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August 29, 2017

Food & Consumer Packaged Goods Litigation

### **New Filings - July 22, 2017**

*Kiihne v. NBTY, Inc., et al.*, No. T17-30 (Cal. Super. Ct. – Placer Cnty.): Putative class action for violation of California's UCL, FAL, and CLRA. Plaintiff alleges that Defendants deceptively label and market their Megadose niacin products by downplaying potential side effects. [Lau v. Pret A Manger \(USA\) Limited - Complaint](#), No. 1:17-cv-05775 (S.D.N.Y.): Putative slack-fill class action for violation of the deceptive and unfair trade practices and false advertising provisions of New York's GBL, and raising a claim for common law fraud. Plaintiff alleges that Defendant deceptively packages its Pret A Manger® sandwich wraps in partially opaque packaging so that consumers cannot see the empty air (or slack-fill) in the wrap.

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