

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 8/30/2021

NICOLE STEWART, on behalf of themselves and all
others similarly situated, et al.,

Plaintiffs,

-against-

NURTURE, INC.

Defendant.

1:21-cv-1217-MKV

ORDER

STEPHANIE SOTO, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

NURTURE, INC.

Defendant.

1:21-cv-1271-MKV

NITA JAIN, individually and on behalf of all others
similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Brands,

Defendant.

1:21-cv-1473-MKV

JODI SMITH, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

-against-

NURTURE, INC.,

Defendant.

1:21-cv-1534-MKV

LILLIAN HAMPTON et al.,

Plaintiffs,

-against-

NURTURE, INC., d/b/a Happy Family Organics and
Happy Baby Organics,

Defendants.

1:20-cv-1882-MKV

AMY WESTIN, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Brands,

Defendant.

1:21-cv-2101-MKV

JESSICA STROBEL, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Brands,

Defendant.

1:21-cv-2129-MKV

TIFFANIE SKIBICKI, individually and on behalf of
all others similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Organics, and
Does 1 through 10, inclusive,

Defendants.

1:21-cv-2553-MKV

ANGELA GUTIERREZ, individually and on behalf
of all others similarly situated,

Plaintiff,

-against-

NURTURE, INC.,

Defendant.

1:21-cv-3499-MKV

ALYSE GOTHOT, on behalf of herself and all others
similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Brands,

Defendant.

1:21-cv-4997-MKV

CHARLES ROBBINS, individually and on behalf of
all others similarly situated,

Plaintiff,

-against-

NURTURE, INC., d/b/a Happy Family Brands, d/b/a
Happy Family Organics,

Defendant.

1:21-cv-5344-MKV

ERIK LAWRENCE, on behalf of herself and all
others similarly situated, et al.,

Plaintiffs,

-against-

NURTURE, INC.

Defendant.

1:21-cv-5748-MKV

MYJORIE PHILIPPE, on behalf of herself and all others similarly situated, et al.,

Plaintiffs,

-against-

NURTURE, INC.

Defendant.

1:21-cv-6632-MKV

EDELIN ALTUVE, individually, and on behalf of all others similarly situated, et al.,

Plaintiffs,

-against-

NURTURE, INC.,

Defendant.

1:21-cv-6678-MKV

ERIN SPENCER, on behalf of herself and a class of others similarly situated,

Plaintiff,

-against-

NURTURE INC., a New York corporation,

Defendant.

1:21-cv-6861-MKV

CAITLIN WILLIAMS, individually and on behalf of all others similarly situated,

Plaintiff,

-against-

NURTURE INC. et al.,

Defendants.

1:21-cv-6918-MKV

MARY KAY VYSKOCIL, United States District Judge:

WHEREAS, there are currently sixteen (16) putative class actions pending in this District alleging violations of various state statutes and common law based on the same or similar facts and issues of law filed against Nurture, Inc. (“Nurture” or “Defendant”).

WHEREAS, the Court held a conference in the sixteen above-referenced cases on August 27, 2021, at which Nurture consented and no Plaintiff objected to consolidation of these actions.

WHEREAS, entry of this Order will promote judicial economy, avoid duplicative motion and discovery proceedings and streamline adjudication of related matters.

IT IS HEREBY ORDERED THAT:

1. Other than as described in paragraph two (2) below, the sixteen (16) above-referenced actions, only to the extent they name Nurture as the sole baby food manufacturer defendant, are hereby consolidated before the Honorable Mary Kay Vyskocil and shall hereafter be identified as: *In re Nurture Baby Food Litigation*, Master File No. 1:21-cv-01217-MKV (the “Consolidated Actions”).

2. Any and all personal injury and product liability claims for damages for bodily injuries (collectively, the “Personal Injury Claims”) asserted against Nurture in the above-captioned actions and any future actions, if any, shall not be asserted in the Consolidated Actions; instead, any and all such Personal Injury Claims against Nurture that arise out of the same or similar facts as alleged in the Consolidated Actions shall proceed separately.

3. Any actions asserting consumer protection type claims against Nurture hereafter filed in, or transferred or removed to, this District which arise out of the same or similar facts—namely, allegations that Nurture’s baby food products are and were tainted with toxic heavy metals—shall, when the Court is apprised of them, and the case is assigned to me, be consolidated for all purposes with the Consolidated Actions, to the extent such cases allege consumer protection type claims against Nurture.

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