

**A-CERTIFIED TRUE COPY**

JUL 16 2007

ATTEST *Thomas Hillman*  
**FOR THE JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION**

**JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION**

**JUN 28 2007**

**FILED  
 CLERK'S OFFICE**

5:07cv105

**DOCKET NO. 1850**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-1)**

SOUTHERN DISTRICT OF MISSISSIPPI  
**FILED**

JUL 24 2007

J T NOBLIN CLERK  
 BY \_\_\_\_\_ DEPUTY

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See F.Supp.2d (J.P.M.L. 2007)*. With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
 Jeffery N. Lüthi  
 Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 16 2007

CLERK'S OFFICE  
 JUDICIAL PANEL ON  
 MULTIDISTRICT LITIGATION

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1850**  
**IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ARKANSAS EASTERN</b> ARE 4 07-376	Scott Stacey, et al. v. Nestle SA, et al.
<b>ARKANSAS WESTERN</b> ARW 4 07-4036 ARW 5 07-5065	Kirby Cooper v. Menu Foods Income Fund, et al. Sandra L. Gray, et al. v. Menu Foods, et al.
<b>CALIFORNIA CENTRAL</b> CAC 2 07-1987 CAC 2 07-2060 CAC 2 07-2253 CAC 2 07-2338 CAC 2 07-2476 CAC 2 07-2779 CAC 2 07-2964 CAC 5 07-398	Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al. Dawn Howe v. Menu Foods Ltd., et al. Lois Grady, et al. v. Menu Foods Income Fund, et al. Kelly Finestone v. Menu Foods, Inc., et al. Richard Chamberlain v. Nestle SA, et al. Ken Wahl, et al. v. Menu Foods Income Fund, et al. Jayne Englander, et al. v. Menu Foods Income Fund, et al. Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.
<b>CALIFORNIA EASTERN</b> CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.
<b>CALIFORNIA NORTHERN</b> CAN 3 07-1809 CAN 3 07-2665	Sherry Ingles v. Menu Foods, Inc., et al. Diane Lowery v. Menu Foods Income Fund, et al.
<b>CALIFORNIA SOUTHERN</b> CAS 3 07-705 CAS 3 07-706 CAS 3 07-734 CAS 3 07-951	Robert Payne, et al. v. Menu Foods, Inc., et al. Diane Swarberg v. Menu Foods Holding, Inc., et al. Hayley Ford, et al. v. Menu Foods Income Fund, et al. John Colliard v. Menu Foods, Inc., et al.
<b>COLORADO</b> CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.
<b>FLORIDA MIDDLE</b> FLM 2 07-235 FLM 6 07-803	Maria Teresa Ferrarese v. Menu Foods, Inc., et al. George Birney, et al. v. Menu Foods, Inc.
<b>FLORIDA SOUTHERN</b> FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.
<b>IDAHO</b> ID 1 07-160	Larry Klimes, et al. v. Menu Foods
<b>ILLINOIS NORTHERN</b> ILN 1 07-2162 ILN 1 07-2183 ILN 1 07-2211 ILN 1 07-2237	Heather Amro v. Menu Foods Income Fund, et al. Gary Bruski v. Menu Foods, Inc., et al. Raymond Demith, et al. v. Nestle Purina Petcare Co., et al. Sonja Foxe v. Menu Foods, Inc., et al.

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

PAGE 2 OF 3

**DIST. DIV. C.A. #****CASE CAPTION****MASSACHUSETTS**MA 1 07-10745  
MA 1 07-10797Lidia Rodrigues v. Menu Foods, Inc., et al.  
Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.**MAINE**

ME 2 07-54

Mara Brazilian v. Menu Foods Income Fund, et al.

**MINNESOTA**MN 0 07-1808  
MN 0 07-2108Stephanie Rozman v. Menu Foods Midwest Corp., et al.  
Wendy Krosschell v. Menu Foods Income Fund, et al.**MISSOURI WESTERN**

MOW 3 07-5041

Richard Schwinger v. Menu Foods, et al.

**MISSISSIPPI SOUTHERN**

MSS 5 07-105

Sarah Cavin v. Menu Foods, et al.

**NEVADA**~~NV 2 07-686~~  
NV 3 07-159~~Maragaret Picus v. Wal-Mart Stores, Inc., et al.~~  
Marion Streczyn v. Menu Foods, Inc., et al.

Opposed 7-16-07

**NEW YORK SOUTHERN**

NYS 1 07-3236

Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.

**OHIO NORTHERN**

OHN 1 07-1018

Gregory Boehm v. Menu Foods, Inc., et al.

**PENNSYLVANIA MIDDLE**

PAM 1 07-929

Dixie Keller v. Menu Foods Ltd., et al.

**RHODE ISLAND**

RI 1 07-115

Carol Brown v. Menu Foods, Inc., et al.

**TENNESSEE EASTERN**

TNE 3 07-98

Barbara Light v. Menu Foods Income Fund

**WASHINGTON WESTERN**WAW 2 07-575  
WAW 2 07-576  
WAW 2 07-577  
WAW 2 07-634  
WAW 2 07-666  
WAW 2 07-667  
WAW 2 07-668  
WAW 2 07-669  
WAW 2 07-670  
WAW 2 07-684  
WAW 2 07-685Laura Migliore v. Menu Foods  
Gail Moran v. Menu Foods  
Sheryl Puett v. Menu Foods  
Daniel Ray Reeves v. Menu Foods  
Sheree A. Robinson v. Menu Foods  
Phyllis A. Ullman v. Menu Foods  
Elizabeth Palmer v. Menu Foods  
Jason Labbate v. Menu Foods  
Megan Whitt v. Menu Foods  
Linda Weitz v. Menu Foods  
Michelle Adams v. Menu Foods

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

**DIST. DIV. C.A. #**

**CASE CAPTION**

WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods

**WISCONSIN WESTERN**

WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

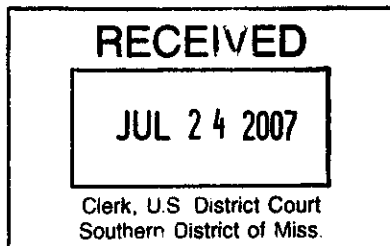
**UNITED STATES DISTRICT COURT  
MARTIN LUTHER KING, JR.  
FEDERAL BLD & U.S. COURTHOUSE  
50 WALNUT STREET  
P.O. BOX 419  
NEWARK, N.J. 07101-0419**

**CAMDEN OFFICE  
4<sup>th</sup> & Cooper Streets  
P.O. Box 2797  
Camden, N.J. 08101**

**TRENTON OFFICE  
402 East State Street  
P.O. Box 515  
Trenton, N.J. 08603**

William T. Walsh

Clerk



July 20, 2007

**REPLY TO: CAMDEN**

J. Michael McMahon, Clerk  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: MDL1850 In Re: Pet Food Products Liability Litigation

District of New Jersey Civil Action No. 1:07cv2867(NLH)(AMD)

Dear Clerk:

Enclosed is a certified copy of the Order of the Judicial Panel on Multidistrict Litigation, transferring certain action(s) presently pending in your Court to the District of New Jersey and assigning it to the Honorable Noel L. Hillman, USDJ for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407. Please see the attached list for the cases that pertain to your Court.

If your court is currently on CM/ECF Version 3.0 you can transfer the case to us via Case Extraction in Utilities. If you have any questions, please call me at 856-757-5021.

Please return the copy of this letter when transmitting your file(s) and certified copy of the docket sheet(s).

Sincerely,

WILLIAM T. WALSH, Clerk

s/Marcy Barratt  
Deputy Clerk

Enc.

cc: Jeffrey N. Luthi  
Clerk, Judicial Panel on Multidistrict Litigation