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 Menu Foods

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF IDAHO

LARRY KLIMES, PAUL LAVOIE and
 RICHARD MUELLER individually and on
 behalf of all others similarly situated,

Plaintiffs,

vs.

MENU FOODS, a foreign corporation,

Defendant.

Civil No. 07-00160-MHW

**AFFIDAVIT OF STEPHEN R.
 THOMAS IN SUPPORT OF
 DEFENDANT'S MOTION TO STAY
 ALL PROCEEDINGS**

STATE OF IDAHO)
) ss.
 COUNTY OF ADA)

Stephen R. Thomas, having been duly sworn upon oath, deposes and states as follows:

1. I am a member of the bar of the State of Idaho and of this Court, and swear to and submit this affidavit in support of Defendant's Motion to Stay All Proceedings filed contemporaneously herewith.

**AFFIDAVIT OF STEPHEN R. THOMAS IN SUPPORT OF
 DEFENDANT'S MOTION TO STAY ALL PROCEEDINGS - 1**

2. On March 30, 2007, three (3) separate motions for transfer and coordination or consolidation pursuant to 28 U.S.C. §1407 were filed by three (3) different plaintiffs.

3. Attached hereto as Exhibit A is a true and correct copy of Plaintiff Shirley Sexton's MDL motion, seeking to transfer her case and numerous other cases involving alleged injuries and/or death arising out of the purchase and/or consumption of pet food manufactured by Defendant to the Central District of California.

4. Attached hereto as Exhibit B is a true and correct copy of Plaintiff Christina Troiano's second MDL motion, seeking transfer to the Southern District of Florida.

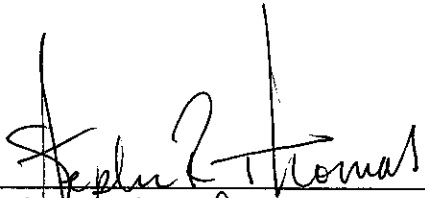
5. Attached hereto as Exhibit C is a true and correct copy of Plaintiffs Tom Whaley, Stacey Heller, Toinette Robinson, David Rapp, Cecily and Terrance Mitchelle, Suzanne E. Johnson, Craig R. Klemann, Audrey Kornelius, Barbara Smith, Michelle Suggett, and Don James' MDL motion to transfer the cases to the Western District of Washington.

6. On April 12, 2007, the Judicial Panel on Multidistrict Litigation ("JPML") issued a Notice of Hearing Session for May 31, 2007 to consider the MDL motions (collectively known as "MDL 1850 - In re Pet Food Products Liability Litigation). A true and correct copy of the April 12, 2007 Notice of Hearing Session attached hereto as Exhibit D.

7. Attached hereto as Exhibit E is a true and correct copy of Plaintiffs' Complaint filed in the instant case.

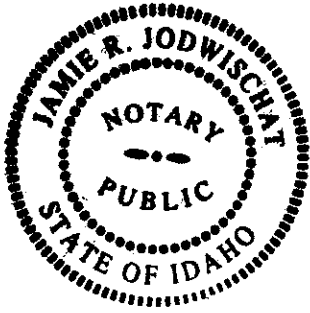
8. Attached hereto as Exhibit F is a true and correct copy of Docket 28, filed April 18, 2007 (Order Granting Defendant's Motion to Stay Consideration of Plaintiff's Motion to Remand Pending Transfer to the MDL and Vacate Hearing) in the case of *State of Idaho v. Abbott Laboratories*, U.S.D.C. Case #CIV-07-00093-BLW.


Further your affiant sayeth naught.



Stephen R. Thomas

SUBSCRIBED AND SWORN to before me this 19th day of April, 2007.





NOTARY PUBLIC FOR IDAHO
Residing at Nampa, ID
My Commission Expires 5-23-12

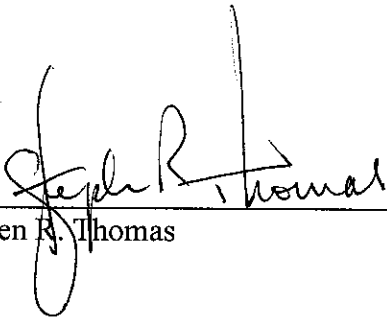
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of April, 2007, I caused a true and correct copy of the foregoing **AFFIDAVIT OF STEPHEN R. THOMAS IN SUPPORT OF DEFENDANT'S MOTION TO STAY ALL PROCEEDINGS** to be electronically filed with the Clerk of the Court using the CM/ECF system, which sent a Notice of Electronic Filing to the following persons:

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