

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

JUDY JIEN, *et al.*,

Plaintiffs,

v.

PERDUE FARMS, INC., *et al.*,

Defendants.

Case No. 1:19-cv-2521-SAG

**DEFENDANTS' MOTION TO DISMISS
FOR LACK OF STANDING PURSUANT TO FED. R. CIV. P. 12(b)(1)**

Defendants, by their respective undersigned counsel, hereby move pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure to dismiss the Second Amended Consolidated Complaint for lack of standing. Defendants incorporate by reference, as if set forth fully herein, the Memorandum of Law in Support of Motion to Dismiss Second Amended Consolidated Complaint.

WHEREFORE, Defendants respectfully request that this Court enter an Order (1) dismissing Defendants Butterball, LLC, Cargill Meat Solutions Corporation, and Jennie-O Turkey Store, Inc. from this action; (ii) dismissing all claims concerning salaried employees and turkey processing plant employees from this action; and (iii) granting such other and further relief as this Court deems just and proper under the circumstances.

Dated: December 18, 2020

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