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6 Attorneys for Plaintiffs

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 ROBERT PAYNE and STEVEN
11 BARTILUCCI,

12 Plaintiffs

13 vs.

14 MENU FOODS, INC., a New Jersey
corporation; PETCO ANIMAL
15 SUPPLIES, INC., a Delaware corporation;
16 SAFEWAY, INC., a Delaware
corporation; THE PROCTOR &
17 GAMBLE COMPANY, an Ohio
corporation, and DOES 1 through 50.

18
19 Defendants.
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CASE NO.: 07CV 0705 JAH (CAB)

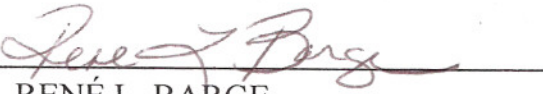
CLASS ACTION

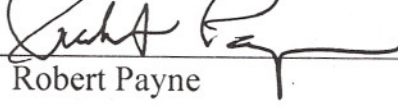
**PLAINTIFF ROBERT PAYNE'S
MOTION TO SUBSTITUTE IN AS
ATTORNEY OF RECORD RENÉ L.
BARGE and KATHERINE J.
ODENBREIT OF CLASS ACTION
LITIGATION GROUP AS HIS
ATTORNEYS OF RECORD;
[PROPOSED] ORDER**

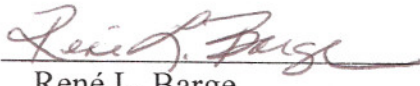
21 Plaintiff ROBERT PAYNE hereby make the following request to substitute in as her
22 attorney of record René L. Barge and Katherine J. Odenbreit of the law firm Class Action
23 Litigation Group in lieu of Eric J. Benink of the law firm Krause Kalfayan Benink &
24 Slavens, LLP and David S. Casey, Jr. and Thomas D. Penfield of the law firm Casey,
25 Gerry, Schenk, Francavilla, Blatt, & Penfield LLP. Pursuant to Local Rule 83.3(c)(5)(g),
26 below is a consent to this substitution signed by plaintiff ROBERT PAYNE, attorney
27
28

1 René L. Barge, Eric J. Benink on behalf of the law firm Benink & Slavins LLP and
2 Thomas Penfield on behalf of the law firm of Casey, Gerry, Schenk, Francavilla, Blatt, &
3 Penfield LLP.
4

5 DATED: 5/30, 2007 CLASS ACTION LITIGATION GROUP

7
8 BY: 
9 RENÉ L. BARGE
10 Attorneys for Plaintiff,
11 **ROBERT PAYNE**, and All Persons
12 Similarly Situated

12 Dated: 5/23/07 I consent to this substitution: 
13 Robert Payne

14 Dated: 5/29/07 I consent to this substitution: 
15 René L. Barge

16 Dated: _____ I consent to this substitution: _____
17 Eric J. Benink

18 Dated: _____ I consent to this substitution: _____
19 Thomas Penfield

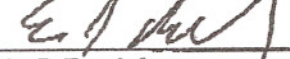
1 René L. Barge, Eric J. Benink on behalf of the law firm Krause Kalfayan Benink &
2 Slavens LLP and Thomas Penfield on behalf of the law firm of Casey, Gerry, Schenk,
3 Francavilla, Blatt, & Penfield LLP.
4


5 DATED: _____, 2007 CLASS ACTION LITIGATION GROUP

6
7 BY: _____
8 RENÉ L. BARGE
9 Attorneys for Plaintiff,
10 ROBERT PAYNE, and All Persons
11 Similarly Situated

12 Dated: _____ I consent to this substitution: _____
13 Robert Payne

14 Dated: _____ I consent to this substitution: _____
15 René L. Barge

16 Dated: 5-25-07 I consent to this substitution: 
17 Eric J. Benink

18 Dated: 5/30/07 I consent to this substitution: 
19 Thomas Penfield
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CERTIFICATE OF SERVICE

I certify that on May 30, 2007, I caused the following document:

NOTICE OF SUBSTITUTION OF ATTORNEY FOR PLAINTIFFS to be filed electronically with the Clerk of the Court through ECF.

I further certify, that I caused a copy of the foregoing document and the notice of electronic filing to be mailed via U.S. mail to the following:

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Dated: May 30, 2007


Katherine J. Odenbreit