KING & SPALDING LLP
ARWEN R. JOHNSON (SBN 247583)
arwen.johnson@kslaw.com
KELLY PERIGOE (SBN 268872)
kperigoe@kslaw.com
633 West Fifth Street, Suite 1600
Los Angeles, CA 90071
Telephone: (213) 443-4355
Facsimile: (213) 443-4310

Attorneys for Defendant NETFLIX, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

NONA GAPRINDASHVILI, an individual,

Plaintiff,

v.

NETFLIX, INC., a Delaware corporation, and DOES 1-50,

Defendants.

Case No. 2:21-cv-07408-VAP-SK
The Honorable Virginia A. Phillips
Courtroom: 8A

DEFENDANT NETFLIX, INC.'S NOTICE OF MOTION AND (1) SPECIAL MOTION TO STRIKE PLAINTIFF'S FIRST AMENDED COMPLAINT UNDER CALIFORNIA'S ANTI-SLAPP STATUTE, OR, IN THE ALTERNATIVE, (2) MOTION TO DISMISS PURSUANT TO RULE 12(b)(6); MEMORANDUM OF POINTS AND AUTHORITIES

[Declarations of Scott Frank and Arwen R. Johnson with Exhibits; and Proposed Order filed concurrently herewith]

Date: January 24, 2022
Time: 2:00 p.m.
Judge: The Honorable Virginia A. Phillips

Action Filed: September 16, 2021
Trial Date: Not Set

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on January 24, 2022 at 2:00 p.m., or as soon thereafter as the matter may be heard before the Honorable Virginia A. Phillips of the above-entitled Court, located at United States Courthouse, 350 W. 1st Street, Los Angeles, CA 90012, Courtroom 8A, Defendant Netflix, Inc. ("Netflix") will and hereby does move the Court (the "Motion") (1) to strike the claims asserted against Netflix in the First Amended Complaint (the "FAC" (ECF No. 11)) of Plaintiff Nona Gaprindashvili ("Plaintiff") pursuant to California's anti-SLAPP statute, California Code of Civil Procedure section 425.16 *et seq*.; or (2) to dismiss Plaintiff's FAC, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6).

The grounds for the Motion are that (1) Plaintiff's FAC targets activity protected under the anti-SLAPP statute and Plaintiff cannot meet her burden of establishing a probability of success on any of her claims; and (2) Plaintiff in any event has failed to plausibly allege any claim for relief.

This Motion is based on this Notice of Motion, the accompanying Memorandum of Points and Authorities, the accompanying Declarations of Scott Frank and Arwen R. Johnson and attached exhibits, the pleadings and records on file in this case, all matters of which the Court may take judicial notice, and such other or further material as may be presented at or before the hearing on the Motion. This Motion is made following the conference of counsel pursuant to Local Rule 7-3, which took place on October 25, 2021. (Declaration of Arwen R. Johnson ("Johnson Decl."), ¶ 7.)

DATED: November 1, 2021

KING & SPALDING LLP
ARWEN R. JOHNSON
KELLY PERIGOE

By: */s/ Arwen R. Johnson*
ARWEN R. JOHNSON
Attorneys for NETFLIX, INC.

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