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7 Attorneys for Plaintiffs
8 Rebecca Padilla and Kimberly Owens

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11
12 REBECCA PADILLA and
13 KIMBERLY OWENS, individually,
and on behalf of a class of similarly
14 situated individuals,

15 Plaintiffs,

16 v.

17 THE WHITEWAVE FOODS
COMPANY dba WHITEWAVE
18 SERVICES, INC., a Delaware
corporation; DANONE US, LLC, a
19 Delaware limited liability company;
and DANONE NORTH AMERICA,
20 LLC, a Delaware limited liability
company,

21 Defendants.
22

Case No.: 2:18-cv-09327-JAK-JC

Hon. John A. Kronstadt

**JOINT STIPULATION TO AMEND
COMPLAINT TO NAME PROPER
DEFENDANTS AND DISMISS
IMPROPERLY NAMED
DEFENDANTS WITHOUT
PREJUDICE**

Complaint Filed: October 31, 2018
Trial Date: None Set

1 Plaintiffs REBECCA PADILLA and KIMBERLY OWENS, individually
2 and on behalf of a class of similarly situated individuals (“Plaintiffs”) and
3 Defendants THE WHITEWAVE FOODS CO. d/b/a WHITEWAVE SERVICES,
4 INC.; DANONE US, LLC; and DANONE NORTH AMERICA, LLC
5 (“Defendants”), by and through their respective undersigned counsel, hereby
6 stipulate and agree to the following:

7 **WHEREAS**, on October 31, 2018, Plaintiffs filed the above-captioned
8 class action lawsuit (the “Action”) alleging various consumer protection claims
9 against Defendants;

10 **WHEREAS**, on December 21, 2018, Defendants’ counsel informed
11 Plaintiffs’ counsel that the currently-named Defendants are indirect affiliated
12 companies which do not directly manufacture, distribute, or sell the Vega products
13 at issue in Plaintiffs’ complaint, and that the proper defendants are Sequel
14 Naturals ULC and Vega US, LLC;

15 **WHEREAS**, as a result of those discussions and representations made by
16 Defendants, Plaintiffs have agreed to dismiss The WhiteWave Foods Co. d/b/a
17 WhiteWave Services, Inc., Danone US, LLC, and Danone North America, LLC
18 without prejudice from this Action but reserve their right to subsequently rename
19 any or all of those entities as a party to this Action, if appropriate or necessary;

20 **WHEREAS**, no consideration, direct or indirect, has been or will be given
21 for the dismissal;

22 **WHEREAS**, Sequel Naturals ULC, and Vega US, LLC by and through
23 their counsel, has confirmed that they are the properly named defendants in this
24 Action; and

25 **WHEREAS**, nothing in this Stipulation is intended to constitute or imply
26 any admission of liability or wrongdoing by any party in the Action.

27 The Parties, **THEREFORE**, agree and stipulate to the following, subject to
28 the Court’s approval:

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

REBECCA PADILLA and
KIMBERLY OWENS, individually,
and on behalf of a class of similarly
situated individuals,

Plaintiffs,

v.

THE WHITEWAVE FOODS
COMPANY dba WHITEWAVE
SERVICES, INC., a Delaware
corporation; DANONE US, LLC, a
Delaware limited liability company;
and DANONE NORTH AMERICA,
LLC, a Delaware limited liability
company,

Defendants.

Case No.: 2:18-cv-09327-JAK-JC
Hon. John A. Kronstadt

**[PROPOSED] ORDER GRANTING
JOINT STIPULATION TO AMEND
COMPLAINT TO NAME PROPER
DEFENDANTS AND DISMISS
IMPROPERLY NAMED
DEFENDANTS WITHOUT
PREJUDICE**

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Having considered the Parties’ Joint Stipulation to Amend Complaint to Name Proper Defendants and Dismiss Improperly Named Defendants Without Prejudice, and good cause being found, **IT IS HEREBY ORDERED** that:

1. The WhiteWave Foods Co. d/b/a WhiteWave Services, Inc., Danone US, LLC, and Danone North America, LLC are dismissed without prejudice from this Action; and
2. Plaintiffs shall file an amended complaint on or before January 25, 2019, to add Sequel Naturals ULC and Vega US, LLC as defendants.

Dated: _____

Hon. John A. Kronstadt
U.S. District Judge