1 2 3 4 5 6 7 8 9 10	FAEGRE DRINKER BIDDLE & REATE Rita Mansuryan (CA Bar No. 323034) rita.mansuryan@faegredrinker.com 1800 Century Park East, Suite 1500 Los Angeles, California 90067 Telephone: (310) 203-4000 Facsimile: (310) 229-1285 Sarah L. Brew (admitted pro hac vice) sarah.brew@faegredrinker.com Tyler A. Young (admitted pro hac vice) tyler.young@faegredrinker.com Rory F. Collins (admitted pro hac vice) rory.collins@faegredrinker.com 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402 Phone: (612) 766-7000 Fax: (612) 766-1600	ILLP	
11 12 13	Counsel for Defendant McDonald's Corporation UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		
15 16 17 18 19 19 20 21 22 23 24 25 26 27	Eugina Harris, individually, and on behalf of all those similarly situated, Plaintiff, v. McDonald's Corporation, Defendant.	Case No. 3:20-cv-06533-RS DEFENDANT MCDONALD'S CORPORATION'S NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFF'S COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF Date: February 18, 2021 Time: 1:30 p.m. Courtroom: 3, 17th Floor Complaint Filed: September 17, 2020	
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NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on February 18, 2021 at 1:30 p.m., or as soon thereafter as this matter may be heard, at the United States District Court for the Northern District of California, in Courtroom 3, located at 450 Golden Gate Avenue, San Francisco, California before the Honorable Richard Seeborg, Defendant McDonald's Corporation will and hereby does move for an order dismissing Plaintiff Eugina Harris's Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

This motion is made pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure on the grounds that Plaintiff lacks standing to seek injunctive relief and the Complaint fails to state a claim upon which relief can be granted.

This motion is based upon this Notice of Motion and Motion to Dismiss, the attached Memorandum of Points and Authorities, the reply papers, the pleadings on file, and such other evidence and argument as the Court may allow.

Dated: January 4, 2021

FAEGRE DRINKER BIDDLE & REATH LLP

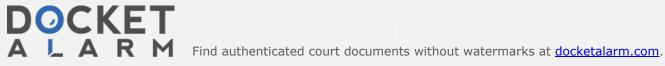
By: /s/Sarah L. Brew

Sarah L. Brew Tyler A. Young Rory F. Collins Rita Mansuryan

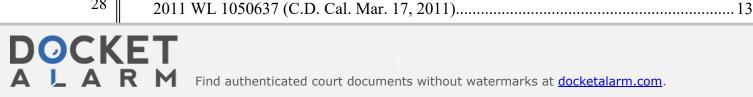
Attorneys for Defendant McDonald's Corporation



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6 7	1.	A. The FDA Regulations Cited in the Complaint Are Inapplicable and Irrelevant	
8		B. Plaintiff Has Not Plausibly Alleged that Reasonable Consumers Are Deceived	
9	II.	Plaintiff Lacks Standing Under the UCL, FAL, and CLRA Because She Has Not Plausibly Alleged Economic Injury	
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