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A LIMITED LIABILITY LAW COMPANY

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

VALERIE SYLVESTER; DAVID )	CIVIL NO. CV 07-00409 ACK-KSC
PANG; ANDREW GARCIA; )	(Non-Vehicle Tort)
RUTH CAMARGO; CHRIS )	
HUBBARD; STACEY COLLINS; )	DEFENDANTS MENU FOODS, INC.
RANDALL BANDMANN; KELLY )	AND MENU FOODS HOLDINGS,
ENGLE; PAM GOULD; and )	INC.'S EX PARTE APPLICATION FOR
ERIK CORAL-SANDS, )	EXTENSION OF TIME TO ANSWER
)	OR OTHERWISE RESPOND TO
Plaintiffs, )	PLAINTIFFS' FIRST AMENDED
)	COMPLAINT, FILED 06/22/07;
vs. )	DECLARATION OF CHAD P.
)	LOVE; EXHIBIT A; ORDER
MENU FOODS, INC., a New Jersey )	GRANTING DEFENDANTS MENU
corporation; MENU FOODS )	FOODS, INC. AND MENU FOODS
HOLDINGS, INC., a Delaware )	HOLDINGS, INC.'S EX PARTE
corporation; MENU FOODS )	APPLICATION FOR EXTENSION OF
INCOME FUND, an unincorporated )	TIME TO ANSWER OR OTHERWISE
Canadian business; DOE ENTITIES )	RESPOND TO PLAINTIFFS' FIRST
and INDIVIDUALS 1-100, )	AMENDED COMPLAINT, FILED
)	06/22/07; CERTIFICATE OF
Defendants. )	SERVICE
_____ )	

**DEFENDANTS MENU FOODS, INC. AND MENU FOODS HOLDINGS, INC.'S EX PARTE APPLICATION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' FIRST AMENDED COMPLAINT, FILED 06/22/07**

Defendants Menu Foods, Inc., and Menu Foods Holdings, Inc., (hereinafter jointly referred to as Defendants) hereby apply, ex parte, for an extension of time to answer or otherwise respond to Plaintiffs' First Amended Complaint, filed on June 22, 2007. Defendants note that in addition to this Application, they intend to file a "Motion to Stay All Proceedings" ("Motion to Stay") within five days.

The reason for this application for an extension and for the "Motion to Stay" is because currently there are over 100 pet food cases filed nationwide. These cases are in the process of being transferred to a Federal Court in New Jersey for resolution under Multi District Litigation procedures.

Defendants request that the time to respond to the First Amended Complaint shall be extended to the later of the following:

- (a) In the event that the Court grants Defendants' "Motion to Stay", within the time ordered by the Court having jurisdiction over this matter;
- (b) In the event that the Court denies Defendants' "Motion to Stay", within thirty (30) days of the filing of the Court's written order denying Defendants' motion.

(c) Within twenty (20) days after proper service of the Amended Complaint and Summons upon the Defendants.

Defendants also ask that the same deadlines apply to Defendant Menu Foods Income Fund, which, to date, has not been served.

This Application is based on Local Rules 6.2, 7.1, and 7.2 of the Rules of the United States District Court for the District of Hawaii, Rules 6 and 7 of the Federal Rules of Civil Procedure, the Declaration and exhibit attached hereto, and the records and files herein.

DATED: Honolulu, Hawaii, August 1, 2007.

/s/ Chad P. Love  
CHAD P. LOVE  
BARBARA J. KIRSCHENBAUM  
Attorneys for Defendants Menu Foods Inc.,  
and Menu Foods Holdings, Inc.