

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

Jared Workman, and Mark and Mona Cohen,	:	
on behalf of themselves and all others	:	Civil Action No.: 07-cv-1338
similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
Menu Foods Limited, Menu Foods Inc., and	:	
Menu Foods Midwest Corporation	:	
	:	
Defendants.	:	

**ORDER**

This matter having come before the Court on Plaintiffs' Order to Show Cause Why a Protective Order Should Not be Issued, and the Court having considered the submissions of the parties, and for good cause shown, it is on this \_\_\_\_ day of May, 2007, hereby ORDERED THAT to remedy the potential harm to the Class and to supervise such activities in the future, the Court

- (1) Deem null and void any releases executed by pet owners in favor of Menu Foods as a result of direct communications by Menu Foods with affected pet owners;
- (2) Requires Menu Foods to produce within five (5) days copies of all communications to and from named representatives and absent class members, along with any internal Menu Foods' documents relating to Menu Foods' contacts with absent class members *relating to this litigation*, including copies of all veterinary records or bills, all other documents or items requested and received by Menu Foods through its Claim Form, and any releases obtained from absent class members;
- (3) Requires Menu Foods to produce within five (5) days the results of any tests performed on any pet food received from any named representatives and absent class members as a result of the Claim Form, to maintain the integrity of such pet food and to cease conducting any additional testing on such pet

food until such time as plaintiffs' counsel can coordinate with Menu Foods the shared custody of such pet food.

- (4) Requires Menu Foods to obtain the Court's approval prior to sending any further communications to absent class members;
- (5) Authorizes Class counsel to communicate directly (by letter) with any absent class member who has received any communication from Menu Foods regarding this litigation, to advise them of the status of the litigation, and to explain Class Counsel's perspective on the litigation; and
- (6) Any information obtained from named representatives or absent class members through Menu Foods' data collection campaign shall not be used by Menu Foods for any litigation purpose.

**SO ORDERED:**

Dated: May \_\_\_\_, 2007

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Honorable Noel L. Hillman, U.S.D.J.