

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

In re: BEECH-NUT NUTRITION  
COMPANY BABY FOOD LITIGATION

Master File No. 1:21-CV-00133-DNH-CFH

This Document Relates To:  
ALL ACTIONS

**NOTICE OF APPEAL**

Notice is hereby given, in accordance with Federal Rules of Appellate Procedure 3 and 4, that Plaintiffs Jeremy Cantor, Rebecca Abbott, Erin Abdo, Christina Allgood (a/k/a Christina Holland), Xena Almquist, Elizabeth Austin, Emily Baccari, Alyssa Barb, Kelsey Blankenship, Amanda Boots, Olivia Boyer, Celia Bruno, Ana Butkus, Derrick Carr, Mayelin Carranza, Kaitlynn Carson, Samantha Clark, Melanie Cole, Adrienne Cooper, Sheila Curry, Erica Douglas, Nathan Edwards, Morgan Engebretsen, Albachiara Farci, Lisa Fisher, Natalie Francois, Jillian Geffken, Rebecca George, Charita Harrell, Jill Hayden, Sammi Hobdy, Malik Hockaday, Amanda Holmes, Heather Hyden, Shaylan Isaacs, Karleen Kozaczka, Tabitha Latteyer, Andrew Lohse, Heather Malaga, Elizabeth McDowell, Katherine McGibney, Kali McGlinch, LaToya McHenry, Christina Mitchell, Loukevia Moore, Brittney Moyer, Stephanie Norgaard, Corinthea Pangelinan, Robert Partello, Krishna Patel, Maurice Peterson, Amanda Rogers, Bridget Salopek, Haley Sams, Vito Scarola, Amanda Schram, Liza Sike, Brandi Slabinski, Kinder Smith, Tamaya Stevenson, Porsche Stokes, Dillon Townzen, Brittany Wallace, Monique Warren, Jordan White, Natalie Williams, Amber Wright, Ashley Yates, and Christen Zulli (“Plaintiffs”) in the above-captioned case, individually and on behalf of the putative class, hereby appeal to the United States Court of Appeals for the Second Circuit from the Memorandum-Decision and Order entered on January 19, 2023 (ECF No. 196), and Judgment and Amended Judgment entered on January 20, 2023 and

January 24, 2023, respectively (ECF Nos. 197-98), in the United States District Court for the Northern District of New York, which granted Defendant Beech-Nut Nutrition Company's Motion to Dismiss the Consolidated Class Action Complaint (ECF No. 189).

Dated: February 20, 2023

Respectfully submitted,

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

By: *s/ Erin Green Comite*

Erin Green Comite (Bar Roll #702705)  
156 S. Main St.  
P.O. Box 192  
Colchester, CT 06415  
Tel.: (860) 537-5537  
Fax: (860) 537-4432  
ecomite@scott-scott.com

Joseph P. Guglielmo (Bar Roll #702673)  
The Helmsley Building  
230 Park Ave., 17th Floor  
New York, N.Y. 10169  
Tel.: (212) 223-6334  
Fax: (212) 223-6444  
jguglielmo@scott-scott.com

Steven L. Bloch (Bar Roll #509339)  
Ian W. Sloss (Bar Roll #702557)  
Zachary Rynar (Bar Roll #702588)  
**SILVER GOLUB & TEITELL LLP**  
184 Atlantic Street  
Stamford, CT 06901  
Tel.: (203) 325-4491  
Fax: (203) 325-3769  
sbloch@sgtlaw.com  
isloss@sgtlaw.com  
zrynar@sgtlaw.com

*Co-Lead Interim Counsel for Plaintiffs and the Putative Class*

James E. Hacker (Bar Roll #101888)  
Julie A. Nociolo (Bar Roll #519914)  
**E. STEWART JONES HACKER MURPHY,  
LLP**  
28 Second Street, Suite 203

Troy, N.Y. 12180  
Tel.: (518) 274-5820  
Fax: (518) 274-5875  
hacker@joneshacker.com  
jnociolo@joneshacker.com

*Liaison Counsel*

Aaron M. Zigler (Bar Roll #703294)  
Robin H. Silverman (*pro hac vice*)  
**ZIGLER LAW GROUP, LLC**  
308 S. Jefferson Street, Suite 333  
Chicago, IL 60661  
Tel.: (312) 535-5995  
aaron@ziglerlawgroup.com  
robin.horton@ziglerlawgroup.com

Troy E. Walton (*pro hac vice*)  
Stephen J. Telken (*pro hac vice*)  
**WALTON TELKEN, LLC**  
241 N. Main Street  
Edwardsville, IL 62025  
Tel.: (618) 307-9880  
twalton@waltontelken.com

*Additional Counsel for Plaintiffs*