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April 04, 2016

Food & Consumer Packaged Goods Litigation

### **New Filings for April 4, 2016**

*Lee v. Kraft Heinz Foods Co.*, No. 3:16-cv-536 (N.D. Ohio): Copycat putative class action asserting violations of Ohio's Deceptive Trade Practices Act, the Magnusson-Moss Warranty Act, and raising a claim of unjust enrichment. Plaintiff alleges Defendant has falsely advertised its grated parmesan cheese products as "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Davies v. Wal-Mart Stores Inc.*, No. 1:16-cv-535 (N.D. Ohio): Copycat putative class action asserting violations of Ohio's Deceptive Trade Practices Act, the Magnusson-Moss Warranty Act, and raising a claim of unjust enrichment. Plaintiff accuses Defendants of falsely advertising their grated parmesan cheese products as "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Costoso v. Wal-Mart Stores Inc.*, No. 1:16-cv-1162 (E.D.N.Y.): Copycat putative class action asserting violations of multiple states' consumer protection statutes, as well as claims for breach of warranty (express and implied), unjust enrichment, and fraud. Like many others, Plaintiff accuses Defendant of falsely advertised its grated parmesan cheese products as "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Higens v. Kraft Heinz Foods Co.*, No. 1:16-cv-3016 (N.D. Ill.): Copycat putative class action asserting a violation of the Illinois Consumer Fraud and Deceptive Business Practices Act and claims of breach of warranty (express and implied merchantability), negligent misrepresentation, and unjust enrichment. Plaintiffs accuse Defendant of falsely advertised its grated parmesan cheese products as "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, an anti-clumping agent derived from wood pulp. [Complaint](#).

*Ellison v. Kraft Heinz Foods Co.*, No. 2:16-cv-1136 (E.D. Pa.): Copycat putative class action asserting violations of Pennsylvania's consumer protection laws and the Magnusson-Moss Warranty Act, and a claim of unjust enrichment, based on the allegation that Defendant falsely advertised its grated parmesan cheese products as "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Lynch v. ICCO-Cheese Co.*, No. 1:16-cv-2971 (N.D. Ill.): Copycat putative class action asserting violations of multiple states' consumer protection laws as well as claims of unjust enrichment and negligent misrepresentation. Plaintiff alleges that Defendants falsely advertised their grated parmesan cheese products as containing "100% parmesan cheese," although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Jones v. Wal-Mart Stores Inc.*, No. 2:16-cv-1135 (E.D. Pa.): Copycat putative class action alleging violations of Pennsylvania's consumer protection laws and the Magnusson-Moss Warranty Act, and raising a claim of unjust enrichment. Plaintiff accuses Defendant of falsely advertising its grated parmesan cheese products as "100% parmesan cheese," when in fact the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Manfredi v. Wal-Mart Stores Inc.*, No. 4:16-cv-612 (S.D. Tex.): Copycat putative class action alleging violations of Texas' consumer protection laws and the Magnusson-Moss Warranty Act, and a claim of unjust enrichment. Plaintiff alleges Defendant has falsely advertised its grated parmesan cheese products as "100% parmesan cheese," when in fact the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

*Cruz v. Wal-Mart Stores, Inc.*, No. 9:16-cv-80382 (S.D. Fla.): Copycat putative class action asserting violations of Florida's Deceptive and Unfair Trade Practices Act and the Magnusson-Moss Warranty Act, and raising claims of negligent misrepresentation, breach of express warranty, unjust enrichment, and negligence. Plaintiff alleges that

Defendant falsely advertises its grated parmesan cheese products as "100% parmesan cheese," when the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#). *Spector v. Kraft Heinz Foods Co.*, No. 1:16-cv-3306 (N.D. Ill.): Copycat putative class action asserting a violation of the Illinois Consumer Fraud and Deceptive Business Practices Act, and raising claims of fraud, negligent misrepresentation, and breach of warranty (express and implied merchantability). Plaintiff alleges that Defendant falsely advertises its grated parmesan cheese products as "100% parmesan cheese," when the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#). *Hara v. Target Corp.*, No. 0:16-cv-686 (D. Minn.): Copycat putative class action asserting violations of Minnesota's Prevention of Consumer Fraud Act, Deceptive Trade Practices Act, False Statement in Advertising Act, and Unlawful Trade Practices Act, and raising claims of negligent misrepresentation and unjust enrichment. Plaintiffs allege that Defendants falsely advertise their grated parmesan cheese products as "100% parmesan cheese," when the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#). *Lang v. Albertson Co., Inc.*, No. 2016CH03881 (Ill. Cir. Ct. – Cook Cnty.): Copycat putative class action asserting violations of multiple states' consumer protection statutes and raising claims of fraud, fraudulent misrepresentation, breach of warranty (express and implied merchantability), and unjust enrichment. Plaintiff alleges that Defendants falsely advertise their grated parmesan cheese products as "100% parmesan cheese," when the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#). *Zachary v. Target Corp.*, No. 4:16-cv-369 (E.D. Mo.): Copycat putative class action asserting violations of the Missouri Merchandising Practices Act and the Magnusson-Moss Warranty Act, and a claim of unjust enrichment. Plaintiff alleges that Defendant falsely advertised its grated parmesan cheese products as containing "100% parmesan cheese" although the products contain significant amounts of adulterants and fillers, including cellulose, a filler and anti-clumping agent derived from wood pulp. [Complaint](#).

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