New Filings – June 26, 2017

Azimpour v. NBTY, Inc., et al., No. 37-2017-21000 (Cal. Super. Ct. – San Diego Cnty.): copycat putative class action asserting violations of California's UCL, FAL, and CLRA, and a claim for breach of express warranty. Plaintiff alleges that Defendants deceptively label and market their Natures' Bounty and Sundown Naturals Ginkgo Biloba extract products as providing a variety of cognitive health benefits and relief from various symptoms, despite the lack of scientific evidence to support those claims. *Noonan v. Progressive Laboratories*, No. 2017-CH-8233 (Ill. Cir. Ct – Cook Cnty.): Putative class action alleging that Defendant's nutritional Kelp supplement did not contain the amount of iodine stated on the label, but instead an excessive and potentially dangerous amount of iodine. *Mael v. Evanger's Dog and Cat Food Co., Inc., et al.*, No. 3:17-cv-05469 (W.D. Wa.): Putative class action asserting violations of the Magnuson-Moss Warranty Act, Washington's Consumer Protection Act and Product Liability Act, Illinois' Consumer Fraud and Deceptive Business Practices Act, breach of express and implied warranties, strict products liability, unjust enrichment, and negligence. Plaintiff alleges that Defendants' pet food caused several of Plaintiffs' pets to become sick and one to die, as the food was mislabeled as kosher beef, USDA inspected and human grade, when it was actually contaminated with pentobarbital. *[Seegert v. Rexall Sundown, Inc.](#)*, No. 3:17-cv-1243 (S.D. Cal.): Putative class action asserting violations of California's UCL, CLRA, and FAL. Plaintiff alleges that Defendant's "Osteo Bi-Flex" brand of dietary supplement products are misleadingly marketed as benefiting joint health. *Consumer Advocacy Grp. v. Gel Spice Co., Inc., et al.*, No. BC665798 (Cal. Super. Ct. – Los Angeles Cnty.): Proposition 65 action alleging Defendants failed to warn that their various spice products contain lead.

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