

JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHKEE, ESQ.
Nevada Bar No. 7612
SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308

Attorney(s) for Defendant Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARGARET PICUS, an individual; on behalf of
herself, and on behalf of all others similarly
situated,

CASE NO.: CV-S-00682-PMP-LRL

Plaintiffs,

**STIPULATION AND ORDER TO
CONSOLIDATE CASES**

v.

WAL-MART STORES, INC.; MENU FOODS
INC.; DEL MONTE FOODS COMPANY;
SUNSHINE MILLS, INC.; CHEMNUTRA,
INC.; and DOES 1 through 100, inclusive,

Defendants.

Defendant WAL-MART STORES, INC. ("WAL-MART"), by and through its counsel, James E. Whitmire, III, Esq., and Brian W. Boschkee, Esq., of the law firm of Santoro, Driggs, Walch, Kearney, Johnson & Thompson, Defendant DEL MONTE FOODS COMPANY ("DEL MONTE") by and through its counsel, Dawn Grossman, Esq., of the law firm of Cozen O'Conner, Defendant CHEMNUTRA, INC., ("CHEMNUTRA") by and through its counsel Nicholas M. Wiecezorek, Esq., of the law firm of Morris, Polich & Purdy, LLP, and Plaintiff MARGARET PICUS ("PLAINTIFF") by and through her counsel, Robert B. Gerard, Esq., and Lawrence T. Osuch, Esq., of the law firm of Gerard & Osuch, LLP, hereby enter into this Stipulation and Order for the Consolidation of Cases. Wal-Mart, Del Monte, Chemnutra and Plaintiff are collectively referred to as the "Parties" in this Stipulation and Order. The Parties have agreed and stipulated to the entry of this Order for consolidation of cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ with case 2:07-CV-00682-PMP-LRL. Each case was

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 - FAX (702) 791-1912

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:


1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

DATED this 20 day of June, 2007

DATED this _____ day of June, 2007

**SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**

COZEN O'CONNER


JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHÉE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this _____ day of June, 2007

DATED this _____ day of June, 2007

MORRIS POLICH & PURDY, LLP

GERARD & OSUCH, LLP

NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorney for Defendant Chemnutra, Inc.

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this ____ day of _____, 2007.

Philip M. Pro
U.S. District Judge

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 - FAX (702) 791-1912

Rx Date/Time
06/20/2007 14:29 FAX

JUN-20-2007(WED) 13:20

SANTORO DRIGGS

P.003
003/004

1 removed within one (1) day of each other without knowledge of each others removal. All Parties
2 have the desire to have these cases consolidated.

3 **IT IS HEREBY STIPULATED AND AGREED**, by and between the parties hereto,
4 through their respective counsel of record, that:

5 1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be
6 consolidated with 2:07-CV-00682-PMP-LRL;

7 2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

8 DATED this _____ day of June, 2007

DATED this _____ day of June, 2007

9 **SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**

COZEN O'CONNER

11 JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
12 BRIAN W. BOSCHKEE, ESQ.
Nevada Bar No. 7612
13 400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

Attorneys for Defendant Wal-Mart Stores, Inc.

16 DATED this _____ day of June, 2007

DATED this 20 day of June, 2007

17 **MORRIS POLICH & PURDY, LLP**

GERARD & OSUCH, LLP

19 NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
20 3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorney for Defendant Chemnutra, Inc.

Attorneys for Plaintiff Margaret Picus

24 **IT IS SO ORDERED.**

25 DATED this _____ day of _____, 2007.

Philip M. Pro
U.S. District Judge

1 removed within one (1) day of each other without knowledge of each others removal. All Parties
2 have the desire to have these cases consolidated.

3 **IT IS HEREBY STIPULATED AND AGREED**, by and between the parties hereto,
4 through their respective counsel of record, that:

- 5 1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be
6 consolidated with 2:07-CV-00682-PMP-LRL;
7 2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

8 DATED this _____ day of June, 2007

DATED this _____ day of June, 2007

9 **SANTORO, DRIGGS, WALCH,
10 KEARNEY, JOHNSON & THOMPSON**

COZEN O'CONNER

11 JAMES E. WHITMIRE, III, ESQ.
12 Nevada Bar No. 6533
13 BRIAN W. BOSCHKE, ESQ.
14 Nevada Bar No. 7612
15 400 South Fourth Street, Third Floor
16 Las Vegas, Nevada 89101

DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

Attorneys for Defendant Wal-Mart Stores, Inc.

16 DATED this 11 day of June, 2007

DATED this _____ day of June, 2007

17 **MORRIS POLICH & PURDY, LLP**

GERARD & OSUCH, LLP

18
19 NICHOLAS M. WIECZOREK, ESQ.
20 Nevada Bar No. 6170
21 3980 Howard Hughes Pkwy, Suite 400
22 Las Vegas, NV 89169

ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorney for Defendant Chemnutra, Inc.

Attorneys for Plaintiff Margaret Picus

24 **IT IS SO ORDERED.**

25 DATED this ____ day of _____, 2007.

27
28 _____
Philip M. Pro
U.S. District Judge

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

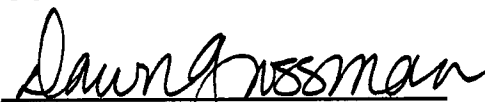
DATED this _____ day of June, 2007

DATED this 13 day of June, 2007

**SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**

COZEN O'CONNER

JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101


DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this _____ day of June, 2007

DATED this _____ day of June, 2007

MORRIS POLICH & PURDY, LLP

GERARD & OSUCH, LLP

NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169


ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorney for Defendant Chemnutra, Inc.

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this 21st day of June, 2007.


Philip M. Pro
U.S. District Judge

Santoro, Driggs, Walch, Kearney, Johnson & Thompson
400 South Fourth Street, Third Floor, Las Vegas, Nevada 89101
(702) 791-0308 - fax (702) 791-1912

Submitted by:
**SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**



JAMES E. WHITMIRE, III, ESQ.

Nevada Bar No. 6533

BRIAN W. BOSCHÉE, ESQ.

Nevada Bar No. 7612

400 South Fourth Street, Third Floor

Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 - FAX (702) 791-1912