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May 19, 2016

Food & Consumer Packaged Goods Litigation

### **New Filings for May 19, 2016**

*Hu v. Golden Orchid, Ltd. et al*, No. 1:16-cv-2234 (E.D.N.Y.): putative class action asserting violations of multiple states' consumer protection statutes and raising claims for breach of express warranty and unjust enrichment. Plaintiff claims Defendants misleadingly market their jarred preserved food products (e.g., picked cucumber and chili radish) as "preservative free," although the products contain citric acid. [Complaint](#). *Bush v. Mondelez Int'l, Inc. et al*, No. 3:16-cv-2460 (N.D. Cal.): putative class action asserting violations of California's UCL, CLRA, and FAL, and raising claims for breach of implied warranty, unjust enrichment, negligent misrepresentation, and fraud. Plaintiff alleges Defendants' Go-Pak snack products (e.g., Mini Chips Ahoy!, Mini Oreo, Golden Mini Oreo, Nutter Butter Bites, Mini Nilla Wafers, etc.) are packaged in containers with 25% non-functional slack fill. [Complaint](#). *Cohen v. Whole Foods Mkt., Inc. et al*, No. BC619312 (Cal. Super. Ct. – Los Angeles Cnty.): putative class action asserting violations of California's UCL and CLRA, and raising claims for negligent misrepresentation and declaratory relief. Plaintiff alleges that certain wines sold by Defendant are displayed along with signage indicating the wine has a high numerical rating, when in fact, the wine displayed with the signage is of a different vintage that does not have the same high rating. [Complaint](#).

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## **Food & Consumer Packaged Goods Litigation**

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