

James M. Wagstaffe (95535)
 Frank Busch (258288)
**WAGSTAFFE, VON LOEWENFELDT,
 BUSCH & RADWICK LLP**
 100 Pine Street, Suite 725
 San Francisco, CA 94111
 Tel: (415) 357-8900
 Fax: (415) 357-8910
 wagstaffe@wvbrlaw.com
 busch@wvbrlaw.com

*Counsel for Plaintiffs Erica Frasco
 and Sarah Wellman*

Carol C. Villegas (*pro hac vice*)
 Michael Canty (*pro hac vice*)
LABATON SUCHAROW LLP
 140 Broadway
 New York, NY 10005
 Tel: (212) 907-0700
 Fax: (212) 818-0477
 cvillegas@labaton.com
 mcanty@labaton.com

*Interim Co-Lead Counsel for
 Plaintiffs and the Proposed Class*

Christian Levis (*pro hac vice*)
 Amanda Fiorilla (*pro hac vice*)
LOWEY DANNENBERG, P.C.
 44 South Broadway, Suite 1100
 White Plains, NY 10601
 Tel: (914) 997-0500
 Fax: (914) 997-0035
 clevis@lowey.com
 afiorilla@lowey.com

*Interim Co-Lead Counsel for Plaintiffs and
 the Proposed Class*

Diana J. Zinser (*pro hac vice*)
**SPECTOR ROSEMAN & KODROFF,
 P.C.**
 2001 Market Street, Suite 3420
 Philadelphia, PA 19103
 Tel: (215) 496-0300
 Fax: (215) 496-6611
 dzinser@srkatorneys.com

*Interim Co-Lead Counsel for Plaintiffs and
 the Proposed Class*

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ERICA FRASCO, individually and on behalf of
 all others similarly situated,

Plaintiffs,

v.

FLO HEALTH, INC., GOOGLE, LLC,
 FACEBOOK, INC., APPSFLYER, INC., and
 FLURRY, INC.,

Defendants.

Case No. 3:21-cv-00757-JD

**PLAINTIFFS' MOTION TO STRIKE
 FLO HEALTH, INC.'S AFFIRMATIVE
 DEFENSES**

Judge: Hon. James Donato
 Hearing: October 6, 2022
 Time: 10:00 A.M.
 Court: Courtroom 11 – 19th Floor

Action Filed: January 29, 2021

1 SARAH WELLMAN, individually and on behalf
2 of all others similarly situated,

3 Plaintiff,

4 v.

5 FLO HEALTH, INC., GOOGLE, LLC,
6 FACEBOOK, INC., APPSFLYER, INC., and
7 FLURRY, INC.,

8 Defendants.

9 JUSTINE PIETRZYK, individually and on
10 behalf of all others similarly situated,

11 Plaintiff,

12 v.

13 FLO HEALTH, INC., GOOGLE, LLC,
14 FACEBOOK, INC., APPSFLYER, INC., and
15 FLURRY, INC.,

16 Defendants.

17 JENNIFER CHEN, individually and on behalf of
18 all others similarly situated,

19 Plaintiff,

20 v.

21 FLO HEALTH, INC., GOOGLE, LLC,
22 FACEBOOK, INC., APPSFLYER, INC., and
23 FLURRY, INC.,

24 Defendants.

1 TESHA GAMINO, individually and on behalf of
2 all others similarly situated,

3 Plaintiff,

4 v.

5 FLO HEALTH, INC., GOOGLE, LLC,
6 FACEBOOK, INC., APPSFLYER, INC., and
7 FLURRY, INC.,

8 Defendants.

9 LEAH RIDGWAY and AUTUMN MEIGS,
10 individually and on behalf of all others similarly
situated,

11 Plaintiff,

12 v.

13 FLO HEALTH, INC., GOOGLE, LLC,
14 FACEBOOK, INC., APPSFLYER, INC., and
15 FLURRY, INC.,

16 Defendants.

17 MADELINE KISS, individually and on behalf of
18 all others similarly situated,

19 Plaintiff,

20 v.

21 FLO HEALTH, INC., GOOGLE, LLC,
22 FACEBOOK, INC., APPSFLYER, INC., and
23 FLURRY, INC.,

24 Defendants.

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10 THE “ADDITIONAL AFFIRMATIVE DEFENSE” PARAGRAPH, ARE

11 IMPROPER “NEGATIVE” DEFENSES AND SHOULD BE STRICKEN 6

12 III. FLO AFFIRMATIVE DEFENSE NOS. 4-5, 7, 10, 12, 14-17, 21, AND 23 FAIL

13 TO PROVIDE FAIR NOTICE AND SHOULD BE STRICKEN 8

14 IV. PLAINTIFFS ARE NOT REQUIRED TO SHOW PREJUDICE TO JUSTIFY

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