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14 Attorneys for Defendant
GLOBAL WIDGET, LLC d/b/a HEMP BOMBS

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA

17 KENNETH GLASS, individually and on behalf of
18 all others similarly situated,

19 *Plaintiff,*

20 v.

21 GLOBAL WIDGET, LLC d/b/a HEMP BOMBS,

22 *Defendant.*

Case No. 19-cv-01906-MCE-KJN

**DEFENDANT'S MOTION AND
NOTICE OF MOTION TO
DISMISS AND STRIKE OR, IN
THE ALTERNATIVE, TO STAY**

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NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that on April 2, 2020, at 2:00 p.m. or as soon thereafter as the matter may be heard, in Courtroom 7, of the U.S. District Court for the Eastern District of California located at 501 I Street, Sacramento, CA 95814, Global Widget, LLC d/b/a Hemp Bombs will and hereby does move the Court to dismiss and strike or, in the alterative, to stay Plaintiffs Kenneth Glass' First Amended Class Action Complaint with prejudice.

Defendant files this motion pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 12(f). Defendant respectfully requests that this Court: (1) dismiss Plaintiff's Complaint based on Plaintiff's lack of standing, preemption grounds, and pleading deficiencies; (2) dismiss or strike Plaintiff's futile nationwide class claims and allegations, or, alternatively; (3) dismiss or stay this case pursuant to the primary jurisdiction doctrine pending imminent regulatory action by the United States Food and Drug Administration regarding hemp cannabidiol ("CBD").

The Motion is made following a conference of counsel pursuant to the Court's standing order and is based on this Motion, the Memorandum of Points and Authorities, the accompanying Declaration, the pleadings and documents on file, and such other evidence and argument as may be presented at the hearing on this Motion.

Dated: January 29, 2020

By: /s/ Sara M. Turner

Sara M. Turner
Kyle A. Diamantas
Angel A. Garganta
Tyler Welti

Attorneys for Defendant
GLOBAL WIDGET, LLC d/b/a
HEMP BOMBS

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CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2020, I electronically filed the foregoing with the Clerk of the Court via the CM/ECF system, which will send notification to the attorneys of record in this case.

By: /s/ Sara M. Turner

Sara M. Turner
Kyle A. Diamantas
Angel A. Garganta
Tyler Welti