

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In Re:

Pet Food Products Liability Litigation

MDL No. 1850

Civil Action No. 07 2867 (NLH)

ALL CASES

ORDER

Upon consideration of the Motion for Declaratory Judgment or Relief from Stay filed by Robert M. Josephs (the “Motion”), subsequent briefing, and the telephonic hearing conducted on September 17, 2008, this Court finds that:

- (1) the claims asserted by Robert M. Josephs against Nutro Products, Inc., are encompassed within the scope of the above-captioned MDL action;
- (2) adequate notice was provided to Robert M. Josephs pursuant to this Court’s May 30, 2008, Order Granting Preliminary Approval of Class Action Settlement, Approval of Proposed Form of Notice, and Preliminary Certification of Settlement Class;
- (3) no extraordinary circumstances exist sufficient to warrant granting the Motion.

NOW, THEREFORE, IT IS HEREBY ORDERED this 18th day of
September 2008 that the Motion and all relief requested therein is **DENIED**.

HON. NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey

080917 Proposed Hillman Order (2).DOC