**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

**WESTERN DIVISION**

KIMBERLY BANKS and CAROL CANTWELL, individually, and on behalf of all others similarly situated,

Plaintiffs,

v.

R.C. BIGELOW, INC., a corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 2:20-cv-06208-DDP (RAOx)

**JUDGMENT**

## JUDGMENT

The Court has before it Plaintiffs' Kimberly Banks and Carol Cantwell ("Plaintiffs") Motion for Entry of Judgment with Interest (ECF No. 271).

On July 31, 2023, the Court certified the following Class:

> All natural persons who purchased at least one 18/20 count box of Bigelow Earl Grey Black Tea Caffeine, Green Tea Caffeine, Constant Comment Black Tea Caffeine, Green Lemon Tea Caffeine, Vanilla Chai Black Tea Caffeine, English Tea Time Black Tea Caffeine, Spiced Chai Black Tea Caffeine, French Vanilla Black Tea Caffeine, or Vanilla Caramel Black Tea Caffeine, labeled as "Manufactured in the USA 100% American Family Owned," at a

retail store in the state of California, at any time from October 17, 2017 to the present.

ECF No. 83.[1]

Based on the jury's verdict, finding that Defendant R.C. Bigelow, Inc. ("Bigelow") violated the California Consumers Legal Remedies Act ("CLRA"), breached an express warranty, and committed fraud, and awarding Plaintiffs and the Class $2,360,744 in compensatory damages (ECF No. 264), the Court hereby enters judgment in favor of Plaintiffs and the Class and against Bigelow.

Post-judgment interest shall be paid by Bigelow to Plaintiffs and the Class, and it shall accrue beginning on the date of entry of this Judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of entry of this Judgment, and it shall continue to accrue until full satisfaction of the Judgment, pursuant to 28 U.S.C. § 1961.

Judgment in this matter is entered in accordance with the Court's rulings and the jury's verdict. This document constitutes a Judgment and separate document for purposes of Fed. R. Civ. P. 58(a).

Plaintiffs have moved for attorneys' fees, costs, and for class representative service awards and, after entry of this Judgment, Plaintiffs will seek entry of an Amended and Final Judgment including such amount as are permitted by law. Without affecting the finality of this Judgment, the Court shall retain jurisdiction to rule on any motions or other matters pending before the Court, including *inter alia*, Plaintiffs' motion referenced above.

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[1] Excluded from the Judgment are the three individuals who opted out of the Class after notice was provided to the Class. *See* Declaration Ryan Bahry re: Completion of Class Notice (ECF No. 111) ¶ 24.

The Court, finding that no reason exists for delay, hereby directs the Clerk to enter this Judgment forthwith.

**JUDGMENT IS HEREBY ENTERED. IT IS SO ORDERED, ADJUDGED AND DECREED.**

DATED: May 29, 2025



HONORABLE DEAN D. PREGERSON
UNITED STATES DISTRICT JUDGE

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Court: U.S. District Court for the Central District of California
Case number: 2:20-cv-06208-SVW (RAOx)
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