

1 ROBBINS GELLER RUDMAN
& DOWD LLP
2 ELLEN GUSIKOFF STEWART (144892)
JAMES I. JACONETTE (179565)
3 655 West Broadway, Suite 1900
San Diego, CA 92101-8498
4 Telephone: 619/231-1058
619/231-7423 (fax)
5 - and -
SHAWN A. WILLIAMS (213113)
6 Post Montgomery Center
One Montgomery Street, Suite 1800
7 San Francisco, CA 94104
Telephone: 415/288-4545
8 415/288-4534 (fax)

9 Attorneys for Plaintiff

10 [Additional counsel appear on signature page.]

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 COUNTY OF SANTA CLARA

13 CITY OF WARREN POLICE AND FIRE)
RETIREMENT SYSTEM, Individually and on)
14 Behalf of All Others Similarly Situated,)
Plaintiff,)

16 vs.

17 REVANCE THERAPEUTICS, INC., et al.,)
Defendants.)

Case No. 1-15-CV-287794

CLASS ACTION

PLAINTIFF'S NOTICE OF NON-
OBJECTION TO MOTIONS FOR: (1) FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND APPROVAL OF PLAN
OF ALLOCATION; AND (2) AN AWARD OF
ATTORNEYS' FEES AND EXPENSES

Judge: Hon. Brian C. Walsh
Dept: 1
Date Action Filed: 05/01/15

Hearing Date: May 19, 2017
Hearing Time: 9:00 a.m.

1 Plaintiff City of Warren Police and Fire Retirement System, on behalf of the Class certified for
2 settlement purposes, respectfully submits this notice of non-objection in further support of the Motions
3 for: (1) Final Approval of Class Action Settlement and Approval of Plan of Allocation; and (2) an
4 Award of Attorneys' Fees and Expenses.

5
6 This Court granted preliminary approval of the Settlement on January 6, 2017 ("Preliminary
7 Approval Order"). Pursuant to the Court's Preliminary Approval Order, the Court-appointed Claims
8 Administrator for the Settlement, Gilardi & Co. LLC, has disseminated more than 11,500 copies of the
9 Notice of Proposed Settlement of Class Action (the "Notice") to potential Class Members and their
10 nominees. See Supplemental Declaration of Fred Rodriguez Regarding Further Dissemination of the
11 Notice and Proof of Claim, Requests for Exclusion Received and Report on Claims Received, ¶3
12 ("Supp. Rodriguez Decl."), submitted herewith. In addition, the Summary Notice was transmitted over
13 the *PR Newswire* and published in *The Wall Street Journal* on February 10, 2017. See the previously-
14 filed Declaration of Fred Rodriguez Regarding (A) Mailing of the Notice of Proposed Settlement of
15 Class Action and the Proof of Claim and Release Form, (B) Publication of the Summary Notice, (C)
16 Internet Posting, and (D) Requests for Exclusion Received to Date, ¶¶4-12, 15 ("Rodriguez Decl.")).
17 Further, a toll-free telephone number and dedicated website were created for the Settlement, and
18 relevant documents and dates were posted on the website. *Id.*, ¶¶13-14.

19
20
21 The Notice advised Class Members of the April 19, 2017 deadline for filing objections to the
22 Settlement, the proposed Plan of Allocation, and the request for an award of attorneys' fees and
23 expenses, as well as for requesting exclusion from the Class and the procedures for doing so. The April
24 19, 2017 deadline has now passed and Lead Counsel is not aware of a single request for exclusion or
25 objection to the Settlement, Plan of Allocation, or request for an award of attorneys' fees and expenses.
26 The favorable reaction of the Members of the Class supports the reasonableness of the Settlement, Plan
27 of Allocation, and the fee and expense request. See *Nat'l Rural Telecomms. Coop. v. DIRECTV, Inc.*,

1 221 F.R.D. 523, 529 (C.D. Cal. 2004) (absence of large number of objections raises a strong
2 presumption that settlement is fair to the class).

3 Accordingly, Plaintiff and its counsel hereby request that the Court enter the Judgment and
4 Order Granting Final Approval of Class Action Settlement (“Judgment”), which is being filed
5 concurrently. The Judgment, among other things, (a) approves the Settlement as fair, reasonable, and
6 adequate; (b) approves the Plan of Allocation as fair, reasonable, and adequate; and (c) awards
7 attorneys’ fees to Plaintiff’s Counsel in the amount of 27.5% of the Settlement Amount, together with
8 expenses in the aggregate of \$67,907.66.
9

10 DATED: May 12, 2017

Respectfully submitted,

11 ROBBINS GELLER RUDMAN
12 & DOWD LLP
13 ELLEN GUSIKOFF STEWART
14 JAMES I. JACONETTE

15 s/ Ellen Gusikoff Stewart
ELLEN GUSIKOFF STEWART

16 655 West Broadway, Suite 1900
17 San Diego, CA 92101-8498
18 Telephone: 619/231-1058
619/231-7423 (fax)

19 ROBBINS GELLER RUDMAN
20 & DOWD LLP
21 SHAWN A. WILLIAMS
22 Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)

23 ROBBINS GELLER RUDMAN
24 & DOWD LLP
25 SAMUEL H. RUDMAN
26 MARY K. BLASY
27 58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VANOVERBEKE MICHAUD & TIMMONY, P.C.
THOMAS C. MICHAUD (appearance *pro hac vice*)
79 Alfred Street
Detroit, MI 48201
Telephone: 313/578-1200
313/578-1201 (fax)

Attorneys for Plaintiff

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested party in the within action; that declarant’s business address is 655 West Broadway, Suite 1900, San Diego, California 92101.

2. That on May 12, 2017, declarant served **PLAINTIFF’S NOTICE OF NON-OBJECTION TO MOTIONS FOR: (1) FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION; AND (2) AN AWARD OF ATTORNEYS’ FEES AND EXPENSES** by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 12, 2017, at San Diego, California.



JACLYN STARK

REVANCE

Service List - 5/12/2017 (15-0056)

Page 1 of 1

Counsel for Defendant(s)

Linda C. Goldstein
Andrew A. Spievack
Dechert LLP
1095 Avenue of the Americas
New York, NY 10036-6797
212/698-3500
212/698-3599 (Fax)

Joseph A. Fazioli
Dechert LLP
2440 W. El Camino Real, Suite 700
Mountain View, CA 94040-1499
650/813-4800
650/813-4848 (Fax)

Joshua D.N. Hess
Dechert LLP
One Bush Street, Suite 1600
San Francisco, CA 94104
415/262-4500
415/262-4555 (Fax)

Stuart L. Gasner
Michael D. Celio
Laurie Carr Mims
Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111
415/391-5400
415/397-7188 (Fax)

Counsel for Plaintiff(s)

Samuel H. Rudman
Robbins Geller Rudman & Dowd LLP
58 South Service Road, Suite 200
Melville, NY 11747
631/367-7100
631/367-1173 (Fax)

James J. Jaconette
Robbins Geller Rudman & Dowd LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
619/231-1058
619/231-7423 (Fax)

Shawn A. Williams
Robbins Geller Rudman & Dowd LLP
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
415/288-4545
415/288-4534 (Fax)

Thomas C. Michaud
VanOverbeke Michaud & Timmony, P.C.
79 Alfred Street
Detroit, MI 48201
313/578-1200
313/578-1201 (Fax)