

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 14-81010-CIV-COHN/SELTZER

ANDRE VANDENBERG,
as an individual and on behalf
of all others similarly situated,

Plaintiff,

v.

MEDORA SNACKS, LLC,

Defendant.

_____ /

ORDER GRANTING MOTION TO TRANSFER VENUE

THIS CAUSE is before the Court upon Defendant Medora Snacks, LLC's Unopposed Motion to Transfer [DE 21] ("Motion"). The Court has carefully reviewed the Motion and the record in this case and is otherwise fully advised in the premises.

On August 4, 2014, Plaintiff Andre Vandenberg filed this action on behalf of himself and a proposed class of individuals who bought certain food products made by Defendant Medora Snacks, LLC. See DE 1 (Class Action Compl.). In general, Plaintiff alleges that Defendant misrepresented its products as being "All Natural." Id. Defendant now moves to transfer the case to the Northern District of California, where a similar, earlier-filed action against Defendant is already pending. See DE 21-1 (Class Action Compl. in Nguyen v. Medora Holdings, LLC, No. 14-cv-00618-PSG (N.D. Cal. filed Feb. 10, 2014)); 28 U.S.C. § 1404(a) (providing that, "[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought"); Manuel v. Convergys Corp., 430 F.3d 1132, 1135 (11th Cir. 2005) ("Where two actions involving

overlapping issues and parties are pending in two federal courts, there is a strong presumption across the federal circuits that favors the forum of the first-filed suit under the first-filed rule.”). Plaintiff does not oppose Defendant’s Motion.

After considering all relevant factors, the Court finds that this action should be transferred to the Northern District of California. Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. Defendant Medora Snacks, LLC’s Unopposed Motion to Transfer [DE 21] is **GRANTED**;
2. The Clerk shall **TRANSFER** this case to the United States District Court for the Northern District of California; and
3. The Clerk shall **CLOSE** the action in this Court and **DENY AS MOOT** all other pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 20th day of October, 2014.


JAMES I. COHN
United States District Judge

Copies provided to:

Counsel of record via CM/ECF