

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

ORLANDO DIVISION

CASE NO. 6:07-CV-803-ORL-18KRS

GEORGE BIRNEY and
AUDREY BIRNEY,

Plaintiffs,

vs.

MENU FOODS, INC., *et al.*

Defendants.
_____ /

**DEFENDANT'S NOTICE OF FILING EXHIBIT "C," PART III, IN
SUPPORT OF ITS MOTION TO STAY ALL PROCEEDINGS**

NOTICE IS HEREBY given the Court that Defendant, MENU FOODS INC., by and through its undersigned counsel, files the Multi District Litigation Motion filed by Plaintiffs, Tom Whaley, Stacey Heller, Toinette Robinson, David Rapp, Cecily and Terrance Mitchelle, Suzanne E. Johnson, Craig R. Klemann, Audrey Kornelius, Barbara Smith, Michelle Suggett and Don James, seeking to transfer their case and numerous other cases involving alleged injuries and/or death arising out of the purchase and/or consumption of pet food manufactured by Defendants to the Western District of Washington, as Defendant's **EXHIBIT C-III** in support of its Motion to Stay all Proceedings (Doc. No. 3), filed under separate cover due to the voluminous nature of the exhibit.

Dated: May 15, 2007

Respectfully submitted,

By: /s/ Robert D. McIntosh

Robert D. McIntosh (FBN: 115490)

Email: rdm@adorno.com

ADORNO & YOSS LLP

888 S.E. 3rd Avenue, Suite 500

Fort Lauderdale, Florida 33316-1159

Phone: (954) 523-5885

Fax: (954) 760-9531

Attorneys for Defendant, Menu

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ Robert D. McIntosh

Robert D. McIntosh (FBN: 115490)

BIRNEY v. MENU FOODS, et al
SERVICE LIST – 6:07-CV-803-ORL-18KRS

Luis G. Figueroa, Esq.
Martinez, Manglardi, Diez-Arguelles & Tejedor
Attorneys Trial Group
540 N. Semoran Boulevard
Orlando, Florida 32807
P: 407-381-4123
lfigueroa@attorneystrialgroup.com

Attorneys for Plaintiff

Robert D. McIntosh, Esq.
Adorno & Yoss, LLP
Attorneys for Menu Defendants
888 Southeast 3rd Avenue, Suite 500
Fort Lauderdale, Florida 33316
Telephone: 954-523-5885
Telefax: 954-760-9531
E-Mail: rdm@adorno.com
