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 10 THE PROCTER & GAMBLE COMPANY

11 UNITED STATES DISTRICT COURT
 12 SOUTHERN DISTRICT OF CALIFORNIA

13 ROBERT PAYNE and STEVE
 14 BARTILUCCI,

15 Plaintiffs,

16 vs.

17 MENU FOODS, INC., a New Jersey
 18 corporation, PETCO ANIMAL SUPPLIES,
 19 INC.; a Delaware corporation, SAFEWAY,
 20 INC.; a Delaware corporation, THE
 21 PROCTER & GAMBLE COMPANY, a Ohio
 22 corporation, and DOES 1 through 50,

23 Defendants.

24) **CASE NO. 07cv0705 JAH(GAB)**

25) Honorable John A. Houston

26) **JOINDER IN NOTICE OF REMOVAL**
 27) **OF ACTION**

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1 Defendant THE PROCTER & GAMBLE COMPANY, hereby joins in MENU
2 FOODS, INC.'s Notice of Removal to this Court of the state court action described in said
3 Notice of Removal.

4 Dated: April 25, 2007

HOWARTH & SMITH

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/s/ Don Howarth
Don Howarth

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Attorneys for Defendant
THE PROCTER & GAMBLE COMPANY

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CERTIFICATE OF SERVICE

I certify that on April 25, 2007, I caused the following document:

JOINDER IN NOTICE OF REMOVAL OF ACTION

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

Susan Moriarty Hack at hack@higgslaw.com

I further certify that I caused a copy of the foregoing document and the notice of electronic filing to be mailed by first class mail, postage prepaid, to the following non-ECF participants:

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Dated: April 25, 2007

s/Don Howarth
Don Howarth