

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

LISA BOSS, LINDA GUNNETT, and PEGGY  
TATUM, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

THE KRAFT HEINZ COMPANY and  
KRAFT HEINZ FOODS COMPANY (LLC),

Defendants.

Case No. 1:21-cv-06380

The Honorable Charles R. Norgle Sr.

**MOTION TO DISMISS PLAINTIFFS' CLASS ACTION COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and (12(b)(6), Defendants The Kraft Heinz Company and Kraft Heinz Foods Company (LLC) (collectively "Kraft Heinz") hereby move for an order dismissing Plaintiffs' Class Action Complaint for failure to state a claim on which relief can be granted or, in the alternative, dismissing Plaintiffs' request for injunctive relief for lack of standing.

Kraft Heinz's motion is based on this motion, the accompanying Memorandum of Law, the accompanying Request for Judicial Notice and Exhibit 1 thereto, any reply or supplemental briefing Kraft Heinz may submit, and any further evidence or argument (including oral argument) that the Court may invite Kraft Heinz to present in connection with this motion.

WHEREFORE, Kraft Heinz respectfully requests that the Court dismiss Plaintiffs' Class Action Complaint with prejudice and without leave to amend.

Dated: March 22, 2022

Respectfully submitted,

By: /s/ Dean N. Panos

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The Kraft Heinz Company and  
Kraft Heinz Foods Company (LLC)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was filed on March 22, 2022 with the Clerk of the Court by using the CM/ECF system, which will effect electronic service on all parties and attorneys registered to receive notifications via the CM/ECF system.

Dated: March 22, 2022

By:           /s/ Dean N. Panos            
Dean N. Panos