

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS: LOREN & KAY BYERS, Individually and On Behalf Of All Persons Similarly Situated. (b) County of Residence of First Listed Plaintiff. (c) Attorney's (Firm Name, Address, and Telephone Number): Seth R. Lesser, Locks Law Firm LLC, 457 Haddonfield Road, Suite 500; Cherry Hill, New Jersey 08002. DEFENDANTS: MENU FOODS INCOME FUND, et al. County of Residence of First Listed Defendant. NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known): Unknown.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only). III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant). Includes checkboxes for U.S. Government Plaintiff/Defendant, Federal Question, Diversity, and various citizenship options for Plaintiff and Defendant.

IV. NATURE OF SUIT (Place an "X" in One Box Only). Grid of categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only). Includes checkboxes for Original Proceeding, Removed from State Court, Remanded from Appellate Court, Reinstated or Reopened, Transferred from another district, Multidistrict Litigation, and Appeal to District Judge from Magistrate Judgment.

VI. CAUSE OF ACTION. Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. Section 1332. Brief description of cause: Pet owners who bought pet food that caused serious injury to their pets.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23. DEMAND \$: CHECK YES only if demanded in complaint: JURY DEMAND: Yes No.

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE: DOCKET NUMBER:

DATE: 4/13/07. SIGNATURE OF ATTORNEY OF RECORD: [Signature]

FOR OFFICE USE ONLY. RECEIPT #, AMOUNT, APPLYING IFP, JUDGE, MAG. JUDGE.