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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

VALERIE SYLVESTER; DAVID )  
PANG; ANDREW GARCIA; )  
RUTH CAMARGO; CHRIS )  
HUBBARD; STACEY COLLINS; )  
RANDALL BANDMANN; KELLY )  
ENGLE; PAM GOULD; and )  
ERIK CORAL-SANDS, )

Plaintiffs, )

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. CV 07-00409 ACK-KSC  
(Non-Vehicle Tort)

DEFENDANT MENU FOODS  
INCOME FUND'S EX PARTE  
APPLICATION FOR EXTENSION  
OF TIME TO ANSWER OR  
OTHERWISE RESPOND TO  
PLAINTIFFS' FIRST AMENDED  
COMPLAINT, FILED 06/22/07;  
DECLARATION OF CHAD P.  
LOVE; ORDER GRANTING  
DEFENDANT MENU FOODS  
INCOME FUND'S EX PARTE  
APPLICATION FOR EXTENSION  
OF TIME TO ANSWER OR OTHER-  
WISE RESPOND TO PLAINTIFFS'  
FIRST AMENDED COMPLAINT,  
FILED 06/22/07; CERTIFICATE OF  
SERVICE

**DEFENDANT MENU FOODS INCOME FUND'S EX PARTE  
APPLICATION FOR EXTENSION OF TIME TO ANSWER  
OR OTHERWISE RESPOND TO PLAINTIFFS' FIRST  
AMENDED COMPLAINT, FILED 06/22/07**

Defendant Menu Foods Income Fund, (“Income Fund”) hereby applies, *ex parte*, for an extension of time to answer or otherwise respond to Plaintiffs’ First Amended Complaint, filed on June 22, 2007. Defendants Menu Foods Holdings, Inc., and Menu Foods, Inc., filed a “Motion to Stay All Proceedings” (“Motion to Stay”) on August 2, 2007.

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 nation wide. These cases are in the process of being transferred to a Federal Court in New Jersey for resolution under Multi District Litigation procedures.

Income Fund requests that it be given a thirty (30) day extension in which to file its Answer or otherwise respond to Plaintiffs’ First Amended Complaint, filed herein on June 22, 2007.

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

