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11 *Attorneys for Defendant Zarbee's, Inc.*

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

14 KRYSTAL LOPEZ, individually and on
behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 ZARBEE'S, INC.

18 Defendant.

Case No. 22-cv-4465

**DEFENDANT ZARBEE'S, INC.'S NOTICE
OF MOTION TO DISMISS AND MOTION
TO DISMISS; MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT
THEREOF**

Hearing Date: November 4, 2022

Time: 10:00 a.m.

Place: Courtroom 6 – 17th Floor

Judge: Hon. Charles R. Breyer

1 **NOTICE OF MOTION AND MOTION**

2 **TO THE PLAINTIFF AND HER ATTORNEY OF RECORD IN THE ABOVE-**
3 **CAPTIONED MATTER:**

4 **PLEASE TAKE NOTICE** that on November 4, 2022 at 10:00 a.m., or as soon thereafter as
5 the matter may be heard, in Courtroom 6 before Honorable Charles Breyer of the Northern District of
6 California, Defendant Zarbee’s, Inc. (“Zarbee’s”) will and hereby does move the Court to dismiss
7 Plaintiff Krystal Lopez’s Complaint against Zarbee’s, ECF No. 1, in which Plaintiff alleges violations
8 of the California Consumer Legal Remedies Act (“CLRA”), Cal. Civ. Code § 1750, the California
9 Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code § 17200 *et seq.*, the California False
10 Advertising Law (“FAL”), *id.* § 17500 *et seq.*, and the consumer protection laws of Connecticut,
11 Illinois, Maryland, Missouri, and New York, as well as claims asserting breach of express warranty,
12 negligent and intentional misrepresentation, and unjust enrichment.

13 This motion is made pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) on the
14 grounds set forth in the accompanying memorandum of points and authorities.

15 Dated: September 21, 2022

16 Respectfully submitted,

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