

1 disclose the material facts alleged herein above with regard to the true geographic origin of important
2 and substantial component(s) of Ol' Roy brand pet food products. By way of further information,
3 Plaintiff further allege as follows:

4 **Defendants:**

5 39. The Defendants participation in the fraudulent scheme is set forth as follows:

6 a. Who: The Defendants each participated in the labeling of Ol' Roy brand pet
7 food products as "Made in the USA" when they each knew that the Ol' Roy brand pet food products
8 were not made in USA and contained important and substantial component(s) that were made and/or
9 manufactured outside of the United States.

10 b. When: The Ol' Roy brand pet food products deceptively represented their
11 geographic origin as herein alleged at all times prior to March 16, 2007, when the true origin of these
12 products were disclosed for the first time as a result of an investigation by the Food and Drug
13 Administration.

14 c. Where: On the label and/or packaging of the Ol' Roy brand pet food products
15 sold in Nevada and throughout the United States.

16 d. Nature of Fraud: This was a fraud as to the geographic origin where "Made
17 in USA" designation was used on each package to give the appearance that the product was made
18 in the USA, by United States workers and farmers, and under the protection of United States laws,
19 when in fact, the Defendants knew or should have known the Ol' Roy brand pet food products were
20 comprised of component(s) that were made and/or manufactured outside of the United States. In
21 fact, Chemntra admitted in its recall notices that the component(s) of Ol' Roy brand pet food
22 products were originally labeled as "Made in China", which designation apparently was changed
23 and/or altered by Defendants before sale to consumers.

24 e. How and When Were Material Facts Concealed From The Plaintiffs:
25 Defendants failed to disclose and concealed the true geographic origin of component(s) of the Ol'
26 Roy brand pet food products.

27 40. These non-disclosures of material fact were made intentionally in order to deceive
28 the Plaintiff and the other Class members, to induce their reliance, and in order to enrich the

Defendants by using sub-standard foreign components and passing such components off to the public as "MADE IN USA." Said non-disclosures were made for the purpose of facilitating and/or aiding and abetting the scheme to market and sell these products to the public using deceptive representations of geographic origin.

41. If Plaintiff and the other members of the Class had known of the facts which Defendants and each of them failed to disclose, they would never have purchased the Ol' Roy brand pet food products as they did.

42. Defendants' non-disclosures of material facts have caused damage to Plaintiff and the other members of the Class.

COUNT III

Unjust Enrichment

(Against All Defendants)

43. Plaintiff repeats, incorporates by reference and realleges the allegations contained in Paragraphs 1-42 above as if fully set forth herein.

44. By labeling products as "Made in USA", Defendants represented that the subject "Made in USA" products have the characteristic of being made in America and the benefits of American-made products, which they do not have. Defendants have represented that the subject "Made in USA" products have the status of American-made products and the affiliation and connection with America, which they do not have. Moreover, Defendants have represented that the subject "Made in USA" products have the standard, quality, and grade of American-made products, which is not true. This "Made in USA" designation is a material and substantial factor in consumers' purchasing decisions, because consumers believe they are buying truly American products and supporting American companies and American jobs. Consumers generally believe that "Made in USA" products are higher quality products than those of other countries. Further, this "Made in USA" designation is especially important with respect to food products, because only through the Made in the USA designation can consumers insure that the products were not produced using illegal or banned chemicals or pesticides. This concern is evidenced by the recall of OJ' Roy

1 brand pet food products which was ordered because the products were found to contain substances
2 which are not approved for use in food products in the United States, and the reason they contained
3 such deleterious chemicals is because component(s) of the subject products were not made and/or
4 manufactured in the United States, but instead were imported from countries with no such health
5 protections.

6 45. In reality, the Ol' Roy brand pet food products were not made of all or substantially
7 all American-made products. In particular, component(s) of the products were imported from outside
8 the United States, including but not limited to wheat gluten imported from China. In the example
9 of the wheat gluten from China, such components were imported as "Made in China" however, the
10 Defendants changed and/or altered such designation to falsely state "Made in USA."

11 46. Defendants have benefitted and been enriched by the above-alleged conduct.
12 Defendants sold the Ol' Roy brand pet food products with the false designation that the Ol' Roy
13 brand pet food products were "Made in USA" and thereby unjustly reaped benefits and profits from
14 consumers and the Class as a result of these representations. Defendants received and continues to
15 receive sale benefits and profits at the expense of Plaintiff and the Class using such deceptive
16 representation and designations.

17 47. Defendants used the aforementioned representations to induce Plaintiff and the other
18 members of the Class to purchase the Ol' Roy brand pet food products. Accordingly, Defendants
19 received benefits which they have unjustly retained at the expense of Plaintiff and the Class
20 members. Defendants have knowledge of this benefit, voluntarily accepted such benefit, and
21 retained the benefit. Plaintiff, and other consumers similarly situated, did not receive the benefits
22 of American-made products and the added health protection flowing from such products, for which
23 they bargained and paid a premium price. As a direct and proximate result of this conduct, Plaintiff
24 and the other members of the Class were deprived of the benefits and money they expended which
25 were improperly retained by Defendants, and are therefore entitled to restitution in an amount
26 equivalent to the value of the benefit.

27 48. As a direct and proximate result of the Defendants conduct and unjust enrichment,
28

1 Plaintiff and the Class Members have suffered injury and seek relief in an amount necessary to
2 restore them to the positions they would be in had Defendants not been unjustly enriched.
3

4 **REQUEST AND PRAYER FOR RELIEF**

5 **WHEREFORE**, Plaintiffs respectfully request that the Court enter judgment in their favor
6 and against Defendants as follows:

7 1. Certify this action as a class action;

8 2. Award damages and/or restitution in an amount to be proven at trial;

9 3. Order declaratory relief finding that Defendants have engaged in deceptive trade practices
10 or practices in violation of federal and state law.

11 4. Order injunctive relief enjoining Defendants and their officers, directors, agents,
12 distributors, servants, employees, attorneys, and all others in active concert or participation with
13 Defendants, or any of them, jointly and severally, during the pendency of this action and permanently
14 thereafter from falsely representing the origin of the products;

15 5. Award pre-judgment and post-judgment interest at the maximum rate allowed by law and
16 costs of suit;

17 6. Award Plaintiff attorneys' fees and all litigation expenses as allowable by law.
18 Alternatively, for all attorneys' fees and all litigation expenses to be awarded pursuant to the
19 substantial benefit doctrine or other authority requiring Defendants to pay Plaintiff's attorneys' fees
20 and litigation expenses. Alternatively, for attorneys' fees and other litigation expenses to be paid
21 under the common fund doctrine or any other provision of law; and

22 7. Order such other and further relief as the Court may deem just and proper.

23 //

24 //

25 //

26 //

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28 //

1 DATED this the 5th day of April, 2007.

2
3 GERARD & OSUCH, LLP
4

5 By:
6

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22 *Attorneys For The Plaintiffs*

DEMAND FOR JURY TRIAL

PLAINTIFFS demand jury trial on issues triable to a jury.

Dated: April 30, 2007
49.

GERARD & OSUCH, LLP

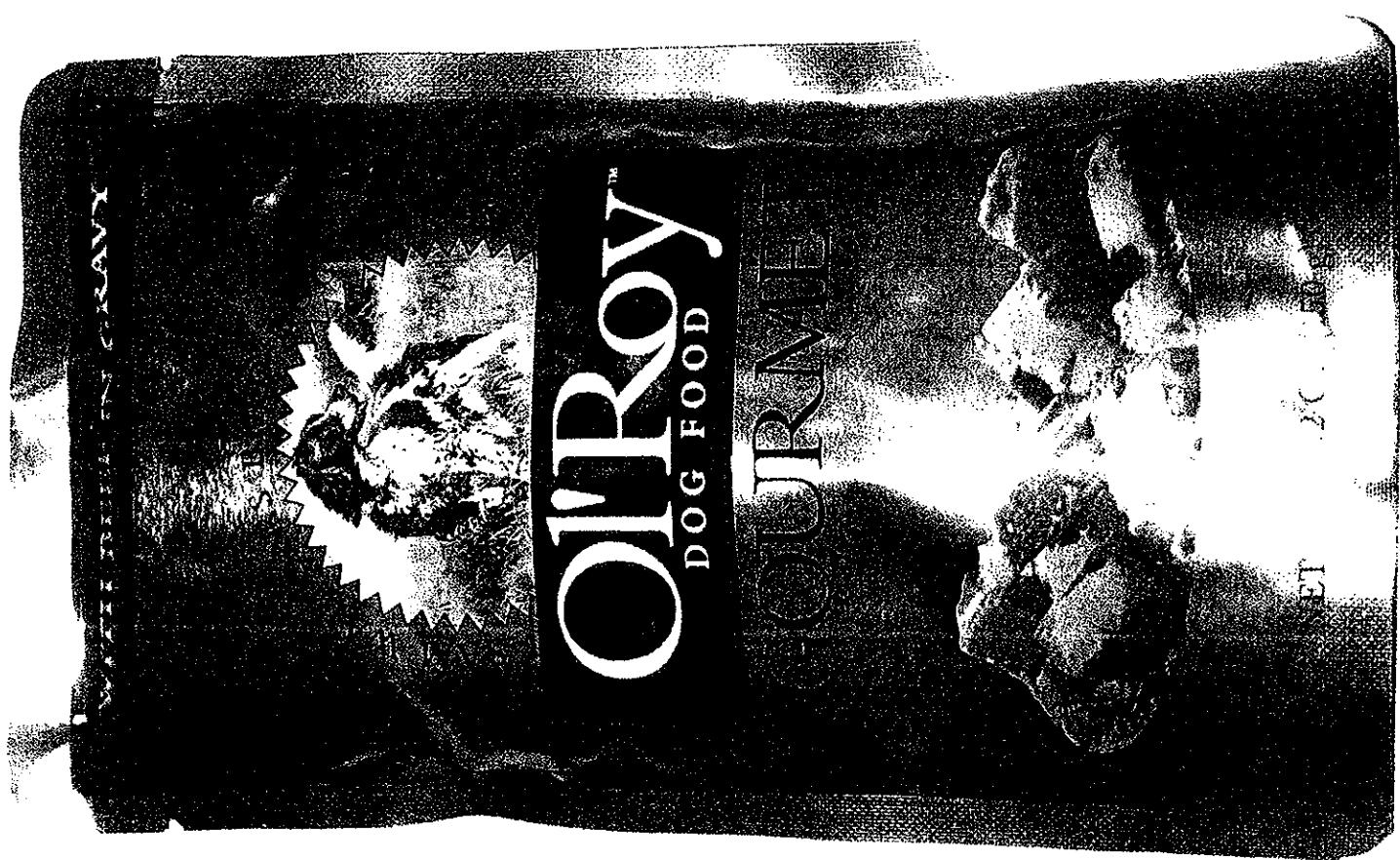
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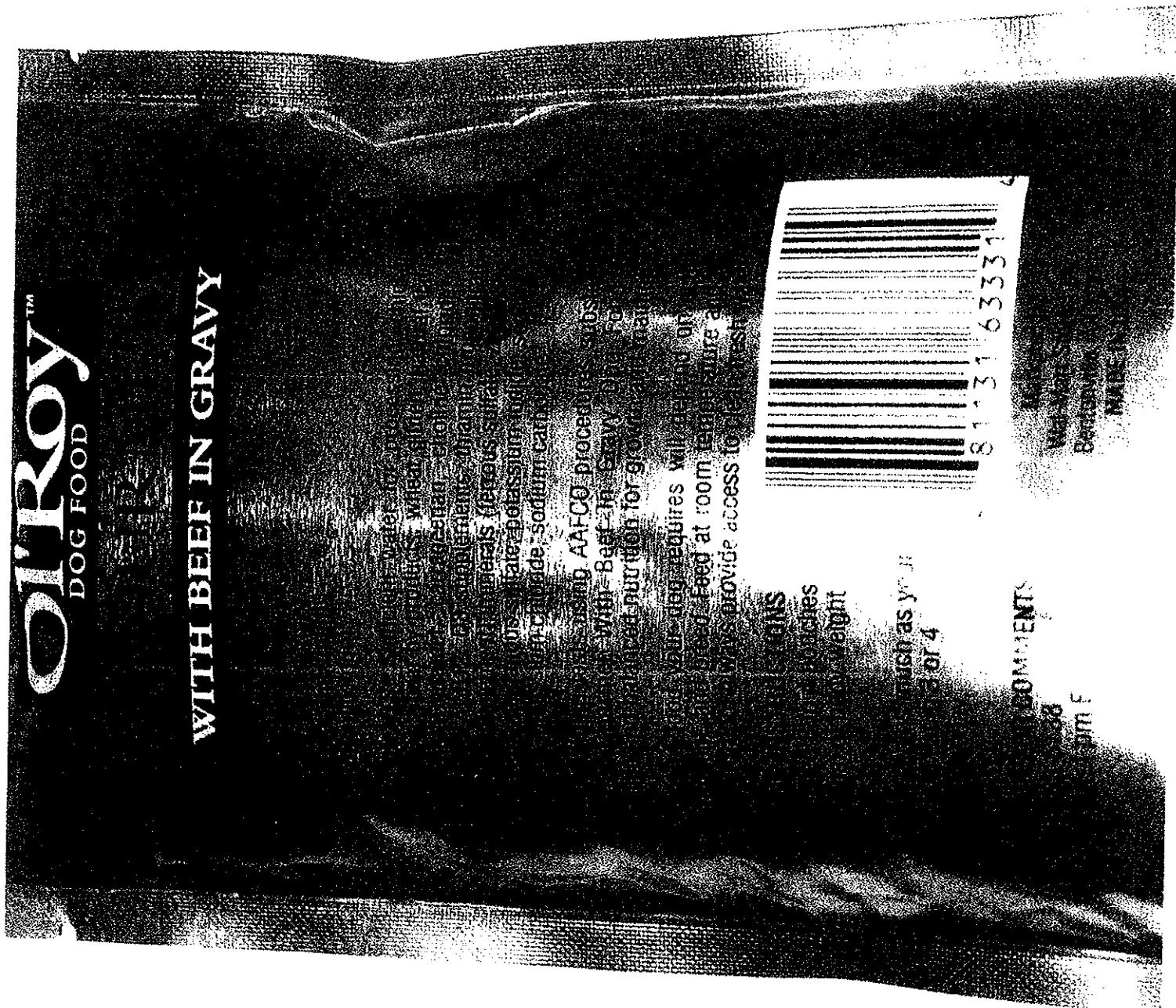
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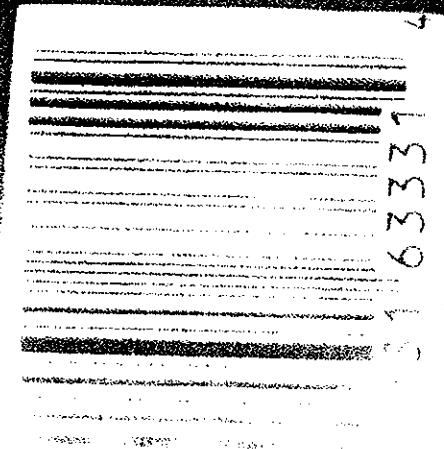
Attorneys For The Plaintiffs

EXHIBIT #1





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EXHIBIT B

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:

Judge Wm. Terrell Hodges
 United States District Court
 Middle District of Florida

MEMBERS:

Judge D. Lowell Jensen
 United States District Court
 Northern District of California

Judge Kathryn H. Vratil
 United States District Court
 District of Kansas

DIRECT REPLY TO:

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 Thurgood Marshall Federal
 Judiciary Building
 Room G-255, North Lobby
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<http://www.jpml.uscourts.gov>

Judge J. Frederick Motz
 United States District Court
 District of Maryland

Judge David R. Hansen
 United States Court of Appeals
 Eighth Circuit

Judge Robert L. Miller, Jr.
 United States District Court
 Northern District of Indiana

Judge Anthony J. Scirica
 United States Court of Appeals
 Third Circuit

April 12, 2007

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: May 31, 2007

LOCATION OF HEARING SESSION: Lloyd D. George United States Courthouse
 Courtroom 7C, 7th Floor
 333 Las Vegas Boulevard South
 Las Vegas, Nevada 89101

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **May 14, 2007**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

 Jeffery N. Lüthi
 Clerk of the Panel

c: Clerk, U.S. District Court for the District of Nevada

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
FILED

APRIL 12, 2007

JEFFERY N. LÜTHI
CLERK OF THE PANEL

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

***WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J.
FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL,
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE
PANEL***

HEARING SESSION ORDER

IT IS ORDERED that on May 31, 2007, a hearing session will be held in Las Vegas, Nevada, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:

Wm. Terrell Hodges

Wm. Terrell Hodges
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION
May 31, 2007 -- Las Vegas, Nevada

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL-1835 -- In re Brian L. Roberts Litigation

Motion of plaintiff Brian L. Roberts for centralization of the following actions in the United States District Court for the Southern District of New York:

Southern District of New York

Brian L. Roberts v. Sony Corp., et al., C.A. No. 1:06-6337

District of Utah

Brian L. Roberts v. Sony, et al., C.A. No. 2:04-673

MDL-1836 -- In re Mirapex Products Liability Litigation

Motion of defendants Boehringer Ingelheim Pharmaceuticals, Inc., and Pfizer Inc. for centralization of the following actions in the United States District Court for the Southern District of New York or, in the alternative, the United States District Court for the District of Connecticut or other suitable United States district court:

Northern District of California

Therese Bottiglieri v. Pfizer Inc., et al., C.A. No. 3:06-3248

District of Maryland

William David Livingston, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 1:06-1887

District of Minnesota

Gary Selinsky, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-873

Robert M. Zwayer, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-874

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1836 (Continued)

District of Minnesota (Continued)

Michael A. Dubaich, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-875

Donald J. Nelsen v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-876

Larry Webb, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-898

Timothy Harms v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-899

Timothy L. Estep v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-900

Mary Conway v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-901

Dennis M. Scharpen, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-1206

Gary E. Charbonneau, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-1215

Todd R. Cain v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-1582

Manuel A. Quintela, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-1675

Thaddeus R. Fayard v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2144

Hylton H. Dodd v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2145

Michael W. Averitt, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2194

William F. Courtney, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2546

Richard I. Bloom, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2577

Joyce A. Anderson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2578

Kathleen R. Frye, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-2662

Cynthia Harris, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3009

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1836 (Continued)

District of Minnesota (Continued)

Daniel M. Hayward, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3180

Daniel F. Neal v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-3182

Peggy J. Bronson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3254

Theresa R. Seaman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3255

Madeline J. Vingers v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3284

Irene M. Conejo v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3519

Melody S. Erickson v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3526

Alan Kite, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3527

George P. Wagner v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3537

Gordon J. Haughey, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3539

Stella C. Rush, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3544

Carl M. Milam, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3778

Floyd Wayne Kanuch v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-3839

Rick James Berger v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4358

Mark Mayer v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-4366

Resa King, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4502

George Konrad v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4699

Steven Purser, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4783

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1836 (Continued)

District of Minnesota (Continued)

Barbara Goldman, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4784

James Holmes, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4785

Florene D. Saracco v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4827

Greg Stutz v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-4828

Thomas M. Celorie v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4868

Maryann J. Deleo, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4869

William Chamberlain, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4870

Ronald P. Markel, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4871

Hilarie Pearce v. Boehringer Ingelheim Pharmaceuticals, Inc., et al., C.A. No. 0:06-4944

Linda Michels, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4945

David Emery, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4946

Richard Scott Brown v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4947

William Gage, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4948

Carolyn Paulette Shows, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-4949

Michele C. Glancy, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:06-5123

Tza Ping Aliya Lee, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 0:07-39

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1836 (Continued)

Western District of Missouri

Wayne Jackson, et al. v. Boehringer Ingelheim Pharmaceuticals, Inc., et al.,
C.A. No. 4:06-969

Western District of Washington

Matthew Andresen, et al. v. Pfizer Inc., et al., C.A. No. 2:06-1413

MDL-1837 -- In re BMW Subframe Marketing and Sales Practices Litigation

Motion of plaintiff Scott Halperin for centralization of the following actions in the United States District Court for the District of New Jersey:

Central District of California

Eric Bacca, et al. v. BMW of North America, LLC, C.A. No. 2:06-6753

Middle District of Florida

Frances Perrone v. BMW of North America, LLC, C.A. No. 8:06-2045

Southern District of Mississippi

Jaime Moore v. BMW of North America, LLC, C.A. No. 4:06-139

District of New Jersey

Lyndsay Alpert, et al. v. BMW of North America, LLC, C.A. No. 2:06-5198

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1838 -- In re TJX Companies, Inc., Customer Data Security Breach Litigation

Motion of plaintiffs Julie Buckley, et al., for centralization of the following actions in the United States District Court for the District of Massachusetts:

Northern District of Alabama

Jo Wood, et al. v. TJX, Inc., et al., C.A. No. 2:07-147

District of Massachusetts

Paula G. Mace v. TJX Companies, Inc., C.A. No. 1:07-10162

Amerifirst Bank v. TJX Companies, Inc., et al., C.A. No. 1:07-10169

Julie Buckley, et al. v. TJX Companies, Inc., C.A. No. 1:07-10209

Thomas J. Gaydos v. TJX Companies, Inc., et al., C.A. No. 1:07-10217

District of Puerto Rico

Patricia Miranda, et al. v. TJX, Inc., et al., C.A. No. 3:07-1075

MDL-1839 -- In re Pro Tem Partners, Inc., and Semico Research Corp. Contract Litigation

Motion of Pro Tem Partners, Inc., for centralization of the following actions in the United States District Court for the District of Massachusetts:

District of Arizona

Semico Research Corp. v. Jan-Charles Fine, et al., C.A. No. 2:06-2475

District of Massachusetts

Pro Tem Partners, Inc. v. Semico Research Corp., C.A. No. 1:05-11822

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1840 -- In re Motor Fuel Temperature Sales Practices Litigation

Motion of defendants Exxon Mobil Corp.; Hess Corp.; and Motiva Enterprises LLC for centralization of the following actions in the United States District Court for the District of New Jersey:

Northern District of California

Mark Rushing, et al. v. Alon USA, Inc., et al., C.A. No. 3:06-7621

District of Kansas

Zachary Wilson, et al. v. Ampride, Inc., et al., C.A. No. 2:06-2582
American Fiber & Cabling LLC., et al. v. BP Corp. North America, Inc., et al.,
C.A. No. 2:07-2053

Western District of Kentucky

Keen Exploration, LLC, et al. v. Amoco Oil Co., et al., C.A. No. 5:07-14

Western District of Missouri

Victor VanDyne v. Murphy Oil USA, Inc., et al., C.A. No. 2:06-4302
Ditzfeld Transfer, Inc. v. Pilot Travel Centers, LLC., et al., C.A. No. 2:07-4025
James Vanderbilt v. BP Corp. North America, Inc., et al., C.A. No. 4:06-1052
Brent Donaldson, et al. v. BP Corp. North America, Inc., et al., C.A. No. 4:07-93

District of New Jersey

Richard Galauski, et al. v. Amerada Hess Corp., et al., C.A. No. 3:06-6005

Western District of Oklahoma

Craig Massey, et al. v. BP Corp. North America, Inc., et al., C.A. No. 5:07-102
Cynthia J. Cary, et al. v. BP Corp. North America, Inc., et al., C.A. No. 5:07-155

Western District of Tennessee

Diane Foster, et al. v. BP North America Petroleum, Inc., et al., C.A. No. 2:07-2059

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1841 -- In re Wells Fargo Loan Processor Overtime Pay Litigation

Motion of defendant Wells Fargo Home Mortgage for centralization of the following actions in the United States District Court for the District of Kansas:

Northern District of California

Mary Basore, et al. v. Wells Fargo Home Mortgage, et al., C.A. No. 3:07-461

District of Kansas

Trudy Bowne, et al. v. Wells Fargo Home Mortgage, C.A. No. 2:06-2020

MDL-1842 -- In re Kugel Mesh Hernia Patch Products Liability Litigation

Motion of plaintiffs Sonia Montiel, et al., for centralization of certain of the following actions in the United States District Court for the District of Rhode Island and motion of plaintiffs Lilyan Kathleen Hall, et al., for centralization of the following actions in the United States District Court for the Northern District of Alabama:

Northern District of Alabama

Lilyan Kathleen Hall, et al. v. Davol, Inc., et al., C.A. No. 3:07-480

Eastern District of Arkansas

Carolene Jean Carter v. Davol, Inc., et al., C.A. No. 4:06-1012

Western District of Arkansas

Mary Jane Campbell v. Davol, Inc., et al., C.A. No. 5:06-5154

Eastern District of California

Daniel Poston, et al. v. Davol, Inc., C.A. No. 2:07-32

Northern District of Florida

Jane R. Wilson v. Davol, Inc., et al., C.A. No. 3:06-541

Schedule of Matters for Hearing Session, Section A
Las Vegas, Nevada

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MDL-1842 (Continued)

Central District of Illinois

James Daniel Mathien v. Davol, Inc., et al., C.A. No. 2:07-2031

Eastern District of Missouri

Timothy J. Edgar v. Davol, Inc., C.A. No. 4:06-1471

District of New Jersey

Jenine Von Essen v. C.R. Bard, Inc., et al., C.A. No. 2:06-4786

Eastern District of New York

Thomas D. Hyland, et al. v. Davol, Inc., et al., C.A. No. 2:07-1054

Southern District of New York

Sophia Katechis, et al. v. Davol, Inc., et al., C.A. No. 1:07-2098

Northern District of Ohio

Richard H. Sayler, et al. v. Davol, Inc., et al., C.A. No. 1:07-765

District of Rhode Island

Sonia Montiel, et al. v. Davol, Inc., et al., C.A. No. 1:07-64

Middle District of Tennessee

George Andrew Luffman v. C.R. Bard, Inc., et al., C.A. No. 3:07-243

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MDL-1843 -- In re Schering Marketing and Sales Practices Litigation

Motion of plaintiff United American Insurance Company for centralization of the following actions in the United States District Court for the Eastern District of Pennsylvania:

District of New Jersey

International Brotherhood of Teamsters Local No. 331 Health & Welfare Trust Fund v. Schering-Plough Corp., C.A. No. 2:06-5774

Eastern District of Pennsylvania

Blue Cross & Blue Shield of Alabama v. Schering-Plough Corp., et al.,
C.A. No. 2:07-568

United American Insurance Co. v. Schering-Plough Corp., et al., C.A. No. 2:07-702

MDL-1844 -- In re Air Crash Near Peixoto de Azeveda, Brazil, on September 29, 2006

Motion of plaintiff Zita Swensson de Mattos for centralization of the following actions in a single United States district court:

Central District of California

Maria Jose Miranda Bermudes Abreu, et al. v. ExcelAire Service, Inc., et al.,
C.A. No. 2:07-1296

Middle District of Florida

Suely de Castro Alves Miranda, etc. v. Joseph Lepore, et al., C.A. No. 6:07-283

Eastern District of Missouri

Bianca Pi Hancock, etc. v. ExcelAire Services, Inc., et al., C.A. No. 4:07-372

Eastern District of New York

Patricia Abraham Barbosa Garcia, et al. v. ExcelAire Service, Inc., et al.,
C.A. No. 1:06-5964

Mario De Abreu Lleras, et al. v. ExcelAire Service, Inc., et al., C.A. No. 2:06-6083

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MDL-1844 (Continued)

Southern District of New York

Zita Swensson de Mattos, etc. v. ExcelAire Services, Inc., et al., C.A. No. 1:07-948

MDL-1845 -- In re ConAgra Peanut Butter Products Liability Litigation

Motion of plaintiffs Grady Ware, et al., for centralization of certain of the following actions in the United States District Court for the Northern District of Georgia; motion of plaintiffs Thomas B. Price, Annie Blackwell, and Jamie S. Jeffords for centralization of certain of the following actions in the United States District Court for the District of South Carolina; and motion of plaintiff Pamela Gateley, etc., for centralization of certain of the following actions in a single United States district court:

Middle District of Florida

Marion Calderera v. ConAgra Foods, Inc., et al., C.A. No. 8:07-384

Southern District of Florida

Charles Stafford v. ConAgra Foods, Inc., C.A. No. 9:07-80178

Middle District of Georgia

Karen Klepsig, et al. v. ConAgra Foods, Inc., C.A. No. 1:07-37
Geoffrey Midler v. ConAgra Foods, Inc., C.A. No. 1:07-42

Northern District of Georgia

Anne Cease, et al. v. ConAgra Foods, Inc., C.A. No. 1:07-425
John Harper v. ConAgra Foods, Inc., C.A. No. 1:07-538
Grady Ware, et al. v. ConAgra Foods, Inc., C.A. No. 4:07-40

Northern District of Mississippi

Pamela Gateley, etc. v. ConAgra Foods, Inc., C.A. No. 2:07-35

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MDL-1845 (Continued)

Western District of Missouri

Brian Cox, et al. v. ConAgra Foods, Inc., C.A. No. 5:07-6027

Western District of New York

Mark Avalone, et al. v. ConAgra Foods, Inc., C.A. No. 6:07-6084

Eastern District of Oklahoma

Irene Clandord v. ConAgra Foods, Inc., C.A. No. 6:07-56

Eastern District of Pennsylvania

Lucille A. Knight v. ConAgra Foods, Inc., C.A. No. 2:07-818

Middle District of Pennsylvania

Kathleen Nieves, et al. v. ConAgra Foods, Inc., C.A. No. 3:07-327

District of South Carolina

Annie Blackwell v. ConAgra Foods, Inc., C.A. No. 0:07-529

Thomas B. Price v. ConAgra Foods, Inc., C.A. No. 3:07-536

Jerry Shawn Medford v. ConAgra Foods, Inc., C.A. No. 3:07-611

Jamie S. Jeffords v. ConAgra Foods, Inc., C.A. No. 4:07-530

Jennifer Ann Hoey, et al. v. ConAgra Foods, Inc., C.A. No. 7:07-544

Eastern District of Tennessee

Cynthia Woodlee, et al. v. ConAgra Foods, Inc., C.A. No. 4:07-15

Western District of Washington

James Winston Daniels, II, et al. v. ConAgra, Inc., C.A. No. 2:07-259

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MDL-1846 -- In re Trade Partners, Inc., Investors Litigation

Motion of defendants Macatawa Bank Corp. and Macatawa Bank for centralization of the following actions in the United States District Court for the Western District of Michigan or, in the alternative, the United States District Court for the Western District of Oklahoma:

Central District of California

James Lee, et al. v. Macatawa Bank Corp., et al., C.A. No. 2:06-8009

Western District of Michigan

Forrest W. Jenkins, et al. v. Macatawa Bank Corp., et al., C.A. No. 1:03-321

Western District of Oklahoma

Steven M. Adamson, et al. v. Macatawa Bank Corp., et al., C.A. No. 5:06-1267
Eddie Elkins, et al. v. Macatawa Bank Corp., C.A. No. 5:07-109

Northern District of Texas

Frank V. Bailey, et al. v. Macatawa Bank Corp., C.A. No. 3:06-2193

MDL-1847 -- In re Tayssoun Transportation, Inc., and Dallas & Mavis Specialized Carrier Co., LLC, Contract Litigation

Motion of plaintiff Tayssoun Transportation, Inc., for centralization of the following actions in the United States District Court for the Southern District of Texas:

Northern District of Texas

Dallas & Mavis Specialized Carrier Co., LLC v. Pacific Motor Transport Co., et al.,
C.A. No. 3:06-1922

Southern District of Texas

Tayssoun Transportation, Inc. v. Dallas & Mavis Specialized Carrier Co., LLC,
C.A. No. 4:06-3463

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MDL-1848 -- In re Rembrandt Technologies, LP, Patent Litigation

Motion of defendant CoxCom, Inc., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

Rembrandt Technologies, LP v. Cablevision Systems Corp., et al., C.A. No. 1:06-635
Coxcom, Inc. v. Rembrandt Technologies, LP, C.A. No. 1:06-721
Rembrandt Technologies, LP v. CBS Corp., C.A. No. 1:06-727
Rembrandt Technologies, LP v. NBC Universal, Inc., C.A. No. 1:06-729
Rembrandt Technologies, LP v. ABC, Inc., C.A. No. 1:06-730
Rembrandt Technologies, LP v. Fox Entertainment Group, Inc., et al., C.A. No. 1:06-731

Southern District of New York

Rembrandt Technologies, LP v. Adelphia Communications Corp., et al.,
Bky. Advy. No. 1:06-1739
Rembrandt Technologies, LP v. Adelphia Communications Corp., C.A. No. 1:07-214

Eastern District of Texas

Rembrandt Technologies, LP v. Comcast Corp., et al., C.A. No. 2:05-443
Rembrandt Technologies, LP v. Sharp Corp., et al., C.A. No. 2:06-47
Rembrandt Technologies, LP v. Charter Communications, Inc., et al., C.A. No. 2:06-223
Rembrandt Technologies, LP v. Time Warner Cable, Inc., C.A. No. 2:06-224
Rembrandt Technologies, LP v. Time Warner Cable, Inc., C.A. No. 2:06-369
Rembrandt Technologies, LP v. Comcast Corp., et al., C.A. No. 2:06-506
Rembrandt Technologies, LP v. Charter Communications, Inc., et al., C.A. No. 2:06-507

MDL-1849 -- In re C.H. Robinson Worldwide, Inc., Overtime Pay Litigation

Motion of plaintiffs for centralization of the following actions in the United States District Court for the Northern District of Illinois or, in the alternative, the United States District Court for the District of Minnesota:

Northern District of Alabama

Donna Eddy, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:06-4926

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MDL-1849 (Continued)

Central District of California

Mimi Vuong v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1428
Nancy Austin, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 8:07-301

Eastern District of California

Gladys Garcia, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-157

Northern District of California

Kimberly Elam, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-475

Northern District of Georgia

Terri Kuvach, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-328

Northern District of Illinois

Evelyn Sparks, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6461
Cheryl D. Braithwaite, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6462
Lynn A. Amorose, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6463
Angela L. Jacobson v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6465
Scott D. Hyder, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6503
Anne K. Ciaglia, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6507
Joann M. McGill, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6510
Richard Cahn, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6512
Jason K. Bergquist, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6515
Craig Bowen, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6516
Christopher L. Sims, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6520
Shannon D. Anderson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6527
Nora Hageman, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6530
Brenda Mitchell, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6538
Lynette DiNova, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6545
Joanna Elke, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6552

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Northern District of Illinois (Continued)

Roy Rogenic, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6553
LaToya R. McCants, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6556
Michael Blackburn v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6563
Sharon K. Dodson-McDonald, et al. v. C.H. Robinson Worldwide, Inc.,
C.A. No. 1:06-6564
Patricia A. Parrish, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6568
Brendan M. Clarke, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6581
Amber Vandersommen, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6582
Leslie Nemelka, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6623
Kari S. Johnson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6629
Ariel B. Crotty, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6630
Wendy L. Ferger, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6632
Laura J. Jeneault, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6634
Heidi Michelle Poepsel v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6664

Southern District of Indiana

Catherine A. Wilcox v. C.H. Robinson Worldwide, Inc., C.A. No. 3:06-197

District of Kansas

Kimberly K. Bethel, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-2129
Lisa M. Quigley, et al v. C.H. Robinson Worldwide, Inc., C.A. No. 6:07-1063

Eastern District of Louisiana

Morgan J. Wood, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1269

Eastern District of Michigan

Carla M. Strugala v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-10767

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District of Minnesota

Jamie L. Benner, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4640
Justin Accola, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4643
Jeffrey Cichosz, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4644
William F. Holmberg, Jr. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4645
Elizabeth Marianne Buck, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4646
Penny M. Cantazaro, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4647
Kathy Cota, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4648
Jill K. East, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4649
Kathleen L. Hambleton, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4650
Elizabeth Hopp v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4651
Joann F. Larson v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4652
Kelley S. Lyons, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4653
Kimberly M. Martineau, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4654
Sandra Steinmetz, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4655
John Gino Giovannoni v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4960
Sally J. Dowden, et al., C.H. Robinson Worldwide, Inc., C.A. No. 0:07-89
Amelia M. Alfaro, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-90
Jennifer L. Alfano, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-251
Claudia Alicia Martinez, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-542
Jennifer N. McInnis v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-544
Beth Shaw, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-595
Shannon Davis v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1119
Esther Nevarez, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1563

Eastern District of Missouri

Heather Lee Markle, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-428

Northern District of Ohio

Julie Gallagher, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-846