IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

and all others similarly situated,)
Plaintiff,) Case No. 17-cv-04857
V.) Judge Jorge L. Alonso) Magistrate Judge Jeffrey Cole
McDONALD'S USA, LLC, a Delaware limited)
liability company, McDONALD'S)
CORPORATION, a Delaware corporation; and)
DOES 1 through 10, inclusive,)
)
Defendants.)

<u>DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED</u> <u>COMPLAINT</u>

McDonald's USA, LLC and McDonald's Corporation ("McDonald's"), by its undersigned counsel, hereby moves this Court pursuant to Federal Rule of Civil Procedure 12(b)(6) for entry of an order dismissing Leinani Deslandes' First Amended Complaint in its entirety.

The bases for this motion are more fully set forth in the accompanying Memorandum in Support.

WHEREFORE, McDonald's respectfully moves for an order dismissing Leinani Deslandes' First Amended Complaint in its entirety, and for such further relief that the Court deems necessary and just.

Dated: October 2, 2017 Respectfully submitted,

McDONALD'S USA, LLC and McDONALD'S CORPORATION

By: /s/ Rachel S. Brass
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CERTIFICATE OF SERVICE

I, Rachel S. Brass, an attorney, hereby certify that the **DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT** was electronically filed on

October 2, 2017 and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

/s/ Rachel S. Brass
Rachel S. Brass