

Clarkson Law Firm, P.C. | 22525 Pacific Coast Highway | Malibu, CA 90265

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PHILLIP WHITE, individually and
on behalf of all others similarly
situated,

Plaintiff,

v.

T.W. GARNER FOOD CO., a North
Carolina corporation,

Defendant.

Case No. 2:22-cv-06503-MEMF (SKx)

CLASS ACTION

Assigned to Hon. Maame Ewusi-
Mensah Frimpong

**PLAINTIFF’S NOTICE OF
MOTION AND MOTION TO
DISMISS**

[Concurrently Filed Herewith:
Memorandum of Points and Authorities,
Declaration of Bahar Sodaify,
Declaration of Ryan J. Clarkson,
Declaration of Plaintiff Phillip White,
Declaration of Lauren E. Anderson, and
[Proposed] Order]

Hrg. Date: December 21, 2023
Hrg. Time: 10:00 a.m.
Courtroom: 8B

Case Filed: September 12, 2022

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TO ALL PARTIES AND THEIR ATTORNEYS HEREIN:

PLEASE TAKE NOTICE that on December 21, 2023, at 10:00 a.m., in Courtroom 8B of First Street Courthouse before the Honorable Maame Ewusi-Mensah Frimpong, Plaintiff Phillip White (“Plaintiff”), on behalf of himself and all others similarly situated, by and through his counsel, will move this Court for an order granting Plaintiff’s Motion to Dismiss.

This motion is made following the conference of counsel pursuant to Civ. L.R. 7-3 which took place on September 19, 2023. The motion is made pursuant to Federal Rule of Civil Procedure 41(a)(2). The motion is based on this Notice of Motion, the Memorandum of Points and Authorities, supporting Declarations of Bahar Sodaify, Ryan J. Clarkson, Lauren E. Anderson, and Plaintiff Phillip White, the record, and any oral argument as may be presented to the Court at the time of the hearing.

DATED: September 28, 2023

Respectfully submitted,
CLARKSON LAW FIRM, P.C.

By: /s/ Bahar Sodaify
Ryan J. Clarkson, Esq.
Bahar Sodaify, Esq.
Alan Gudino, Esq.
Ryan D. Ardi, Esq.

Attorneys for Plaintiff