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April 23, 2014

Food & Consumer Packaged Goods Litigation

Voluntary Dismissals for April 23, 2014

Barnes v. Campbell Soup Co., No. 3:12cv5185 (N.D. Cal.): In a putative class action alleging claims under California's consumer protection statutes, based on defendant's "100% Natural" labelling of products allegedly containing GMOs, the parties stipulated to a dismissal of the entire action with prejudice. [Order](#). *Krzykwa v. Campbell Soup Co.*, No 0:12cv62058 (S.D. Fla.): In an almost identical putative class action alleging claims under Florida's consumer protection statute, the parties also stipulated to a dismissal of the entire action with prejudice. [Order](#). *Bolerjack v. Pepperidge Farm, Inc.*, No. 1:12cv2918 (D. Colo.): Plaintiff voluntarily dismissed with prejudice a putative class action alleging a claim under Colorado's Consumer Protection Act, as well as claims for breach of express warranty, and negligent misrepresentation, based on defendant's use of the term "Natural" for products containing GMOs. [Order](#). *Avoy v. Turtle Mountain, Inc.*, No. 5:13-CV-00236 (N.D. Cal.): In a putative class action alleging claims under California's UCL, FAL, CLRA, and a claim for unjust enrichment based on defendant's use of the terms "Evaporated Cane Juice" and "Dehydrated Cane Juice" in its products, the court dismissed the case with prejudice after plaintiff failed to amend the complaint within the 21-day period allotted in the court's previous order on defendant's motion to dismiss. [Order](#).

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