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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

Hon. Jacqueline Scott Corley

This Document Relates to:

ALL ACTIONS

**PLAINTIFFS' STATEMENT REGARDING
PRESERVATION EFFORTS**

TO THE COURT AND ALL PARTIES THROUGH THEIR ATTORNEYS:

Pursuant to Pretrial Order No. 8 (Doc. 244), Plaintiffs hereby provide this Statement detailing steps taken to preserve potentially relevant evidence and electronically stored information ("ESI") for this litigation.

Plaintiffs' counsel sent preservation letters to the parents/guardians of all MDL 3101 Plaintiffs notifying them of their duty to preserve types of documents and platform contents that include, but are not limited to:

- a) Medical records detailing the injury/injuries at issue;
- b) Medical bills and/or another relevant expenses;
- c) Receipts or other documentation for purchases of the baby food products at issue;
- d) Images or videos documenting the injury/injuries at issue or the baby food products at issue;
- e) Communications regarding the baby food products at issue; and
- f) Communications regarding Defendants.

With the understanding that this Statement is part of an ongoing discovery process, Plaintiffs' counsel has advised all MDL 3101 Plaintiffs of the duty to both preserve and prevent any automatic

1 deletion of the above materials. Plaintiffs' counsel has also asked MDL 3101 Plaintiffs to identify
2 relevant third parties that may have responsive information, including third-party loyalty programs, to
3 the extent they exist. Likewise, Plaintiffs' counsel has advised MDL 3101 Plaintiffs to preserve any
4 loyalty program documentation (and not delete) to the extent that those documents are readily
5 accessible to Plaintiffs (via login credentials or otherwise) and/or fall within their immediate
6 possession, custody, or control.

7 Plaintiffs' counsel is prepared to confer with and/or provide additional information to
8 Defendants on Plaintiffs' preservation efforts upon request.

9
10 Dated: October 11, 2024.

Respectfully submitted,

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on October 11, 2024, I filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification electronically to all parties of record.

Dated: October 11, 2024.

/s/ Aimee H. Wagstaff

Aimee H. Wagstaff

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