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July 28, 2015

Food & Consumer Packaged Goods Litigation

New Filings for July 28, 2015

Cavanagh v. Kind, LLC, No. 1:15-cv-04064 (S.D.N.Y.): Plaintiff claims Defendant falsely labels its KIND bars as being "healthy" and made with "All Natural" ingredients, when in fact they contain synthetic ingredients including soy lecithin, soy protein isolate, and palm kernel oil. On behalf of putative a nationwide class and California subclass, Plaintiff asserts claims for breach of express and implied warranties, unjust enrichment, intentional and negligent misrepresentation, and violation of various California consumer protection statutes. [Complaint.](#)

Walker v. ConAgra Foods, Inc., No. 3:15-cv-02424 (N.D. Cal.): On behalf of a putative nationwide class, Plaintiff claims Defendant falsely markets Crunch 'n Munch as free of trans fat when it actually contains partially hydrogenated oil, a source of artificial trans fat. Plaintiff alleges violations of various California consumer protection statutes and breach of express and implied warranty claims. [Complaint.](#)

Martin v. Colgate-Palmolive Co., et al., No. 155419 (N.Y. Sup. Ct.): Plaintiff claims Defendants deceptively marketed their Tom's of Maine toothpaste products as "Natural" when in fact they contain non-natural, chemically processed ingredients like glycerin and sodium lauryl sulfate. On behalf of a putative class of New York consumers, Plaintiff alleges violations of New York's Deceptive Acts or Practices Law, as well as negligent misrepresentation, express warranty, and unjust enrichment claims. [Complaint.](#)

Rodriguez, et al. v. Nature's Bounty, Inc., No. 1:15-cv-04547 (S.D.N.Y.): Plaintiffs claim Defendant deceptively packaged its Nature's Bounty nutritional supplement products in misleadingly large bottles that contained excessive empty space and/or non-functional slack-fill. On behalf of a putative nationwide class and subclasses of New York, New Jersey, and California consumers, Plaintiffs alleges claims for negligent misrepresentation, unjust enrichment, and violations of consumer protection statutes of New York, New Jersey, California, Florida, Illinois, and Michigan. [Complaint.](#)

Korn, et al. v. Snyder's-Lance Inc., No. 3:15-cv-02593 (N.D. Cal.): On behalf of a putative class of California consumers, Plaintiffs claim Defendant's snack products, including various types of Snyder's of Hanover pretzels, are deceptively marketed and advertised as "natural" when they contain genetically-modified, artificial, or synthetic ingredients in violation of various California consumer protection statutes. [Complaint.](#)

Hobbs v. Irene's Bakery and Gourmet Kitchen, Inc., No. 15L313 (Ill. Cir. Ct.): On behalf of a putative class of Illinois consumers, Plaintiff claims Defendant's Black & White Cookies are deceptively labeled as "all natural" when they contain sodium acid pyrophosphate, a synthetic chemical. Plaintiff asserts claims for unjust enrichment and violation of the Illinois Consumer Fraud and Deceptive Business Practices Act. [Complaint.](#)

Workman v. Plum Inc., et al., No. 3:15-cv-02568-JCS (N.D. Cal.): On behalf of a nationwide class, Plaintiff claims Defendants' Plum Organics products are deceptively labeled and marketed in violation of California law as being "premium, nutritious organic" baby food and kid snack products that contain primarily healthy, high-value ingredients like blueberries, green beans, quinoa, and kale, when in fact the products largely consist of "sugary apple juice or apple puree." [Complaint.](#)

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