

1 **FAEGRE DRINKER BIDDLE & REATH LLP**
Rita Mansuryan (CA Bar No. 323034)
2 *rita.mansuryan@faegredrinker.com*
1800 Century Park East, Suite 1500
3 Los Angeles, California 90067
Telephone: (310) 203-4000
4 Facsimile: (310) 229-1285

5 Sarah L. Brew (admitted *pro hac vice*)
sarah.brew@faegredrinker.com
6 Tyler A. Young (admitted *pro hac vice*)
tyler.young@faegredrinker.com
7 Rory F. Collins (admitted *pro hac vice*)
rory.collins@faegredrinker.com
8 2200 Wells Fargo Center
90 South Seventh Street
9 Minneapolis, MN 55402
Phone: (612) 766-7000
10 Fax: (612) 766-1600

11 *Counsel for Defendant*
McDonald's Corporation

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 Eugina Harris, individually, and on behalf
16 of all those similarly situated,

17 Plaintiff,

18 v.

19 McDonald's Corporation,
20 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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