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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 CONNIE HOWARD, YADIRA YAZMIN
23 HERNANDEZ, and DEBORAH REYNOLDS,
24 on behalf of themselves and all others similarly
25 situated,

26 Plaintiffs,

27 v.

28 LABORATORY CORPORATION OF
AMERICA, LABORATORY
CORPORATION OF AMERICA HOLDINGS,
and META PLATFORMS, INC.,

Defendants.

Case No. 3:23-cv-02773-WHO

**STIPULATION TO TRANSFER THIS
ACTION TO THE MIDDLE DISTRICT
OF NORTH CAROLINA PURSUANT TO
28 U.S.C. § 1406(a) AND [PROPOSED]
ORDER**

1 Plaintiffs Connie Howard, Yadira Yazmin Hernandez, and Deborah Reynolds,
2 (“Plaintiffs”), and Defendants Laboratory Corporation of America, and Laboratory Corporation
3 of America Holdings (“Labcorp”) (collectively, the “Moving Parties,”), stipulate, and request that
4 the Court order pursuant to their stipulation, as follows:

5 WHEREAS, on June 5, 2023, Plaintiffs filed a class action complaint against Labcorp and
6 Defendant Meta Platforms, Inc. (“Meta” and the “Action”), which Plaintiffs identified as related
7 to *In Re Meta Pixel Healthcare Litigation*, 3:22-cv-3580-WHO-VKD (the “Consolidated
8 Action”) (*see* Dkts. 1 (complaint) & 1-1 (civil cover sheet));

9 WHEREAS, on July 26, 2023, Plaintiffs and the parties in the Consolidated Action jointly
10 moved the Court to relate the Action to the Consolidated Action, so that the claims against Meta
11 could be consolidated with the Consolidated Action (*see* the Consolidated Action, Dkt. 289);¹

12 WHEREAS, on July 26, 2023, Meta – with the Moving Parties’ consent – moved to sever
13 the claims against Meta in the Action so that they could be related to and consolidated with the
14 Consolidated Action (*see* Dkt. 33);

15 WHEREAS, on August 16, 2023, the Court related the Action to the Consolidated Action
16 (*see* Dkt. 39; *see also* the Consolidated Action, Dkt. 299);

17 WHEREAS, on August 23, 2023, the Court granted Meta’s unopposed motion to sever
18 Plaintiffs’ claims against Meta into the Consolidated Action, leaving behind Plaintiffs’ claims
19 against Labcorp in the Action (*see* Dkt. 52);

20 WHEREAS, on August 23, 2023, Labcorp filed a motion to dismiss Plaintiffs’ claims
21 against Labcorp arguing, among other things, that this Court lacks personal jurisdiction over
22 Labcorp, “a Delaware corporation with its headquarters in Burlington, North Carolina.” (*see* Dkt.
23 53 at 1, 3, 5-9);

24 WHEREAS, Burlington, North Carolina is located within the Middle District of North
25 Carolina;

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¹ Labcorp is not a party in the Consolidated Action.

1 WHEREAS, Plaintiffs believe the Court can exercise personal jurisdiction over Labcorp,
2 but also believe that transferring the Action to the Middle District of North Carolina now is in the
3 best interest of putative class members and that a transfer will save judicial resources; and

4 WHEREAS, any transfer would result in the adjudication of Labcorp's claims in the
5 Middle District of North Carolina, but would not disturb the Court's previous ruling severing and
6 consolidating Plaintiffs' claims against Meta into the Consolidated Action.

7
8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
9 Moving Parties (Plaintiffs and Defendant Labcorp), through their respective counsel and subject
10 to the Court's approval, that:

11 1. This Action be transferred to the Middle District of North Carolina pursuant to 28
12 U.S.C. § 1406(a).

13
14 Dated: August 31, 2023

Respectfully submitted,

15 By: /s/ Douglas I. Cuthbertson
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Laboratory Corporation of America and Laboratory
Corporation of America Holdings

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**[PROPOSED] ORDER TO TRANSFER PLAINTIFFS' CLAIMS AGAINST
DEFENDANTS LABORATORY CORPORATION OF AMERICA AND LABORATORY
CORPORATION OF AMERICA HOLDINGS TO THE MIDDLE DISTRICT OF NORTH
CAROLINA PURSUANT TO 28 U.S.C. § 1406(a)**

Pursuant to stipulation, IT IS SO ORDERED.

DATED: September 1, 2023



Hon. William H. Orrick
United States District Judge

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ATTESTATION REGARDING SIGNATURES

I, Douglas I. Cuthbertson, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: August 31, 2023

By: /s/ Douglas I. Cuthbertson
Douglas I. Cuthbertson

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CERTIFICATE OF SERVICE

I, Douglas I. Cuthbertson, certify that I caused the foregoing document to be served on all counsel for all parties to this action by filing it through the Court’s ECF system.

DATED: August 31, 2023

By: /s/ Douglas I. Cuthbertson
Douglas I. Cuthbertson