
18 attempts to stop smoking combustible cigarettes – is unrelated to the purchase of JUUL Products,  
19 Defendants’ marketing of and representations regarding JUUL Products and the impact that Defendants’  
20 marketing and representations had on the decision to purchase JUUL Products. That information is  
21 therefore irrelevant to any claims or defenses at issue in this Class Action. Plaintiffs and Absent Class  
22 Members further object to the extent this Interrogatory seeks information that falls within the bounds of  
23 Absent Class Members’ legitimate expectation of privacy, or is otherwise of a highly personal nature,  
24 not of legitimate concern to the public, and/or protected under federal or state laws.

25 Absent Class Members will withhold otherwise responsive information on the basis of these  
26 objections.  
27  
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1 **DOCUMENT REQUEST NO. 20:** If You have ever attempted to stop using ENDS products, please  
2 Identify in chronological order (by month and year), all products, programs, methods, medications  
3 (including over-the-counter or prescription), and/or therapies (e.g., nicotine replacement) You have  
4 used, and provide the results/outcome for each. If you stopped using ENDS products, please state the  
5 month and year that you last used ENDS products.

6 Response to Interrogatory No. 20:

7 Plaintiffs and Absent Class Members object to this Interrogatory as improperly seeking discovery  
8 from Absent Class Members – i.e., discovery from individuals who are not named plaintiffs in the  
9 Amended Consolidated Class Action Complaint (ECF Doc. No. 679). Discovery of members of the  
10 proposed class is permissible only with leave of the Court and with a showing of particularized need.  
11 Furthermore, discovery of Absent Class Members defeats the purpose of streamlining the Class Action  
12 litigation to focus on preparing for the bellwether proceedings. Plaintiffs and Absent Class Members  
13 further object to this Interrogatory to the extent it seeks information that is not relevant to the claims or  
14 defenses of any of the Parties in the Class Action and falls outside the scope of Fed. R. Civ. P. 26(b)(1).  
15 Plaintiffs’ Amended Consolidated Class Action Complaint claims economic damages related to JUUL  
16 Product marketing and Defendants’ representations regarding JUUL Products and Plaintiffs’ consequent  
17 purchase of JUUL Products. All of the information requested by this Interrogatory – i.e., information on  
18 attempts to stop using ENDS products – is unrelated to the purchase of JUUL Products, Defendants’  
19 marketing of and representations regarding JUUL Products and the impact that Defendants’ marketing  
20 and representations had on the decision to purchase JUUL Products. That information is therefore  
21 irrelevant to any claims or defenses at issue in this Class Action. Plaintiffs and Absent Class Members  
22 further object to the extent this Interrogatory seeks information that falls within the bounds of Absent  
23 Class Members’ legitimate expectation of privacy, or is otherwise of a highly personal nature, not of  
24 legitimate concern to the public, and/or protected under federal or state laws.

25 Absent Class Members will withhold otherwise responsive information on the basis of these  
26 objections.  
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1 Date: August 19, 2020

Respectfully submitted,

2 By: /s/ Sarah R. London

3 Sarah R. London  
LIEFF CABRASER HEIMANN & BERNSTEIN  
4 275 Battery Street, Fl. 29  
San Francisco, CA 94111  
5 Telephone: (415) 956-1000  
6 slondon@lchb.com

7  
8 By: /s/ Dena C. Sharp

9 Dena C. Sharp  
GIRARD SHARP LLP  
10 601 California St., Suite 1400  
San Francisco, CA 94108  
11 Telephone: (415) 981-4800  
dsharp@girardsharp.com

12  
13 By: /s/ Dean Kawamoto

14 Dean Kawamoto  
KELLER ROHRBACK L.L.P.  
1201 Third Ave., Ste. 3200  
15 Seattle, WA 98101  
Telephone: (206) 623-1900  
16 dkawamoto@kellerrohrback.com

17  
18 By: /s/ Ellen Relkin

19 Ellen Relkin  
WEITZ & LUXENBERG  
700 Broadway  
20 New York, NY 10003  
Telephone: (212) 558-5500  
21 erelkin@weitzlux.com

22  
23 *Co-Lead Counsel for Plaintiffs*