

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMERICAN FUJI SEAL, INC.,	)	
	)	
Plaintiff,	)	C.A. No. 24-1215-MN
	)	
v.	)	
	)	
BROOK + WHITTLE LTD,	)	
	)	
Defendant.	)	

**PLAINTIFF'S STATUS UPDATE REGARDING RELATED CASE
IN THE EASTERN DISTRICT OF TEXAS**

Plaintiff American Fuji Seal, Inc. submits this status update regarding pending motions in the related case styled *Brook + Whittle, LTD v. Nestlé USA, Inc., et al.*, Case No. 2:24-cv-735 (E.D. Tex.) ("Texas Case"). As of the date of this filing, the court for the Texas Case has not issued a ruling on either Nestlé USA, Inc.'s motion to dismiss for improper venue, which has been fully briefed since January 10, 2025, or on Fuji Seal International, Inc.'s motion to dismiss for lack of personal jurisdiction, which has been fully briefed since January 24, 2025.

More recently, Nestlé USA, Inc. and Fuji Seal International, Inc. filed a motion to stay the Texas Case pending the outcome of the present action before the Court based on the customer-suit-exception. The court in the Texas Case has not ruled on this motion, which has been fully briefed since May 15, 2025.

Plaintiff would be pleased to provide the Court copies of the briefs for any of the above-referenced pending motions in the Texas Case upon request.

Dated: June 12, 2025

Respectfully submitted,

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