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Food & Consumer Packaged Goods Litigation

## **Court Points to Lack of Standing to Deny Class Certification in Yakult Class Action**

*Torrent v. Yakult U.S.A., Inc.*, No. 8:15-cv-00124 (C.D. Cal.): The Court denied Plaintiff's motion for class certification in this putative class action alleging that Defendant falsely represents that its probiotic beverages are beneficial to digestive and immune system health, despite contradictory scientific evidence. The Court found that the sole named Plaintiff lacked Article III standing to pursue injunctive relief because he had not alleged or proffered evidence that he intended to purchase the products ever again. As such, his claims did not meet the requirements of Rule 23(b)(1)(A) or 23(b)(2), which both required a class representative who could pursue injunctive and declaratory relief. [Order.](#)

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