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July 26, 2007

Electronically Filed

The Honorable Joel Schneider
United States Magistrate Judge
District of New Jersey
Mitchell H. Cohen Courthouse
1 John F. Gerry Plaza, Room 2060
Camden, NJ 08101-0887

**Re: *Center for Science in the Public Interest ("CSPI") v. The Coca-Cola Company,*
Civil No. 07-539 (JHR);
*Melfi v. The Coca-Cola Company, Civil No. 07-828 (NLH)***

Dear Judge Schneider:

This letter responds to Your Honor's June 14, 2007 Letter Order asking the parties to address whether the above-referenced actions should be consolidated for discovery and case management purposes.

Plaintiffs in the *CSPI* action are in agreement with counsel for defendants and counsel for *Melfi* that both of these pending cases, as well as the case of *Simmens v. Coca-Cola Company* (E.D. Pa. No. 07-668), in which a motion for transfer to this Court has been granted, should be consolidated for case management and discovery. Plaintiffs further suggest that the Court consolidate these three cases for all purposes, pursuant to Federal Rule of Civil Procedure 42(a), because all three cases now seek class certification and the questions of law and fact are nearly identical in all three complaints.

Respectfully,



Mark R. Cuker

cc: All Counsel