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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

IN RE: BABY FOOD PRODUCTS
LIABILITY LITIGATION

Case No. 24-MD-3101-JSC
MDL 3101

This document relates to:

ALL ACTIONS

**STIPULATED SCHEDULE FOR
FILING OF MASTER COMPLAINT
AND BRIEFING OF MOTIONS TO
DISMISS AND MOTIONS FOR
ALTERNATIVE SERVICE**

1 Pursuant to Pretrial Order No. 4, all parties who have appeared in the above-captioned
2 multi-district litigation hereby stipulate to the below schedule for the filing of Plaintiffs' Master
3 Complaint and briefing of any Motions to Dismiss the Master Complaint and Motions for
4 Alternative Service.

- 5 • Plaintiffs' Master Complaint shall be filed no later than **July 15, 2024** and served
6 on all Defendants named in the Master Complaint as soon as practicable.
7 Plaintiffs shall file a Notice of Completed Service with the Court when all
8 Defendants are served. Service on Defendants Beech-Nut Nutrition Company,
9 Gerber Products Company, Hain Celestial Group, Inc., Nurture, LLC (formerly
10 Nurture, Inc), Plum, PBC, Sprout Foods, Inc., and Walmart, Inc. may be
11 accomplished as provided in Section II of Pretrial Order No. 5. Service on all
12 other Defendants must be accomplished through the applicable rules and laws
13 governing service of process.
- 14 • Any Motions to Dismiss under Fed. R. Civ. P. 12(b) or Motions for Alternative
15 Service shall be filed **by the later of September 16, 2024 or 21 days after the**
16 **Notice of Completed Service has been filed with the Court.**
- 17 • Any Opposition briefs shall be filed **by the later of October 28, 2024 or 45 days**
18 **after the filing of the Motions to Dismiss under Fed. R. Civ. P. 12(b) or**
19 **Motions for Alternative Service.**
- 20 • Any Reply briefs shall be filed **by the later of November 18, 2024 or 21 days**
21 **after the filing of any Opposition briefs to the Motions to Dismiss under Fed.**
22 **R. Civ. P. 12(b) or Motions for Alternative Service.**
- 23 • Oral argument on the Motions to Dismiss under Fed. R. Civ. P. 12(b) and Motions
24 for Alternative Service shall be heard at a time to be determined by the Court.

25 Defendants expressly preserve, and do not waive, all rights and defenses associated with
26 any individual action that has been centralized with, transferred into, or which may be filed in this
27 MDL. Defendants Danone S.A. and Nestle S.A. intend to move to dismiss, at minimum, under
28 Rule 12(b)(2) for lack of personal jurisdiction.

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The parties respectfully request that the Court enter this Stipulation.

Respectfully submitted,

Dated: June 27, 2024

DLA PIPER LLP (US)

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Dated: June 27, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2024 a true and correct copy of the foregoing document was electronically filed with the Clerk of the United States District for the Northern District of California using the CM/ECF system, which shall send electronic notification to all counsel of record.

/s/ Brooke Killian Kim
Brooke Killian Kim