

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JUAN HUERTAS, EVA  
MISTRETTA, JOSE VILLARREAL,  
JEREMY WYANT, MIKE POOVEY,  
CHRISTOPHER CADORETTE,  
SEAN STEINWEDEL, JONATHAN  
MARTIN, DON PENALES, JR, on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

BAYER U.S. LLC,

Defendant.

Case No. 2:21-cv-20021-SDW-CLW

**PLAINTIFFS' NOTICE OF  
APPEAL TO THE UNITED  
STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

Notice is hereby given that Plaintiffs Juan Huertas, Eva Mistretta, Jose Villarreal, Jeremy Wyant, Mike Poovey, Christopher Cadorette, Sean Steinwedel, Jonathan Martin, and Don Penales, Jr. (collectively, "Plaintiffs"), on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Third Circuit from the Court's May 23, 2023 Opinion (D.E. 48) and the Court's May 23, 2023 Order (D.E. 49) granting Defendant Bayer U.S. LLC's Motion to Dismiss (D.E. 39).

Dated: June 20, 2023

Respectfully submitted,

By: /s/ Philip L. Fraietta  
Philip L. Fraietta

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 20, 2023, I caused true and correct copies of the Plaintiffs' Notice of Appeal to be served on all counsel of record via CM/ECF.

Dated: June 20, 2023

Respectfully submitted,

By: /s/ Philip L. Fraietta  
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