

MDL 1850

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 31 2007

FILED
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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOOD
 PRODUCTS LIABILITY LITIGATION) MDL Docket No. 1850
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NOTICE OF POTENTIAL TAG ALONG ACTIONS

NOW COME the Defendants collectively referred to as "Menu Foods," by and through their attorneys, PRETZEL & STOUFFER, CHARTERED, and pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, hereby submits the following list of potential tag along actions:

1. A. *Gary Bruski, Individually and on behalf of all Other Similarly Situated v. Menu Foods, Inc., a Canadian Corporation; Nutro Products, Inc., a California Corporation; and Petsmart, Inc., an Arizona Corporation*
- B. United States District Court for the Northern District of Illinois (Chicago)
- C. 1:07-CV-02183
- D. Judge Wayne Andersen

2. A. *Diane Swarberg, individually and on behalf of all others similarly situated v. Menu Foods Holding Inc., The Iams company and Does 1 through 100, inclusive*
- B. United States District Court for the Southern District of California (San Diego)
- C. 3:07-CV-00706
- D. Judge John A. Houston

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3.
 - A. *Jayne Englander, an individual and Mitch Englander, an individual, on behalf of themselves, the general public, all others similarly situated, and as owners and guardians of Sparky and Bailey*
 - B. United States District Court for the Central District of California - Western Division (Los Angeles)
 - C. 2:07-CV-02964
 - D. Judge Christina A. Snyder

4.
 - A. *Sandra L. Gray, Individually and All Other Persons Similarly Situated; Nick Jackson, As Husband and All Other Person Similarly Situated and Deena Jackson, As Wife and All Other Persons Similarly Situated v. Menu Foods, Menu Foods Income Fund, Menu Foods Gen Par Limited, Menu Foods Limited Partnership, Menu Foods Operating Partnership, Menu Foods Midwest Corporation, Menu Foods South Dakota, Menu Foods, Inc., Menu Foods Holdings, Inc., Walmart Stores, Inc. And Xuzhou Anying Biologic Technology Development Co., Ltd.*
 - B. United States District Court for the Western District of Arkansas (Fayetteville)
 - C. 5:07-CV-05065
 - D. Judge Robert T. Dawson

5.
 - A. *Ken Wahl, Shane Barbi, Sia Barbi, Jennifer Hart, Sheila R. Washington, Maria Mitchell, individually and on behalf of all individuals similarly situated v. Menu Foods Income Fund, Menu Foods Midwest Corporation, Menu Foods South Dakota Inc., Menu Foods Inc., Menu Foods Holdings Inc., Del Monte Foods Company, Nestle Purina Petcare Company, Hills Pet Nutrition, Nutro Products Inc., Petco Animal Supplies Stores Inc., Petco Animal Supplies Inc., Petco Southwest Inc., Petsmart Inc., and The IAMS Company*
 - B. United States District Court for the Central District of California - Western Division (Los Angeles)
 - C. 2:07-CV-02779
 - D. Judge George H. King

6. A. *Robert Payne and Steve Bartilucci v. Menu Foods, Inc., a New Jersey Corporation; Petco Animal Supplies, Inc., a Delaware Corporation; Safeway, Inc., a Delaware Corporation, The Proctor & Gamble Company, an Ohio Corporation; and DOES 1 through 50*
- B. United States District Court for the Southern District of California (San Diego)
- C. 3:07-CV-00705
- D. Judge John A. Houston

7. A. *Judy McGuriman, individually and on behalf of all others similarly situated v. Menu Foods Limited, a Canadian business entity trading as Menu Foods; Menu Foods, Inc., a New Jersey corporation trading as Menu Foods*
- B. United States District Court for the District of New Jersey (Camden)
- C. 1:07-CV-02205
- D. Judge Noel L. Hillman

8. A. *Olivia Guercioni, Individually, and on behalf of others that are similarly situated v. Menu Foods Limited, doing business as Menu Foods; Menu Foods Inc.; Menu Foods Midwest Corporation; JOHN DOES 1-10; and ABC CORPS 1-15*
- B. United States District Court for the District of New Jersey (Camden)
- C. 1:07-CV-02202
- D. Judge Noel L. Hillman

9. A. *Kelly Finestone, on behalf of herself, similarly situated consumers, and the general public v. Menu Foods, Inc., a Canadian Corporation; The IAMS Company, an Ohio Corporation; Petco Animal Supplies Inc., a Delaware Corporation; DOES 1 through 500 inclusive; and Chemnutra Inc., sued and served herein as DOE No. 3*
- B. United States District Court for the Central District of California - Western Division (Los Angeles)

- C. 2:07-CV-02338
- D. Judge Christina A. Synder

✓ 10. A. *Loren Byers and Camilla Brankov, individually and on behalf of all others similarly situated v. Menu Foods Income Fund; Menu Foods, Inc., a New Jersey Corporation; Menu Foods Midwest Corp., a Delaware Corporation; Menu Foods Limited; Menu Foods Operating Limited Partnership; Menu Foods South Dakota Corp., and DOES 1-50*

B. United States District Court for the District of New Jersey (Camden)

C. 1:07-CV-01747

D. Judge Noel L. Hillman

✓ 11. A. *Heather Amro, on behalf of herself and all others similarly situated v. Menu Foods Income Fund; Menu Foods, Inc., a New Jersey Corporation; Menu Foods Holdings, Inc.; Menu Foods Midwest Corporation, a Delaware Corporation; Chemnutra, Inc., a Delaware Corporation; Chemnutra LLC; The Proctor & Gamble Company, an Ohio Corporation; and The IAMS Company*

B. United States District Court for the Northern District of Illinois (Chicago)

C. 1:07-CV-02162

D. Judge Wayne Andersen

12. A. *George Birney and Audrey Birney v. Menu Foods, Inc.*

B. United States District Court for the Middle District of Florida (Orlando)

C. 6:07-CV-00803

D. Judge Anne C. Conway

✓ 13. A. *Hayley Ford, individually, for class members, and on behalf of other members of the public similarly situated and Shannon J. Kramer, individually, for class members, and on behalf of other members of the public similarly situated v. Menu*

Foods Income Fund, Menu Foods Midwest Corporation, Menu Foods South Dakota, Inc., Menu Foods, Inc., Menu Foods Holdings, Inc., Del Monte Foods Company, Nestle Purina Petcare Company, Hills Pet Nutrition, Nutro Products, Inc., Wal-Mart Stores, Petco Animal Supplies, Inc., Petco Southwest, Inc., Petco Animal Supplies Stores, Inc., The IAMS Company, Fry's Food Centers, Smith's Food and Drug Centers, Inc., Kroger co., Chemnutra, Inc., and Petsmart

- B. United States District Court for the Southern District of California (San Diego)
- C. 3:07-CV-00734
- D. Judge John A. Houston

✓ 14. A. *Laura Migliore v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00575
- D. Judge Robert S. Lasnik

✓ 15. A. *Gail Moran v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00576
- D. Judge John C. Coughenour

✓ 16. A. *Sheryl Puett v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00577
- D. Judge Robert s. Lanik

✓ 17. A. *Mark Cashman, Individually and on behalf of all others similarly situated and
Ciro Aiello, Individually and on behalf of all others similarly situated v. Menu*

Foods Midwest Corporation, Menu Foods Income Fund, Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings Inc., The Procter & Gamble Company, The Iams Company, Chemnutra Inc. and John Does No. 1 through 100

- B. United States District Court for the Southern District of New York (Foley Square)
- C. 1:07-CV-03236
- D. Judge Jed S. Rakoff

✓ 18. A. *Megan Connerton and Kimberly Mello v. Menu Foods Midwest Corporation, Menu Foods Income Fund, Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings, Inc., The Iams Company, Nutro Products, Inc., Target Corporation, ChemNutra Inc. and Xuzhou Anying Biologic Technology Development Company Ltd.*

- B. United States District Court for the District of Massachusetts (Boston)
- C. 1:07-CV-10797
- D. Judge Douglas P. Woodlock

19. A. *Sonja Foxe, on behalf of herself and all others similarly situated v. Menu Foods, Inc., Menu Foods Income Fund, Safeway Inc. And John Does 1 through 100*

- B. United States District Court for the Northern District of Illinois (Chicago)
- C. 1:07-CV-02237
- D. Judge Wayne Andersen

✓ 20. A. *Wendy Krosschell, on behalf of herself and all others similarly situated v. Menu Foods Income Fund, Menu Foods, Inc., Menu Foods Holdings, Inc., Menu Foods Midwest Corporation, ChemNutra LLC and ChemNutra Inc.*

- B. United States District Court for the District of Minnesota
- C. 0:07-CV-02108
- D. Judge Ann D. Montgomery

- ✓ 21. A. *Daniel Ray Reeves, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Seattle)
 - C. 2:07-CV-00634
 - D. Judge John C. Coughenour

- ✓ 22. A. *Nancy Guthire, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Tacoma)
 - C. 3:07-CV-05205
 - D. Judge Robert J. Bryan

- ✓ 23. A. *Jeff Rusiecki, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Tacoma)
 - C. 3:07-CV-05204
 - D. Judge Robert J. Bryan

- ✓ 24. A. *Penny J. Roberts and Donald Gilbert Iverson v. Menu Foods Income Fund; Menu Foods, Inc.; Menu Foods Holdings, Inc.; Menu Foods Midwest Corporation; Chemnutra Inc.; and Chemnutra LLC*
 - B. United States District Court for the Western District of Wisconsin (Madison)
 - C. 07-CV-0248
 - D. Judge Barbara B. Crabb

- ✓ 25. A. *Sheree A. Robinson, individually and on behalf of all others similarly situated v.*

Menu Foods, a foreign corporation

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00666
- D. Judge Robert S. Lasnik

✓ 26. A. *Phyllis A. Ullman, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00667
- D. Judge Marsha J. Pechman

✓ 27. A. *Megan Whitt, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00670
- D. Judge Ricardo S. Martinez

✓ 28. A. *Elizabeth Palmer, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00668
- D. Judge James L. Robart

✓ 29. A. *Jason Labbate, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)

- C. 2:07-CV-00669
- D. Judge Monica J. Benton

30. A. *Margaret Picus v. Wal-Mart Stores, Inc.; Menu Foods Inc.; Del Monte Foods Company; Sunshine Mills, Inc.; and ChenNutra Inc.*

B. United States District Court for the District of Nevada (Las Vegas)

C. 2:07-CV-00686

D. Judge Roger L. Hunt

31. A. *Lerae Dineen, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

B. United States District Court for the Western District of Washington (Seattle)

C. 2:07-CV-00686

D. Judge Marsha J. Pechman

32. A. *Deborah A. Mullen, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

B. United States District Court for the Western District of Washington (Seattle)

C. 2:07-CV-00689

D. Judge James L. Robart

33. A. *Helen Percy, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

B. United States District Court for the Western District of Washington (Seattle)

C. 2:07-CV-00690

D. Judge Robert S. Lasnik

- 34. A. *Sandra Shingle, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Seattle)
 - C. 2:07-CV-00687
 - D. Judge Marsha J. Pechman

- 35. A. *Gary Thomas, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Seattle)
 - C. 2:07-CV-00688
 - D. Judge Thomas S. Zilly

- 36. A. *Linda Weitz, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
 - B. United States District Court for the Western District of Washington (Seattle)
 - C. 2:07-CV-00684
 - D. Judge Ricardo S. Martinez

- ✓ 37. A. *Richard Schwinger, Individually and all other Persons Similarly Situated v. Menu Foods; Menu Foods Income Fund; Menu Foods Gen Par Limited; Menu Foods Limited Partnership; Menu Foods Operating Partnership; Menu Foods Midwest Corp; Menu Foods South Dakota; Menu Foods, Inc.; Menu Foods Holdings, Inc.; Wal-Mart Stores Inc.; and Del Monte Foods, Inc.*
 - B. United States District Court for the Western District of Missouri (Joplin)
 - C. 3:07-CV-05041
 - D. Judge Sarah W. Hays

38. A. *Tony Boyer, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
- ✓ B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00746
- D. Judge Robert S. Lasnik

39. A. *Norman Brenton, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
- ✓ B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00747
- D. Judge John C. Coughenour

40. A. *Teresa Eilers, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
- ✓ B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00749
- D. Judge Thomas S. Zilly

- ✓ 41. A. *Paula Monk, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*
- B. United States District Court for the Western District of Washington (Seattle)
- C. 2:07-CV-00745
- D. Judge John C. Coughenour

- ✓ 42. A. *Lynda Nagel, individually and on behalf of all others similarly situated v. Menu Foods, a foreign corporation*

- B. United States District Court for the Western District of Washington (Seattle)
 - C. 2:07-CV-00748
 - D. Judge James L. Robart
43. A. *Sarah Cavin, individually and all other Persons Similarly Situated v. Menu Foods; Menu Foods Income Fund; Menu Foods Gen Par Limited; Menu Foods Limited Partnership; Menu Foods Operating Partnership; Menu Foods Midwest Corp.; Menu Foods South Dakota; Menu Foods Holdings, Inc.; Menu Foods, Inc.; and Wal-Mart Stores, Inc.*
- B. United States District Court for the Southern District of Mississippi (Western)
 - C. 5:07-CV-00105
 - D. Judge David C. Bramlette, III
44. A. *Dixie Keller, on behalf of herself and all others similarly situated v. Menu Foods Limited; Menu Foods Inc.; Menu Foods Midwest Corporation; Menu Foods Income Fund; Menu Foods South Dakota, Inc.; Menu Foods Holdings, Inc. And Does 1-100*
- B. United States District Court for the Middle District of Pennsylvania (Harrisburg)
 - C. 1:07-CV-00929
 - D. Judge Sylvia H. Rambo
45. A. *Diane Lowery, individually and on behalf of a class of similarly situated persons v. Menu Foods Income Fund; Menu Foods Limited Partnership; Menu Foods Midwest Corp.; Menu Foods South Dakota; Menu Foods, Inc.; and Menu Foods Holdings, Inc.*
- B. United States District Court for the Northern District of California (San Francisco)
 - C. 3:07-CV-02665
 - D. Judge Elizabeth D. Laporte

46. A. *John Colliard, as an individual consumer, and on behalf of all others similarly situated v. Menu Foods, Inc., a New Jersey corporation and Chemnutra, Inc., a Delaware corporation*
- B. United States District Court for the Southern District of California (San Diego)
- C. 3:07-CV-00951
- D. Judge Irma E. Gonzalez

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 31 2007

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**BEFORE THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

IN RE PET FOOD

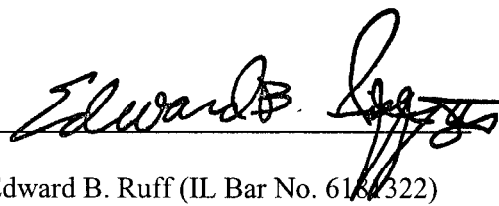
PRODUCTS LIABILITY LITIGATION

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MDL Docket No. 1850

CERTIFICATION OF SERVICE

The undersigned certifies that Defendant's: Notice of Potential Tag-Along Actions was filed with the Judicial Panel on Multidistrict Litigation this 31st Day of May, 2007. Notice of this filing was sent to the parties as listed on the attached Judicial Panel on Multidistrict Litigation-Panel Attorney Service List by U.S. Mail from One South Wacker Drive, Chicago, Illinois.


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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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(Panel Attorney Service List for MDL 1,850 Continued)

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Note: Please refer to the report title page for complete report scope and key.

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Judicial Panel on Multidistrict Litigation - Panel Attorney Service List

Page 1

Docket: 1850 - In re Pet Food Products Liability Litigation

Status: Pending on / /

Transferred District: Judge:

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Note: Please refer to the report title page for complete report scope and key.