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*Attorneys for Defendant
 The Coca-Cola Company*

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

LINDA FRANULOVIC, individually and on)	CIVIL NO. 1:07-cv-00539-RMB-JS
behalf of a class of persons,)	
)	CLASS ACTION
Plaintiff,)	
)	Document Electronically Filed
v.)	
)	NOTICE OF DEFENDANT’S MOTION
THE COCA-COLA COMPANY,)	TO DISMISS PLAINTIFF’S SECOND
)	AMENDED CLASS ACTION
Defendant.)	COMPLAINT
)	
)	ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that on **September 21, 2007**, or as soon as counsel may be heard, counsel for Defendant The Coca-Cola Company shall apply to the Honorable Renee M. 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)(6), and 9(b), Defendant hereby moves this Honorable Court to dismiss Plaintiff’s claim under the New Jersey Consumer Fraud Act and Plaintiff’s claim for violations of the New Jersey Food and Drug Laws. The reasons for this motion are set forth in detail in the accompanying Memorandum of Law in Support of

Defendant's Motion to Dismiss Plaintiff's Second Amended Class Action Complaint, any reply papers which Defendant 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 Defendant **REQUESTS 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 **September 7, 2007**.

Dated: August 27, 2007.

McCARTER & ENGLISH, LLP

/s/ Peter J. Boyer

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