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Food & Consumer Packaged Goods Litigation

Ninth Circuit Vacates Class Certification in Nutritional Beverage Case

Cabral v. Supple LLC, No. 5:12-CV-00085 (9th Cir.): The Ninth Circuit vacated class certification and remanded this putative class action asserting claims under California UCL, FAL, and CLRA based on claims that defendant deceptively markets its nutritional beverage as effective at treating joint pain when they are not. The court determined that there was insufficient support for the notion that all class members had seen the alleged misrepresentations, making it improper for the trial court to have presumed that all purchasers relied on the alleged misrepresentations. [Order](#).

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