

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No. 20-cv-23564-MGC

DAVID WILLIAMS, et al.,	:
	:
	:
	:
Plaintiffs,	:
	:
vs.	:
	:
RECKITT BENCKISER LLC, et al.,	:
	:
	:
Defendants.	:

OPPOSITION TO MOTION TO STRIKE

Truth in Advertising, Inc. (“TINA.org”) respectfully opposes defendants’ Motion to Strike (D.E. 86). On July 23, 2021, defendants provided their consent to TINA.org filing a motion for leave to file an amicus curiae brief in this case, as well as the accompanying brief. *See* July 23, 2021 email from M. Pallett-Vasquez to L. Smith (attached hereto as Exhibit A). For this reason, as well as those stated in TINA.org’s July 26, 2021 Motion for Leave, TINA.org urges this Court to deny defendants’ Motion to Strike TINA.org’s amicus curiae brief opposing the terms of the proposed settlement.

Dated: August 13, 2021

Respectfully,

By: /s/ Jon Polenberg

Jon Polenberg, Esq.

Florida Bar No.: 653306

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(District of Conn. Bar No. ct28002, not
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Attorneys for Truth in Advertising, Inc.

CERTIFICATE OF SERVICE

I certify on August 13, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification to all parties registered to receive electronic notices via the Court's CM/ECF System.

/s/ Jon Polenberg

Jon Polenberg

EXHIBIT A



Williams v. Reckitt Benckiser

Melissa C. Pallett-Vasquez <mpallett@bilzin.com>

Fri, Jul 23, 2021 at 6:00 PM

To: Lori Lustrin <llustrin@bilzin.com>

Cc: Laura Smith <lsmith@truthinadvertising.org>, "DBiderman@perkinscoie.com" <DBiderman@perkinscoie.com>, "jonathan@gregcolemanlaw.com" <jonathan@gregcolemanlaw.com>, "martha@whitfieldbryson.com" <martha@whitfieldbryson.com>, "mschultz@levinlaw.com" <mschultz@levinlaw.com>, "nicksuciu@bmslawyers.com" <nicksuciu@bmslawyers.com>, "jshub@shublawyers.com" <jshub@shublawyers.com>, "ltfisher@bursor.com" <ltfisher@bursor.com>, "Sipos, Charles (Perkins Coie)" <CSipos@perkinscoie.com>, "Akinaka, Carrie (Perkins Coie)" <CAkinaka@perkinscoie.com>

Laura:

Thank you for your email. We are able to consent to your request provided you are able to reciprocally consent to a filing by Defendants in response (should Defendants choose to do so). Please let us know.

Have a nice weekend,
Melissa

Sent from my iPhone

On Jul 22, 2021, at 4:48 PM, Lori Lustrin <llustrin@bilzin.com> wrote:

Laura, Thanks for your email. I am looping in my colleagues Melissa Pallett-Vasquez, Charles Sipos, and Carrie Akinaka.

<image001.jpg>

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llustrin@bilzin.com

From: Laura Smith <lsmith@truthinadvertising.org>

Sent: Thursday, July 22, 2021 11:03 AM

To: Lori Lustrin <llustrin@bilzin.com>; dbiderman@perkinscoie.com;
jonathan@gregcolemanlaw.com; martha@whitfieldbryson.com; mschultz@levinlaw.com;

nicksuciu@bmslawyers.com; jshub@shublawyers.com; ltfisher@bursor.com

Subject: Williams v. Reckitt Benckiser

All,

In connection with the settlement agreement reached in the Williams v. Reckitt Benckiser case, we intend to file a motion for leave to file an amicus brief to assist the Court in understanding some of the issues presented by the proposed settlement, as we do from time to time in cases that pertain to deceptive marketing. We are not filing a motion to intervene as a party objector.

May we have your consent to our filing the motion and brief? If you wish to discuss further, please let me know.

Thank you.

Laura Smith

Legal Director

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2 attachments

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 **Bilzin Sumberg** **image001.jpg**
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