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April 15, 2016

Food & Consumer Packaged Goods Litigation

### **New Filings for April 15, 2016**

*Sims v. Albertson, LLC et al*, No. 1:16-cv-10553 (D. Mass.): Copycat putative class action asserting claims for breach of warranty (express and implied merchantability), and unjust enrichment. Plaintiff alleges Defendants have falsely advertised their grated parmesan cheese products as containing "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](#). *McCartney v. Trader Joe's Co.*, No. CGC-16-551071 (Cal. Super. Ct. – San Francisco Cnty.): Proposition 65 action alleging Defendant's unsweetened cocoa powder contains cadmium. [Complaint](#). *Giffin v. Universal Protein Supplement Corp.*, No. BC613414 (Cal. Super. Ct. – Los Angeles Cnty.): Putative class action asserting violations of California's consumer protection statutes and claims for negligent and intentional misrepresentation. Plaintiff accuses Defendants of falsely labeling their protein supplement products "Made in the U.S.A.," although the products contain foreign ingredients. [Complaint](#). *Sellers v. Kraft Heinz Foods Co.*, No. 0:16-cv-60624 (S.D. Fla.): Copycat putative class action asserting violations of Florida's consumer protection statute, and raising claims of negligent misrepresentation, unjust enrichment and breach of express warranty. Plaintiff alleges that Defendant has falsely advertised its grated parmesan cheese products as containing "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](#). *Lewis v. Kraft Heinz Foods Co.*, No. 1:16-cv-400 (E.D. Cal.): Copycat putative class action asserting violations of California's CLRA, FAL, and UCL, and raising claims of fraud, negligent misrepresentation, unjust enrichment, and breach of warranty (express and implied merchantability). Plaintiff alleges that Defendant has falsely advertised its grated parmesan cheese products as containing "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](#). *Saitta v. Target Corp.*, No. 1:16-cv-10586 (D. Ma.): Copycat putative national class action asserting claims of breach of warranty (express and implied merchantability) and unjust enrichment. Plaintiff alleges that Defendant has falsely advertised its grated parmesan cheese products as containing "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](#). *Hackman v. Aldi Inc. dba Reggano*, No. 2016CA002169B (D.C. Super. Ct.): Copycat putative class action asserting a violation of D.C.'s consumer protection statute and breach of warranty claims (express and implied merchantability). Plaintiff alleges that Defendant has falsely advertised its grated parmesan cheese products as containing "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](#). *Hackman v. Wal-Mart Stores, Inc.*, No. 2016CA002170B (D.C. Super. Ct.): Copycat putative class action asserting a violation of D.C.'s consumer protection statute and breach of warranty claims (express and implied merchantability). Plaintiff alleges that Defendant has falsely advertised its grated parmesan cheese products as containing "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](#).

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