

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Civil Minutes

Date: March 3, 2022

Judge: Hon. James Donato

Court Recorder Time: 10:05:37-10:13:35

RELATED ACRIONS:

3:21-cv-04643-JD Swartz et al v. The Coca-Cola Company et al

3:21-cv-04644-JD Sierra Club v. The Coca-Cola Company et al

Attorney(s) for Plaintiff(s): Seth Safier

Attorney(s) for Defendant(s): Creighton R. Magid/Kent J. Schmidt/Steven A. Zalesin/Dawn Sestito/Hannah Y. Chanoine

Deputy Clerk: Lisa Clark

PROCEEDINGS

Status Conference -- Held

NOTES AND ORDERS

Pursuant to Fed. R. Civ. P. 42(a), the Court orders the cases consolidated for all pretrial proceedings. The earlier-filed civil action, Case No. 21-4643, is the lead case for consolidation purposes. Case No. 21-4644 will be administratively closed pending further order. All ECF filings should be made in the lead case.

Plaintiffs may file a consolidated complaint by March 24, 2022. Defendants may file by April 22, 2022, a single consolidated motion to dismiss not to exceed 25 pages. Each defendant may also file a supplemental brief not to exceed 5 pages for issues unique to that defendant. The supplemental brief may not duplicate in any way the facts or argument presented in the main brief. The parties are advised that the Court rarely considers matters outside of the complaint in connection with pleadings motions, and that use of the supplemental briefs to raise outside facts is disapproved. Plaintiffs may file by May 13, 2022, an opposition not to exceed 30 pages. Defendants may file by May 27, 2022, a reply not to exceed 10 pages. The Court may set a hearing on the motion as warranted.