

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION  
CASE NO. 07-21221-CIV-CMA

RENEE BLASZKOWSKI, AMY HOLLUB,  
and PATRICIA DAVIS, individually and on  
behalf of others similarly situated,

Plaintiffs,

v.

MARS, INC., et al,

Defendants.

**AGREED MOTION FOR  
EXTENSION OF TIME TO  
RESPOND TO COMPLAINT**

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Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and with the consent of Plaintiffs, Renee Blaszkowski, Amy Hollub, and Patricia Davis, Defendant, MENU FOODS, INC. moves for an extension of time up to and including July 5, 2007, to serve its response to the complaint. In support of its request, MENU FOODS, INC., would show:

1. On May 9, 2007, Plaintiffs filed a 58-page Complaint alleging fraudulent misrepresentation and fraudulent concealment, negligent misrepresentation, violations of the Florida Deceptive and Unfair Trade Practices Act, violations of Florida Statute §817.41, negligence, strict products liability, breach of implied warranty, breach of express warranty, and unjust enrichment against several defendants, including MENU FOODS, INC.

2. On or about the 23<sup>rd</sup> of May, 2007, Plaintiffs served the Complaint on Defendant MENU FOODS, INC. The Federal Rules of Civil Procedure require that

MENU FOODS, INC. file an answer or otherwise respond to the Complaint by June 12, 2007.

3. The undersigned counsel requires additional time to prepare a response to the Complaint.

4. On the 11<sup>th</sup> of June, 2007, this Court granted Defendant COLGATE PALMOLIVE's Motion for an Extension of Time to respond to the Complaint, giving COLGATE PALMOLIVE until July 5, 2007 to serve its response to the Complaint.

5. Pursuant to Local Rule 7.1(3a), counsel for MENU FOODS and Plaintiffs have conferred and Plaintiffs have consented to similarly extend the time in this case for MENU FOODS to respond to the Complaint or otherwise plead, until July 5, 2007.

6. This Motion is made in good faith and not for any purpose of undue delay.

**WHEREFORE**, MENU FOODS, INC. respectfully requests an extension of time up to and including July 5, 2007 to serve its response to the Class Action Complaint.

Dated: June 12, 2007

Respectfully submitted,

By: /s/ Robert D. McIntosh

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INCOME FUND*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 12, 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.

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