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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

13 **IN RE: JUUL LABS, INC., MARKETING,
 14 SALES PRACTICES, AND PRODUCTS
 LIABILITY LITIGATION**

Case No. 19-md-02913-WHO

**ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASES SHOULD
 BE RELATED PURSUANT TO CIVIL L.R.
 3-12 AND 7-11**

16 **This Document Relates to:**

17 *Reece v. Altria Group, Inc. et al.*, Case No. 3:20-cv-
 02345-WHO (N.D. Cal.);

18 *Blomquist v. Altria Group, Inc. et al.*, Case No. 20-cv-
 19 02512-WHO (N.D. Cal.);

20 *Martinez v. Altria Group, Inc. et al.*, Case No. 20-cv-
 02597-WHO (N.D. Cal.);

21 *Deadwyler v. Altria Group, Inc. et al.*, Case No. 20-
 22 cv-02729-WHO (N.D. Cal.);

23 *Stiles v. Altria Group, Inc. et al.*, Case No. 20-cv-
 02779-WHO (N.D. Cal.);

24 *Licari v. Altria Group, Inc. et al.*, Case No. 20-cv-
 25 02778-WHO (N.D. Cal.);

26 *Flannery v. Altria Group, Inc. et al.*, Case No. 20-cv-
 02891-WHO (N.D. Cal.);

27 [Caption continues on following page]
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1 *Larimore, et al. v. Altria Group, Inc. et al.*, Case No.
20-cv-02999-WHO (N.D. Cal.);

2 *Walsh, et al. v Altria Group, Inc. et al.*, Case No. 20-
3 cv-03183-WHO (N.D. Cal.).

4 5 I. INTRODUCTION

6 Plaintiffs Denise Redfield and Albert Riccelli submit this Administrative Motion to consider
7 whether *Redfield, et al. v. Altria Group, Inc., et al.*, 20-cv-03288-JCS (“*Redfield Action*”) should be related
8 to *In Re: Juul Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation*, 19-md-02913-WHO
9 (“*Juul MDL*”), *Reece v. Altria Group, Inc., et al.*, 20-cv-02345-WHO (“*Reece Action*”), *Blomquist v. Altria*
10 *Group, Inc., et al.*, 20-cv-02512-WHO (“*Blomquist Action*”), *Martinez v. Altria Group, Inc., et al.*, 20-cv-
11 02597 (“*Martinez Action*”)’ *Deadwyler v. Altria Group, Inc., et al.*, Case No. 20-cv-02729-WHO
12 (“*Deadwyler Action*”)’ *Stiles v. Altria Group, Inc., et al.*, 20-cv-02779-WHO (“*Stiles Action*”), *Licari v.*
13 *Altria Group, Inc., et al.*, 20-cv-02778-WHO (“*Licari Action*”), *Flannery v. Altria Group, Inc., et al.*, 20-
14 cv-02891-WHO (“*Flannery Action*”), and *Walsh, et al. v Altria Group, Inc., et al.*, 20-cv-03183-WHO
15 (“*Walsh Action*”)—now pending before this Court.

16 II. APPLICABLE LEGAL STANDARD

17 “Whenever a party knows or learns that an action, filed in or removed to this district is (or the
18 party believes that the action may be) related to an action which is or was pending in this District as
19 defined in Civil L.R. 3-12(a), the party must promptly file in the lowest numbered case an Administrative
20 Motion to Consider Whether Cases Should be Related, pursuant to Civil L.R. 7-11.” Civil L.R. 3-12(b).

21 Civil Local Rule 3-12(a) provides that actions are related when (1) the actions concern
22 substantially the same parties, property, transaction or event; and (2) it appears likely that there will be an
23 unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted
24 before different Judges.

25 III. ARGUMENT

26 Previously, this Court ordered that the *Reece, Martinez, Blomquist, Deadwyler, Stiles, Licari,*
27 *Flannery, Larimore* and *Walsh* Actions (collectively, “Antitrust Actions”) be related to each other under
28 Civil Local Rule 3-12. (*Reece Action*, Dkt. No. 27). Subsequently, the Court ordered that the Antitrust

1 Actions are related to the *Juul MDL*, but are not to be considered “member cases or otherwise ‘part’ of
2 the MDL.” Dkt. No. 39.

3 Plaintiffs believe that the *Redfield* Action should be related to the Antitrust Actions. *Redfield*
4 Action raises the same or similar claims under the federal antitrust laws arising from the same
5 anticompetitive agreements between Juul Labs, Inc., (“JLI”) and Altria Group, Inc., (“Altria”). *See*
6 Declaration of Joseph R. Saveri in Support of Administrative Motion to Consider Whether Cases
7 Should Be Related Pursuant to Civil L.R. 3-12 and 7-11, ¶ 2. And like many of the Antitrust Actions, the
8 *Redfield* Action asserts those claims on behalf of a similarly defined class of direct purchasers. *Id.*
9 Defendants agree that Redfield should be related to the Antitrust Actions. *Id.* at ¶ 3.

10 **IV. CONCLUSION**

11 For the foregoing reasons, Plaintiffs Denise Redfield and Albert Riccelli respectfully request that
12 the Court relate the *Redfield* Action to the Antitrust Actions, but that the *Redfield* Action not be
13 considered a “member case” in the *Juul MDL*.

1 Dated: May 27, 2020

Respectfully Submitted,

2 JOSEPH SAVERI LAW FIRM, INC.

3 By: /s/ Joseph R. Saveri
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