

SUSAN M. HACK, ESQ. (Bar No. 145347)
HIGGS, FLETCHER & MACK LLP
401 West A Street, Suite 2600
San Diego, CA 92101-7913
TEL: 619.236.1551
FAX: 619.696.1410

Attorneys for Defendant
MENU FOODS HOLDING, INC.

Case 3:07-cv-00706-BTM-POR Document 6 Filed 04/23/2007 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DIANE SWARBERG, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

MENU FOODS HOLDING, INC.,
THE IAMS COMPANY, and
DOES 1 through 100, inclusive,

Defendants.

CASE NO. 07cv0706 BTM (POR)

**DEFENDANT MENU FOODS HOLDING,
INC.'S NOTICE OF MOTION AND
MOTION TO STAY ALL PROCEEDINGS**

DATE: June 15, 2007
TIME: 11:00 a.m.
CTROOM: 15
JUDGE: Hon. Barry Ted Moskowitz
TRIAL DATE: No Date Set

**NO ORAL ARGUMENT UNLESS
REQUESTED BY CHAMBERS**

NOTICE IS HEREBY GIVEN that on June 15, 2007, 11:00 a.m.,
or as soon thereafter as counsel may be heard, before the Honorable Barry T. Moskowitz, in
Courtroom 15 of the above-entitled Court, located at 940 Front Street, San Diego, California,
defendant MENU FOODS HOLDING, INC. will, and hereby does, move to stay all proceedings
in this matter.

NOTICE IS FURTHER GIVEN that there will be no oral argument unless requested by
the Court.

///

///

///

802297.1

1 This Motion is based upon this Notice and Motion; the Memorandum of Points and
2 Authorities served and filed herewith; the Notice of Lodgment, and all exhibits attached thereto,
3 served and filed therewith, and on all matters of which the court may take judicial notice; on all
4 pleadings and records filed in this action; and on such evidence as may be presented at or before
5 the hearing on this matter.

6 Case 3:07-cv-00706-BTM-POR Document 6 Filed 04/23/2007 Page 2 of 2

7 DATED: April 23, 2007

HIGGS, FLETCHER & MACK LLP

9 By: /s/Susan M. Hack

10 SUSAN M. HACK, ESQ.

11 Attorneys for Defendant

12 MENU FOODS HOLDING, INC.