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January 08, 2016

Food & Consumer Packaged Goods Litigation

# **EVOO Case Presses Forward After Court Rejects Attempt to Stay**

*Kumar v. Salov North America Corp.*, No. 4:14-cv-02411 (N.D. Cal.): In this putative class action alleging claims arising under various California statutory and common laws, Plaintiff claims that Defendant falsely markets its extra virgin olive oil as "Imported from Italy" when in fact the olives Defendant uses in its products are not grown or pressed in Italy. Further, Plaintiff alleges that Defendant uses inferior bottles to package its extra virgin olive oil that do not preserve the oil as "extra virgin." The Court recently denied Defendant's motion to stay the action pending the Ninth Circuit's resolution of *Jones v. ConAgra Foods, Inc.*, *Brazil v. Dole Packaged Foods*, and *Kosta v. Del Monte Foods*. In so holding, the Court concluded that the potential for prejudice to Plaintiff and needless delay outweighed any benefit of staying the case. [Order](#).

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