

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 22-1333

CATHERINE BAKER, Individually and on behalf of all others similarly situated,
Appellant

v.

CRODA INC., f/k/a Croda, Inc.

On Appeal from the United States District Court
for the District of Delaware
(D.C. No. 1:20-cv-01108)

District Judge: Honorable Stephanos Bibas, *Circuit Judge (sitting by designation)*

Submitted Pursuant to Third Circuit L.A.R. 34.1(a) on September 20, 2022

Before: AMBRO¹, RESTREPO, and FUENTES², Circuit Judges

JUDGMENT ORDER

This cause came to be considered on the record from the United States District Court for the District of Delaware and was submitted under L.A.R. 34.1(a) on September 20, 2022.

¹ Judge Ambro assumed senior status on February 6, 2023.

² Judge Fuentes was a member of the merits panel. However, he took inactive status on September 12, 2024 and did not participate in this decision. This judgment order is filed by a quorum of the Court. 28 U.S.C. § 46; Third Circuit I.O.P. 12.1(b).

Plaintiff in this case filed two appeals. The first (No. 21-3360) was filed after the District Court initially dismissed Plaintiff's complaint on November 23, 2021, without prejudice and with leave to amend. Plaintiff then stood on the complaint and the District Court dismissed the complaint with prejudice on February 18, 2022. Plaintiff filed a second appeal from the dismissal with prejudice (No. 22-1333). The appeals were consolidated for all purposes.

On September 15, 2023, this Court issued an opinion agreeing with the District Court's dismissal of the case. Baker v. Croda Inc., 2023 WL 5993109 (3d Cir. Sep. 15, 2023). The opinion was inadvertently filed only in Plaintiff's first appeal (No. 21-3360), and the accompanying judgment only affirmed the District Court's November 23, 2021, order.

For the reasons set forth in the September 15, 2023, opinion, it is now hereby **ORDERED** and **ADJUDGED** that the District Court's Order entered on February 18, 2022, is **AFFIRMED**. Costs will not be taxed.

By the Court,

s/ L. Felipe Restrepo
Circuit Judge

ATTEST:

s/ Patricia S. Dodszuweit
Clerk

Dated: April 4, 2025