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November 15, 2017

Food & Consumer Packaged Goods Litigation

New Filings - November 15, 2017

[*Alonso v. Bauducco Foods Inc.*](#), No. 502017ca012068 (Fl. Circuit Ct. – Palm Beach Cnty.): Putative class action for violation of Florida's Deceptive and Unfair Trade Practices Act, negligent misrepresentation, breach of express warranty and unjust enrichment. Plaintiff alleges Defendant advertised its cracker products as being "all natural" despite the fact that the products contain "artificial, synthetic and/or genetically modified ingredients."

[*Khallili v. Pure Brazilian, LLC*](#), No. 2:17-cv-06425 (E.D.N.Y.): Putative class action for violations of New York's Deceptive and Unfair Trade Practices Act and False Advertising provisions of the GBL, fraud, implied warranty of merchantability and unjust enrichment. Plaintiff alleges Defendant markets its coconut water as "cold-pressed" and "pure" without mentioning it is also processed.

Consumer Advocacy Group, Inc. v. Tawa Supermarket, Inc., et al., No. BC682891 (Cal. Super. Ct. – Los Angeles Cnty.): Proposition 65 action alleging Defendants fail to warn consumers that their pickled ginger contains lead.

[*Skylor v. Nordic Naturals, Inc.*](#), No. CGC-17-562382 (Cal. Super. Ct. – San Francisco Cnty.): Putative class action asserting claims for violation of California's UCL and CLRA. Plaintiff alleges Defendant misleads consumers about the amount of omega-3 in its supplements, including Nordic Omega-3 Gummies. Specifically, Plaintiff alleges a reasonable consumer would read the product labels and conclude the package contains 60 gummies that each provide 82 milligrams of omega-3, but in reality, they each have 41 milligrams of omega-3, requiring two gummies to reach the suggested dosage.

[*Environmental Research Center, Inc. v. Gamma Enterprises, LLC*](#), No. RG17-881989 (Cal. Super. Ct. – Alameda Cnty.): Proposition 65 action alleging Defendant fails to warn consumers that its dietary energy products contain lead.

[*Erika McCartney v. GNC Corporation, et al.*](#), No. RG17-882105 (Cal. Super. Ct. – Alameda Cnty.): Proposition 65 action alleging Defendants fail to warn consumers that their Total Lean Shake French Vanilla product contains lead.

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