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8 Attorneys for Defendant PEOPLE FOR
THE ETHICAL TREATMENT OF
9 ANIMALS, INC.

10
11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA
13

14 NAZRIN MASSARO, on behalf of
herself and all others similarly situated,

15 Plaintiff,

16 v.

17 BEYOND MEAT, INC., and PEOPLE
18 FOR THE ETHICAL TREATMENT
OF ANIMALS, INC.,

19 Defendants.
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Case No. 3:20-cv-00510-AJB-MSB

**DEFENDANT PEOPLE FOR THE
ETHICAL TREATMENT OF
ANIMALS, INC.'S NOTICE OF
MOTION TO DISMISS OR STRIKE
PLAINTIFF'S NATIONWIDE
CLASS CLAIMS**

Date: July 9, 2020

Time: 2:00 p.m.

Judge: Hon. Anthony J. Battaglia

Ctrm: 4A

Complaint filed: March 18, 2020

Trial Date: Not set

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE THAT** on July 9, 2020 at 2:00 p.m., or as soon
4 thereafter as the matter may be heard in Courtroom 4A, before the Honorable
5 Anthony J. Battaglia of the United States District Court for the Southern District of
6 California, 221 West Broadway San Diego, CA 92101, Defendant People for the
7 Ethical Treatment of Animals, Inc. (“PETA”) will and hereby does move the Court
8 for an order dismissing or striking Plaintiff Nazrin Massaro’s nationwide class
9 claims from the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(2)
10 and/or 12(f).

11 PETA brings this Motion on the grounds that Plaintiff’s nationwide class
12 claims must be dismissed or stricken because the Court lacks personal jurisdiction
13 over the claims of unnamed putative class members who did not receive any text
14 messages from PETA in California.

15 This Motion is based upon this Notice, the concurrently filed Memorandum
16 of Points and Authorities, Declaration of Jeffrey S. Kerr, all other pleadings, papers,
17 records, and documentary material on file or deemed to be on file in this action, and
18 upon such further oral or documentary evidence and argument as may be presented
19 at or before the hearing, and any other matter the Court may deem appropriate.

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1 Dated: May 13, 2020

2 SHEPPARD, MULLIN, RICHTER & HAMPTON
3 LLP

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5 By /s/ Shannon Z. Petersen
6 SHANNON Z. PETERSEN
7 LISA S. YUN
8 SIEUN J. LEE

9 Attorneys for Defendant
10 PEOPLE FOR THE ETHICAL
11 TREATMENT OF ANIMALS, INC.
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