

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**FERDINAND BENJAMIN, Individually
and as the Personal Representative of the
Estate of ENOCK BENJAMIN, Deceased**

Plaintiff,

v.

JBS S.A., *et al.*,

Defendants.

Civil Action No. 2:20-cv-02594-JP

[PROPOSED] ORDER

AND NOW, this _____ day of _____, 2020, upon consideration of Defendant JBS S.A.'s Motion to Dismiss, and any response thereto, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**, and it is further **ORDERED** that all of Plaintiff's claims against Defendant JBS S.A. are dismissed with prejudice.

BY THE COURT

John R. Padova
United States District Judge

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**MOTION TO DISMISS OF DEFENDANT JBS S.A. PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(2) AND 12(b)(6)**

Defendant JBS S.A. moves to dismiss all causes of action against it with prejudice. In support of this Motion, JBS S.A. relies on the accompanying Memorandum of Law, as well as Defendants JBS USA Food Company's, JBS USA Holdings's, JBS Souderton, Inc.'s, and Pilgrim's Pride Corporation's Memorandum of Law in Support of Amended Motion to Dismiss [ECF No. 15] and Reply Memorandum in Support of Amended Motion to Dismiss [ECF No. 25], which are incorporated herein by reference. JBS S.A. respectfully requests that the Court hold oral argument at which its counsel may be heard on this Motion.

WHEREFORE, JBS S.A. respectfully requests that the Court grant this Motion and enter an Order in the form accompanying this Motion.

Dated: September 16, 2020

Respectfully submitted,

s/Molly E. Flynn

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**MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO DISMISS OF DEFENDANT JBS S.A. PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(2) AND 12(b)(6)**

Dated: September 16, 2020

s/Molly E. Flynn

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