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Food & Consumer Packaged Goods Litigation

## **Plaintiffs Voluntarily Dismiss Some State Claims in GMO Class Actions**

*In re Conagra Foods*, No. 2:11-cv-05379 (C.D. Cal.): The court granted plaintiffs' voluntary dismissal of individual claims for named plaintiffs in Wyoming, Washington, and California in a putative class action alleging claims under many states' consumer protection laws, breach of express and implied warranty, and unjust enrichment, based on the claim that defendants label their cooking oils at "100% Natural" when they allegedly contain GMOs. While other named plaintiffs remained following these dismissals in New Jersey, Florida, and California, there were no additional named plaintiffs in Wyoming or Washington. Thus, the court ruled that the Wyoming and Washington classes' claims must be dismissed, although the court found that they may be dismissed without prejudice and that notice to the class was not necessary. Noting that the dismissal could cause prejudice to defendants, the court found dismissal with prejudice unnecessary nonetheless because defendants had not requested it. [Order](#).

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