

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 07-21221-CIV-ALTONAGA-TURNOFF

RENEE BLASZKOWSKI,
et al.,

Plaintiffs,

vs.

MARS, INCORPORATED, *et al.*,
Defendants.

DEFENDANTS' REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1.B.1, Defendants¹ hereby respectfully request that this Court allow oral argument in connection with Defendants' Motion to Compel Production of Documents and Answers to Interrogatories Regarding Pet Food Communications.

Oral Argument would help refine the issues and allow the parties to clarify any questions the Court may have in connection with the motion.

Defendants respectfully suggest a total of 30 minutes would be sufficient for both sides to present arguments to the Court and address any questions raised by the Court.

WHEREFORE, Defendants respectfully requests this Court set Defendants' Motion to Compel Production of Documents and Answers to Interrogatories Regarding Pet Food Communications for oral argument and provide each side with 15 minutes to present arguments.

¹ This Motion is made on behalf of all Defendants, with the exception of Defendant Kroger Co. of Ohio.

Respectfully submitted,

/s/ Omar Ortega

Omar Ortega
DORTA AND ORTEGA, P.A.
Douglas Entrance
800 S. Douglas Road, Suite 149
Coral Gables, FL 33134
Telephone: (305) 461-5454
Facsimile: (305) 461-5226
E-mail: ortega@dortaandortega.com

Dane H. Butswinkas
E-mail: dbutswinkas@wc.com

Philip A. Sechler
E-mail: psechler@wc.com

Thomas G. Hentoff
E-mail: thentoff@wc.com

Patrick J. Houlihan
E-mail: phoulihan@wc.com

WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005

*Attorneys for Defendants Mars, Incorporated,
Mars Petcare U.S., Inc. and Nutro Products,
Inc.*

/s/ John B.T. Murray, Jr.

John B.T. Murray, Jr.
E-mail: jbmurray@ssd.com
Barbara Bolton Litten
E-mail: blitten@ssd.com
SQUIRE, SANDERS & DEMPSEY L.L.P.
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198
Telephone: (561) 650-7200
Facsimile: (561) 655-1509

*Attorneys for Defendants PETCO Animal
Supplies Stores, Inc., PetSmart, Inc., Wal-
Mart, Inc., Target Corporation*

/s/ Rolando Andres Diaz

Rolando Andres Diaz

E-Mail: rd@kubickdraper.com

Peter S. Baumberger

E-mail: psb@kubickdraper.com

KUBICKI DRAPER

25 W. Flagler Street

Penthouse

Miami, FL 33130-1712

Telephone: (305) 982-6708

Facsimile: (305) 374-7846

Attorneys for Defendant Pet Supermarket, Inc.

/s/ Hugh J. Turner, Jr.

Hugh J. Turner, Jr.

AKERMAN SENTERFITT

350 E. Las Olas Boulevard

Suite 1600

Fort Lauderdale, FL 33301-2229

Telephone: (954) 463-2700

Facsimile: (954) 463-2224

E-mail: hugh.turner@akerman.com

*Attorneys for Defendant Publix Super Markets,
Inc*

/s/ Alexander Shaknes

Alexander Shaknes

E-mail: Alex.Shaknes@dlapiper.com

DLA PIPER US LLP

1251 Avenue of the Americas

New York, New York 10020

Lonnie L. Simpson

E-mail: Lonnie.simpson@dlapiper.com

S. Douglas Knox

E-mail: Douglas.knox@dlapiper.com

DLA PIPER US LLP

100 North Tampa

Suite 2200

Tampa, FL 33602-5809

*Attorneys for Defendants Menu Foods, Inc.
and Menu Foods Income Fund*

/s/ Benjamine Reid

Benjamine Reid

E-mail: breid@carltonfields.com

Olga M. Vieira

E-mail: ovieira@carltonfields.com

Ana M. Craig

E-mail: acraig@carltonfields.com

CARLTON FIELDS, P.A.

100 S.E. Second Street, Suite 4000

Bank of America Tower at International Place

Miami, FL 33131-9101

Telephone: (305) 530-0050

Facsimile: (305) 530-0055

John J. Kuster

E-mail: jkuster@sidley.com

James D. Arden

E-mail: jarden@sidley.com

SIDLEY AUSTIN LLP

787 Seventh Avenue

New York, NY 10019

Telephone: (212) 839-5300

Facsimile: (212) 839-5599

Kara L. McCall

SIDLEY AUSTIN LLP

One South Dearborn

Chicago, Illinois 60603

Telephone: (312) 853-2666

E-mail: kmccall@Sidley.com

*Attorneys for Defendant Hill's Pet Nutrition,
Inc.*

/s/ Sherril M. Colombo

Sherril M. Colombo

COZEN O'CONNOR

Wachovia Center, Suite 4410

200 South Biscayne Boulevard

Miami, FL 33131

Telephone: (305) 704-5945

Facsimile: (305) 704-5955

E-mail: scolombo@cozen.com

John F. Mullen

E-mail: jmullen@cozen.com

Julie Negovan

E-mail: jnegovan@cozen.com

COZEN O'CONNOR

1900 Market Street

Philadelphia, PA 19103

Telephone: (215) 665-2000

Facsimile: (215) 665-2013

Richard Fama

E-mail: rfama@cozen.com

John J. McDonough

E-mail: jmcdonough@cozen.com

COZEN O'CONNOR

45 Broadway

New York, New York 10006

Telephone: (212) 509-9400

Facsimile: (212) 509-9492

Attorneys for Defendant Del Monte Foods, Co.

/s/ Carol A. Licko

Carol A. Licko
HOGAN & HARTSON L.L.P.
Mellon Financial Center
1111 Brickell Avenue, Suite 1900
Miami, FL 33131
Telephone: (305) 459-6500
Facsimile: (305) 459-6550
E-mail: calicko@hhlaw.com

Robert C. Troyer
HOGAN & HARTSON L.L.P.
1200 17th Street
One Tabor Center, Suite 1500
Denver, Colorado 80202
Telephone: (303) 899-7300
Facsimile: (303) 899-7333
E-mail: rtroyer@hhlaw.com

Craig A. Hoover
E-mail: cahoover@hhlaw.com
Miranda L. Berge
E-mail: mlberge@hhlaw.com
HOGAN & HARTSON L.L.P.
555 13TH Street, NW
Washington, D.C. 20004
Telephone: (202) 637-5600
Facsimile: (202) 637-5910

*Attorneys for Defendant Nestlé Purina Petcare
Co.*

/s/ Kristen E. Caverly

Kristen E. Caverly
E-mail: kcaverly@hcesq.com
Tony F. Farmani
E-mail: tfarmani@hcesq.com
HENDERSON & CAVERLY LLP
P.O. Box 9144
16236 San Dieguito Road, Suite 4-13
Rancho Santa Fe, California 92067-9144

Jeffrey S. York
E-mail: jyork@mcguirewoods.com
Michael M. Giel
E-mail: mgiel@mcguirewoods.com
McGUIRE WOODS LLP
50 N. Laura Street, Suite 3300
Jacksonville, FL 32202
Telephone: (904) 798-2680
Facsimile: (904) 360-6330

*Attorneys for Defendant Natura Pet Products,
Inc.*

/s/ Alan G. Greer

Alan G. Greer

RICHMAN GREER, P.A.

Miami Center – Suite 1000

201 South Biscayne Boulevard

Miami, FL 33131

Telephone: (305) 373-4000

Facsimile: (305) 373-4099

E-mail: agreer@richmangreer.com

D. Jeffrey Ireland

E-mail: djireland@ficlaw.com

Brian D. Wright

E-mail: Bwright@ficlaw.com

Laura A. Sanom

E-mail: lsanom@ficlaw.com

FARUKI IRELAND & COX P.L.L.

500 Courthouse Plaza, S.W.

10 North Ludlow Street

Dayton, Ohio 45402

Attorneys for Defendant The Iams Co.

/s/ Ralph G. Patino

Ralph G. Patino

E-mail: rpatino@patinolaw.com

Carlos B. Salup

E-mail: csalup@patinolaw.com

PATINO & ASSOCIATES, P.A.

225 Alcazar Avenue

Coral Gables, FL 33134

Telephone: (305) 443-6163

Facsimile: (305) 443-5635

*Attorneys for Defendants Pet Supplies “Plus”
and Pet Supplies Plus/USA, Inc.*

/s/ W. Randolph Teslik

W. Randolph Teslik, P.C.

E-mail: rteslik@akingump.com

Andrew Dober

E-mail: adober@akingump.com

**AKIN GUMP STRAUSS HAUER & FELD
LLP**

1333 New Hampshire Avenue, NW

Washington, D.C. 20036

Telephone: (202) 887-4000

Facsimile: (202) 887-4288

Craig P. Kalil

E-mail: ckalil@aballi.com

Joshua D. Poyer

E-mail: jpoyer@abaili.com

**ABALLI, MILNE, KALIL & ESCAGEDO,
P.A.**

2250 Sun Trust International Center

One Southeast Third Avenue

Miami, FL 33131

Telephone: (305) 373-6600

Facsimile: (305) 373-7929

*Attorneys for Defendants New Albertson's Inc.
and Albertson's LLC*

Dated: July 21, 2008

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2008, 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.

/s/ Omar Ortega

Omar Ortega

SERVICE LIST

Catherine J. MacIvor
E-mail: cmacivor@mflegal.com

Jeffrey Eric Foreman
E-mail: jforeman@mflegal.com

Jeffrey Bradford Maltzman
E-mail: jmaltzman@mflegal.com

Darren W. Friedman
E-mail: dfriedman@mflegal.com

Bjorg Eikeland
E-mail: beikeland@mflegal.com

MALTZMAN FOREMAN PA
One Biscayne Tower
2 South Biscayne Boulevard, Suite 2300
Miami, FL 33131-1803
Telephone: (305) 358-6555
Facsimile: (305) 374-9077

Patrick N. Keegan
Email: pkeegan@keeganbaker.com

Jason E. Baker
Email: jbaker@keeganbaker.com

Edgar R. Nield
Email: enield@keeganbaker.com

KEEGAN & BAKER, LLP
4370 Jolla Village Dr., Suite 640
San Diego, CA 92122
Telephone: (858) 552-6750
Facsimile: (858) 552-6749

Attorneys for Plaintiffs

Rolando Andres Diaz
E-Mail: rd@kubickdraper.com

Maria Kayanan
E-mail: mek@kubickdraper.com

KUBICKI DRAPER
25 W. Flagler Street
Penthouse
Miami, FL 33130-1712
Telephone: (305) 982-6708
Facsimile: (305) 374-7846

Attorneys for Defendant Pet Supermarket, Inc.

John B.T. Murray, Jr.
E-mail: jbmurray@ssd.com
SQUIRE, SANDERS & DEMPSEY L.L.P.
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198
Telephone: (561) 650-7200
Facsimile: (561) 655-1509

*Attorneys for Defendants PETCO Animal
Supplies Stores, Inc., PetSmart, Inc., Wal-Mart
Stores, Inc., Target Corporation*

Amy W. Schulman
E-mail: amy.schulman@dlapiper.com
Alexander Shaknes
E-mail: Alex.Shaknes@dlapiper.com
DLA PIPER US LLP
1251 Avenue of the Americas
New York, New York 10020

*Attorneys for Defendants Menu Foods, Inc.
and Menu Foods Income Fund*

Lonnie L. Simpson
E-mail: Lonnie.simpson@dlapiper.com
S. Douglas Knox
E-mail: Douglas.knox@dlapiper.com
DLA PIPER US LLP
101 East Kennedy Boulevard
Suite 2000
Tampa, FL 33602-5149
Telephone: (813) 229-2111
Facsimile: (813) 229-1447

*Attorneys for Defendants Menu Foods, Inc.
and Menu Foods Income Fund*

Omar Ortega
DORTA AND ORTEGA, P.A.
Douglas Entrance
800 S. Douglas Road, Suite 149
Coral Gables, FL 33134
Telephone: (305) 461-5454
Facsimile: (305) 461-5226
E-mail: oortega@dortaandortega.com

*Attorneys for Defendants Mars, Incorporated,
Mars Petcare US, Inc. and Nutro Products,
Inc.*

Benjamin Reid
E-mail: breid@carltonfields.com
Olga M. Vieira
E-mail: ovieira@carltonfields.com
Ana M. Craig
E-mail: acraig@carltonfields.com
CARLTON FIELDS, P.A.
100 S.E. Second Street, Suite 4000
Bank of America Tower at International Place
Miami, FL 33131-9101
Telephone: (305) 530-0050
Facsimile: (305) 530-0055

*Attorneys for Defendant Hill's Pet Nutrition,
Inc.*

Hugh J. Turner, Jr.
AKERMAN SENTERFITT
350 E. Las Olas Boulevard
Suite 1600
Fort Lauderdale, FL 33301-2229
Telephone: (954) 463-2700
Facsimile: (954) 463-2224
E-mail: hugh.turner@akerman.com

*Attorneys for Defendant Publix Super Markets,
Inc*

Dane H. Butswinkas
E-mail: dbutswinkas@wc.com
Philip A. Sechler
E-mail: psechler@wc.com
Thomas G. Hentoff
E-mail: thentoff@wc.com
Patrick J. Houlihan
E-mail: phoulihan@wc.com

WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 200005

*Attorneys for Defendants Mars, Incorporated,
Mars Petcare US, Inc. and Nutro Products,
Inc.*

John J. Kuster
E-mail: jkuster@sidley.com
James D. Arden
E-mail: jarden@sidley.com
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 839-5300
Facsimile: (212) 839-5599

*Attorneys for Defendant Hill's Pet Nutrition,
Inc.*

Kara L. McCall
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, Illinois 60603
Telephone: (312) 853-2666
E-mail: kmccall@Sidley.com

*Attorneys for Defendant Hill's Pet Nutrition,
Inc.*

Richard Fama
E-mail: rfama@cozen.com
John J. McDonough
E-mail: jmcdonough@cozen.com
COZEN O'CONNOR
45 Broadway
New York, New York 10006
Telephone: (212) 509-9400
Facsimile: (212) 509-9492

Attorneys for Defendant Del Monte Foods

Sherril M. Colombo
COZEN O'CONNOR
Wachovia Center, Suite 4410
200 South Biscayne Boulevard
Miami, FL 33131
Telephone: (305) 704-5945
Facsimile: (305) 704-5955
E-mail: scolombo@cozen.com

Attorneys for Defendant Del Monte Foods, Co.

John F. Mullen
E-mail: jmullen@cozen.com
Julie Negovan
E-mail: jnegovan@cozen.com
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
Telephone: (215) 665-2000
Facsimile: (215) 665-2013

Attorneys for Defendant Del Monte Foods, Co.

Carol A. Licko
HOGAN & HARTSON L.L.P.
Mellon Financial Center
1111 Brickell Avenue, Suite 1900
Miami, FL 33131
Telephone: (305) 459-6500
Facsimile: (305) 459-6550
E-mail: calicko@hhlaw.com

Attorneys for Defendant Nestlé Purina Petcare Co.

Craig A. Hoover
E-mail: cahoover@hhlaw.com
Miranda L. Berge
E-mail: mlberge@hhlaw.com
HOGAN & HARTSON L.L.P.
555 13TH Street, NW
Washington, D.C. 20004
Telephone: (202) 637-5600
Facsimile: (202) 637-5910

Attorneys for Defendant Nestlé Purina Petcare Co.

Alan G. Greer
RICHMAN GREER, P.A.
Miami Center – Suite 1000
201 South Biscayne Boulevard
Miami, FL 33131
Telephone: (305) 373-4000
Facsimile: (305) 373-4099
E-mail: agreer@richmangreer.com

Attorneys for Defendant The Iams Co.

Robert C. Troyer
HOGAN & HARTSON L.L.P.
1200 17th Street
One Tabor Center, suite 1500
Denver, Colorado 80202
Telephone: (303) 899-7300
Facsimile: (303) 899-7333
E-mail: retroyer@hhlaw.com

Attorneys for Defendant Nestlé Purina Petcare Co.

James K. Reuss
LANE ALTON & HORST, LLC
Two Miranova Place
Suite 500
Columbus, Ohio 43215
Telephone: (614) 233-4719
E-mail: JReuss@lanealton.com

Attorneys for Defendant The Kroger Co. of Ohio

D. Jeffrey Ireland
E-mail: djireland@ficlaw.com
Brian D. Wright
E-mail: Bwright@ficlaw.com
Laura A. Sanom
E-mail: lsanom@ficlaw.com
FARUKI IRELAND & COX P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, Ohio 45402

Attorneys for Defendant The Iams Co.

Robin L. Hanger
SQUIRE, SANDERS & DEMPSEY L.L.P.
200 S. Biscayne Boulevard
40th Floor
Miami, FL 33131-2398
Telephone: (305) 577-7040
Facsimile: (305) 577-7001
E-mail: rlhanger@ssd.com

*Attorneys for Defendants PETCO Animal
Supplies Stores, Inc.*

C. Richard Fulmer, Jr.
**FULMER, LeROY, ALBEE, BAUMANN &
GLASS, PLC**
2866 East Oakland Park Boulevard
Fort Lauderdale, FL 33306
Telephone: (954) 707-4430
Facsimile: (954) 707-4431
E-mail: rfulmer@Fulmer.LeRoy.com

*Attorneys for Defendant The Kroger Co. of
Ohio*

W. Randolph Teslik, P.C.
E-mail: rteslik@akingump.com
Andrew Dober
E-mail: adober@akingump.com
**AKIN GUMP STRAUSS HAUER & FELD
LLP**
1333 New Hampshire Avenue, NW
Washington, D.C. 20036
Telephone: (202) 887-4000
Facsimile: (202) 887-4288

*Attorneys for Defendants New Albertson's Inc.
and Albertson's LLC*

Ralph G. Patino
E-mail: rpatino@patinolaw.com
Dominick V. Tamarazzo
E-mail: dtamarazzo@patinolaw.com
Carlos B. Salup
E-mail: csalup@patinolaw.com
PATINO & ASSOCIATES, P.A.
225 Alcazar Avenue
Coral Gables, FL 33134
Telephone: (305) 443-6163
Facsimile: (305) 443-5635

*Attorneys for Defendants Pet Supplies "Plus"
and Pet Supplies Plus/USA, Inc.*

Craig P. Kalil
E-mail: ckalil@aballi.com
Joshua D. Poyer
E-mail: jpyoyer@abaili.com
**ABALLI, MILNE, KALIL & ESCAGEDO,
P.A.**
2250 Sun Trust International Center
One Southeast Third Avenue
Miami, FL 33131
Telephone: (305) 373-6600
Facsimile: (305) 373-7929

*Attorneys for Defendant New Albertson's Inc.
and Albertson's LLC*

Jeffrey S. York
E-mail: jyork@mcguirewoods.com
Michael M. Giel
E-mail: mgiel@mcguirewoods.com
McGUIRE WOODS LLP
50 N. Laura Street, Suite 3300
Jacksonville, FL 32202
Telephone: (904) 798-2680
Facsimile: (904) 360-6330

*Attorneys for Defendant Natura Pet Products,
Inc.*

Kristen E. Caverly

E-mail: kcaverly@hcesq.com

HENDERSON & CAVERLY LLP

P.O. Box 9144

16236 San Dieguito Road, Suite 4-13

Rancho Santa Fe, California 92067-9144

*Attorneys for Defendant Natura Pet Products,
Inc.*