

BROWN & CONNERY, LLP

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**IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY
 CAMDEN VICINAGE**

CENTER FOR SCIENCE IN THE PUBLIC INTEREST,)	CIVIL NO. 1:07-cv-00-00539-RMB-JS
)	
Plaintiff,)	Document Electronically Filed
)	
v.)	NOTICE OF DEFENDANTS' JOINT MOTION TO DISMISS
)	
THE COCA-COLA COMPANY, et al.,)	ORAL ARGUMENT REQUESTED
)	
Defendants.)	

PLEASE TAKE NOTICE that on **Friday, June 15, 2007 at 9:30 a.m.**, or as soon as counsel may be heard, counsel for all Defendants shall jointly apply to the Honorable Renee Marie Bumb, United States District Judge, at the United States District Court, Mitchell H. Cohen Federal Building & U.S. Courthouse, 4th & Cooper Streets, Camden, New Jersey, for an Order dismissing this action. Pursuant to FED. R. CIV. P. 12(b)(1), 12(b)(6), and 9(b), Defendants hereby jointly move this Honorable Court to dismiss Plaintiff's Amended Complaint for lack of standing, failure to state a claim upon which relief can be granted, and failure to plead with particularity. The reasons for this motion are set forth in detail in the accompanying Memorandum of Law in Support of Defendants' Joint Motion to Dismiss, any reply papers

which Defendants shall file and serve upon all counsel, and all pleadings and papers on file in the above-captioned matter; and

PLEASE TAKE FURTHER NOTICE that Defendants **REQUEST ORAL ARGUMENT**; and

PLEASE TAKE FURTHER NOTICE that a proposed form of Order granting the relief requested is attached hereto; and

PLEASE TAKE FURTHER NOTICE that, pursuant to L. Civ. R. 7.1(d)(2), any party opposing this motion must file and serve its opposition brief and any supporting papers by **June 1, 2007**.

BROWN & CONNERY, LLP

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*The Coca-Cola Company, Nestle USA, Inc., and
Beverage Partners Worldwide (North America)*

Dated: May 14, 2007

By: s/ Warren W. Faulk

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