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6 Attorneys for Defendants
 MENU FOODS INCOME FUND; MENU FOODS, INC.;
 7 MENU FOODS MIDWEST CORPORATION; AND
 MENU FOODS SOUTH DAKOTA, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

Gordon & Rees LLP
 275 Battery Street, Suite 2000
 San Francisco, CA 94111

11 SHERRY INGLES, individually and on Behalf of)
 All Others Similarly Situated,)

13 Plaintiff,)

14 vs.)

15 MENU FOODS, INC., MENU FOODS INCOME)
 FUND, MENU FOODS MIDWEST)
 16 CORPORATION, and MENU FOODS SOUTH)
 DAKOTA INC.,)

17 Defendants.)

CASE NO. C 07 1809

**MENU FOODS' NOTICE OF
 PENDENCY OF OTHER ACTIONS
 AND PROCEEDINGS AND
 NOTICE OF TRANSFER ORDER**

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1 Pursuant to Civil Local Rules 3-13 and 3-14 defendants Menu Foods Income Fund, Menu
2 Foods, Inc., Menu Foods Midwest Corporation, and Menu Foods South Dakota, Inc. (“Menu
3 Foods Defendants” or “Defendants”) provide the following Notice of Pendency of Other Action
4 or Proceeding and Notice of Transfer Order:

5 As this Court is aware from a prior notice filed by these Defendants: (1) This case is one
6 of over seventy putative class actions filed in this court and several other courts throughout the
7 country for damages and injunctive relief, arising from the manufacture, distribution and/or sale
8 of pet food products by Menu Foods Defendants; (2) On March 30, 2007, Plaintiff Shirley Ingles
9 filed a products liability action in the Northern District of California, alleging that Plaintiff’s pet
10 sustained injuries and/or death as a result of the purchase and/or consumption of pet food
11 manufactured by Defendants; and (3) On April 12, 2007, the Judicial Panel on Multidistrict
12 Litigation (“JPML”) issued a Notice of Hearing Session for May 31, 2007 to consider the MDL
13 motions (“Collectively known as MDL 1850 - *In re Pet Food Products Liability Litigation*).

14 On May 31, 2007, the JPML hearing was held on May 31, 2007. On June 19, 2007 the
15 JPML released its Transfer Order transferring cases before it and pending outside the District of
16 New Jersey to the District of New Jersey and assigned to the Hon. Noel L. Hillman for
17 coordinated or consolidated pretrial proceedings. The JPML also stated that it has been notified
18 of 97 potentially related actions pending in multiple federal districts and ordered that these
19 actions be treated as potential tag-along actions. (Please see a true and correct copy of Transfer
20 Order attached hereto as Exhibit A.)

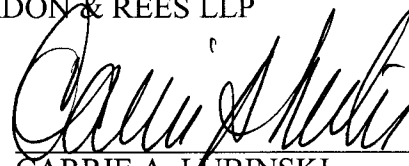
21 In addition, the Defendants provide notice of another related Menu Foods pet food case
22 that has been filed in this Court. On May 21, 2007, Plaintiff Diane Lowery filed a products
23 liability action in the Northern District of California, alleging that Plaintiff’s pet sustained
24 injuries as a result of the purchase and/or consumption of pet food manufactured by Menu Foods.
25 This case is entitled *Diane Lowery, individually and on behalf of a class of similarly situated*

1 *persons v. Menu Foods Income Fund, et al.* , Case No. C 07 2665 EDL.

2 Dated: June 21, 2007

GORDON & REES LLP

3
4 By:



CARRIE A. LUBINSKI

Attorneys for Defendants

MENU FOODS INCOME FUND; MENU
FOODS, INC.; MENU FOODS MIDWEST
CORPORATION; AND MENU FOODS
SOUTH DAKOTA, INC.

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EXHIBIT A

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 19 2007

FILED
CLERK'S OFFICE**RELEASED FOR PUBLICATION****DOCKET NO. 1850****BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE PET FOOD PRODUCTS LIABILITY LITIGATION****BEFORE WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J.
FREDERICK MOTZ, ROBERT L. MILLER, JR.,* KATHRYN H. VRATIL,
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE PANEL****TRANSFER ORDER**

This litigation presently consists of thirteen actions listed on the attached Schedule A and pending in eight districts as follows: five actions in the Western District of Washington; two actions in the Western District of Arkansas; and one action each in the Central District of California, the District of Connecticut, the Southern District of Florida, the Northern District of Illinois, the District of New Jersey, and the Eastern District of Tennessee. Before the Panel are three motions, pursuant to 28 U.S.C. § 1407, that taken together seek centralization for coordinated or consolidated pretrial proceedings of all of these actions.¹ All responding parties agree that centralization is appropriate, but differ regarding the most appropriate transferee district for this litigation. In favor of the District of New Jersey as transferee district are moving Central District of California and Southern District of Florida plaintiffs and plaintiffs in the District of Connecticut, the District of New Jersey, and three of the Western District of Washington actions before the Panel, as well as plaintiffs in fourteen potentially related actions. Plaintiffs in two of the five Western District of Washington actions move for centralization in the Western District of Washington; plaintiffs in the Eastern District of Tennessee action support centralization there; and plaintiffs in the other three Western District of Washington actions alternatively support centralization there. In favor of the Western District of Arkansas as transferee district are plaintiffs in the two Western District of Arkansas actions and the Northern District of Illinois action, and plaintiffs in six potentially related actions. Plaintiffs in two potentially related District of New Jersey actions alternatively support centralization in the Western District of Arkansas. Supporting the Northern District of Illinois as transferee district are all responding defendants, including Menu Foods, Inc., and its related entities, and plaintiffs in one potentially related action. In favor of the Central District of California as transferee district are plaintiffs in nine potentially related actions. Finally, plaintiff in a potentially related Northern District of Ohio action suggests centralization in the Northern District of Ohio.

On the basis of the papers filed and hearing session held, the Panel finds that the actions in this

* Judge Miller did not participate in the decision of this matter.

¹ The Panel has been notified of 97 potentially related actions pending in multiple federal districts. In light of the Panel's disposition of this docket, these actions will be treated as potential tag-along actions. See Rules 7.4 and 7.5, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001).

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litigation involve common questions of fact, and that centralization under Section 1407 in the District of New Jersey will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. All actions stem from the recall of pet food products allegedly tainted by melamine found in wheat gluten imported from China and used in these products. Centralization under Section 1407 is necessary in order to eliminate duplicative discovery; avoid inconsistent pretrial rulings, especially with respect to class certification; and conserve the resources of the parties, their counsel and the judiciary.

Although several districts could be described as an appropriate transferee forum for this nationwide litigation, we are persuaded to select the District of New Jersey. Pretrial proceedings are advancing well there and about one-third of all pending actions are already in this district.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions listed on the attached Schedule A and pending outside the District of New Jersey are transferred to the District of New Jersey and, with the consent of that court, assigned to the Honorable Noel L. Hillman for coordinated or consolidated pretrial proceedings with the actions pending there and listed on Schedule A.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman

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SCHEDULE A

MDL-1850 -- In re Pet Food Products Liability Litigation

Western District of Arkansas

Charles Ray Sims, et al. v. Menu Foods Income Fund, et al., C.A. No. 5:07-5053
Richard Scott Widen, et al. v. Menu Foods, Inc., et al., C.A. No. 5:07-5055

Central District of California

Shirley Sexton v. Menu Foods Income Fund, et al., C.A. No. 2:07-1958

District of Connecticut

Lauri A. Osborne v. Menu Foods, Inc., C.A. No. 3:07-469

Southern District of Florida

Christina Troiano v. Menu Foods, Inc., et al., C.A. No. 0:07-60428

Northern District of Illinois

Dawn Majerczyk v. Menu Foods, Inc., C.A. No. 1:07-1543

District of New Jersey

Jared Workman, et al. v. Menu Foods Ltd., et al., C.A. No. 1:07-1338

Eastern District of Tennessee

Lizajean Holt, et al. v. Menu Foods, Inc., C.A. No. 3:07-94

Western District of Washington

Tom Whaley v. Menu Foods, Inc., et al., C.A. No. 2:07-411
Stacey Heller, et al. v. Menu Foods, C.A. No. 2:07-453
Audrey Kornelius, et al. v. Menu Foods, C.A. No. 2:07-454
Suzanne E. Johnson, et al. v. Menu Foods, C.A. No. 2:07-455
Michele Suggett, et al. v. Menu Foods, et al., C.A. No. 2:07-457