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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 OAKLAND DIVISION

20 JULIA HECK, on behalf of herself and all others
21 similarly situated,
22 Plaintiff,
23 v.
24 AMAZON.COM, INC.,
25 Defendant.

Case No.: 4:22-cv-03986-JSW

**DEFENDANT AMAZON.COM, INC.'S
NOTICE OF MOTION AND MOTION
TO DISMISS CLASS ACTION
COMPLAINT**

Date: Friday, September 23, 2022
Time: 9:00 a.m.
Judge: Hon. Jeffrey S. White
Courtroom 5

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NOTICE OF MOTION AND MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on September 23, 2022 at 9:00 a.m., or as soon thereafter as counsel may be heard, in the courtroom of the Honorable Jeffrey S. White, located at Courtroom 5, 1301 Clay Street, Oakland, CA 94612, Defendant Amazon.com, Inc. will and hereby does move the Court for an order dismissing Plaintiff's Complaint, and all causes of action it contains, under Federal Rule of Civil Procedure 12(b)(6) for failure to plead facts sufficient to state a claim upon which relief may be granted.

This Motion is based on this Notice of Motion; Amazon's Memorandum of Points and Authorities; Amazon's Request for Judicial Notice; the concurrently filed Declaration of Jedediah Wakefield and exhibits attached thereto; the papers on file in this action; any Reply which Amazon may file in support of this Motion and its Request for Judicial Notice; and any evidence and argument presented to the Court.

Dated: August 5, 2022

FENWICK & WEST LLP

By: /s/ Jedediah Wakefield
Jedediah Wakefield

Counsel for Defendant
AMAZON.COM, INC.

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