

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUL 23 2007

at 2 o'clock and 40 min. PM
JUL 23 2007
CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

LODGED

JUL 18 2007
CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

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

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

YVONNE ORTIZ, Individually and
on behalf of all other similarly
situated persons,

Plaintiff,

vs.

MENU FOODS, INC., a New Jersey
corporation; MENU FOODS
HOLDINGS, INC., a Delaware
corporation; MENU FOODS
INCOME FUND, an unincorporated
Canadian business; DOE ENTITIES
and INDIVIDUALS 1-100,

Defendants.

CIVIL NO. CV07-00323DAELEK
(Class Action)

STIPULATION RE SERVICE OF
COMPLAINT ON MENU FOODS
INCOME FUND AND EXTENSION
OF TIME FOR ALL DEFENDANTS
TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT AND
ORDER

**STIPULATION RE SERVICE OF COMPLAINT ON MENU FOODS
INCOME FUND AND EXTENSION OF TIME FOR ALL DEFENDANTS
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

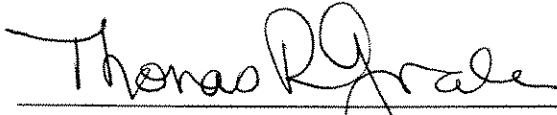
IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants Menu Foods Holdings, Inc., Menu Foods, Inc., and Menu Foods Income Fund as follows:

(1) The law firm of Love & Kirschenbaum hereby agrees to accept service of the Complaint and Summons on behalf of Menu Foods Income Fund; Plaintiff's counsel need not serve an additional copy of the Complaint and Summons. Service shall be deemed to be made on July 17, 2007.


(2) The answer (or responsive pleading) for Menu Foods Inc., Menu Foods Income Fund, and Menu Foods Holdings, Inc., is hereby extended or continued to the following dates: (a) in the event that the Court denies the "Motion to Remand", the answer (or other response) shall be due 30 days after the filing of the Court's written order denying Plaintiff's Motion; or (b) in the event that the Court grants the "Motion to Remand", the answer (or other response) shall be due 30 days after the filing of the order granting the motion. Notwithstanding the foregoing, if the "Motion to Remand" is denied and the Court grants the "Motion to Stay", Defendants' answer (or responsive pleading) shall be due in accordance with the terms and conditions of the Court's order; and in the event that the

“Motion to Stay” is denied, the answer (or responsive pleading) shall be due 30 days after the filing of the Court’s written order.

DATED: Honolulu, Hawaii, JUL 18 2007.



THOMAS R. GRANDE
EMILY A. GARDNER
Attorneys for Plaintiff



CHAD P. LOVE
BARBARA J. KIRSCHENBAUM
Attorneys for Defendants Menu Foods, Inc.,
Menu Foods Holdings, Inc., and Menu Foods
Income Fund

APPROVED AND SO ORDERED:



JUDGE OF THE ABOVE-ENTITLED COURT

YVONNE ORTIZ v. MENU FOODS, INC., ET AL., CIVIL NO. CV07-00323
DAE/LEK; Stipulation re Service of Complaint on Menu Foods Income Fund and
Extension of Time For All Defendants to Answer or Otherwise Respond to
Complaint and Order