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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**WILLIAM A. SHIRLEY,**  
Plaintiff,  
vs.  
**L.L. BEAN, INC.,**  
Defendant.

CASE NO. 18-cv-02641-YGR  
**ORDER GRANTING MOTIONS TO DISMISS  
AND TO STRIKE WITH LEAVE TO AMEND**  
Re: Dkt. No. 16, 17, 18

Plaintiff William A. Shirley brings the instant class action complaint for breach of contract, unjust enrichment, violation of the California Consumer Legal Remedies Act, Cal. Civ. Code §1750, violation of the California Unfair Competition Law, Cal. Bus. & Prof. Code §17200, violation of the Magnuson Moss Warranty Act, 15 U.S.C. §2301, and for declaratory relief. Defendant L.L. Bean Inc. has moved to dismiss the complaint and to strike the class action allegations. (Dkt. Nos. 16, 18.)

Having carefully considered the briefing and arguments submitted in this matter, and for the reasons set forth in full detail on the record on August 14, 2018, the motions to Dismiss and to Strike are **GRANTED WITH LEAVE TO AMEND**. The request for judicial notice submitted by defendant in support of the motion to dismiss is **GRANTED IN PART** as to Exhibits C, D, and E **only**.

Plaintiff shall file his amended complaint no later than September 13, 2018. Defendant shall file its response 21 days thereafter.

This Order terminates Docket Nos. 16 and 18.

**IT IS SO ORDERED.**

Dated: August 15, 2018



**YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE**