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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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MARION STRECZYN,

Plaintiff

vs.

MENU FOODS INCOME FUND, a foreign  
corporation; MENU FOODS, INC., a  
New Jersey Corporation, et al

Defendants

Case No. 3:07-CV-00159-LRH-VPC

STIPULATION AND [PROPOSED] ORDER  
GRANTING DEFENDANTS' MOTION TO  
STAY ALL PROCEEDINGS

WHEREAS, plaintiff Marion Streczyn ("Plaintiff" filed a Class Action Complaint ("Complaint") against Menu Foods Income Fund, a foreign corporation, and Menu Foods, Inc., a New Jersey Corporation (collectively "Defendants") on January 26, 2007;

WHEREAS, on April 19, 2007, Defendants filed Defendants' Motion to Stay Proceedings ("Motion");

WHEREAS, the parties have met and conferred regarding Defendants' Motion;

NOW THEREFORE, Plaintiff and Defendants, by and through their undersigned counsel, hereby STIPULATE AND AGREE as follows:

1. Defendants' Motion shall be **GRANTED** pending the transfer decision by the Judicial Panel on Multidistrict Litigation in the case styled *In re Pet Food Products Liability*



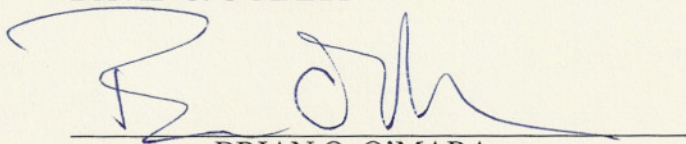
1 *Litigation*, MDL No. 1850.

2 2. All parties shall, during the pendency of the stay of this matter, comply with their  
3 duty to preserve all evidence that may be relevant to this action. This duty extends to documents,  
4 electronic data, and tangible things in the possession, custody and control of the parties to this  
5 action, and any employees, agents, contractors, or carriers who possess materials reasonably  
6 anticipated to the subject of discovery in this action. "Preservation" is to be interpreted broadly to  
7 accomplish the goal of maintaining the integrity of all documents, data and tangible things  
8 reasonably anticipated to be the subject of discovery under Fed.R.Civ.P.26, 45 and 56(e) in this  
9 action. Preservation includes taking reasonable steps to prevent the partial or full destruction,  
10 alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutation  
11 of such material, as well as negligent or intentional handling that would make material incomplete  
12 or inaccessible. If the business practices of any party involve the routine destruction, recycling,  
13 relocation, or mutation of materials, the party must, to the extent practicable for the pendency of this  
14 order, either:

- 15 i) halt such business practices;  
16 ii) sequester or remove such material from the business process; or  
17 iii) arrange for the preservation of complete and accurate duplicates or copies of such  
18 material, suitable for later discovery if requested.

19 DATED: <sup>May 8</sup> ~~April~~ \_\_\_\_\_, 2007

20 THE O'MARA LAW FIRM, P.C.  
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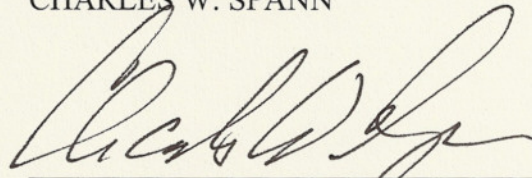
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1 DATED: <sup>May</sup> April 8th, 2007

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Attorneys for Defendants Menu Foods Income  
Fund, a foreign corporation, and Menu Foods,  
Inc., a New Jersey Corporation

\* \* \*

**ORDER**

Pursuant to the Stipulation of the Parties, and good cause appearing, IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE LARRY R. HICKS  
UNITED STATES DISTRICT COURT JUDGE



**CERTIFICATE OF SERVICE**

I hereby certify that on May 8, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

*/s/ Brian O. O'Mara*

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BRIAN O. OMARA