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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARY GARRISON, et al.,
Plaintiffs,
v.
WHOLE FOODS MARKET CALIFORNIA,
INC., et al.,
Defendants.

Case No. [14-cv-00334-VC](#)

ORDER

Re: Dkt. No. 16

Plaintiffs Mary Garrison and Grace Garrison bring this putative class action against Defendants Whole Foods Market California, Inc. and Mrs. Gooch's Natural Foods Market, Inc., alleging that several of Defendants' food products were improperly and unlawfully labeled "All Natural," when in fact they contain Sodium Acid Pyrophosphate ("SAPP"), a synthetic ingredient. Plaintiffs bring several common law claims as well as claims under California consumer protection statutes. On April 7, 2014, Defendants moved to dismiss Plaintiffs' complaint and to strike certain allegations contained therein. (Docket No. 16).

For the reasons explained in the June 2, 2014 Order entered in related case 13cv5222, the motion to dismiss is GRANTED in part and DENIED in part. With respect to Plaintiffs' unjust enrichment claim and their claim for injunctive relief, the motion to dismiss is GRANTED with prejudice. To the extent Plaintiffs seek to bring claims based on representations not contained on the product labels themselves, Whole Foods' motion is GRANTED with leave to amend. In all other respects, the motion to dismiss is DENIED. Defendants' motion to strike is DENIED in its entirety.

IT IS SO ORDERED.

Dated: June 2, 2014



VINCE CHHABRIA
United States District Judge