

**UNITED STATE DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: PET FOOD PRODUCTS)	Civil Action No. 07-2867 (NLH)
LIABILITY LITIGATION)	
)	MDL Docket No. 1850
_____)	
THIS DOCUMENT RELATES TO:)	OBJECTION TO MOTION TO
)	STRIKE APPLICATION BY
ALL CASES)	NEWMAN, CREED & ASSOCIATES
)	FOR AN AWARD OF
)	REIMBURSEMENT OF COSTS

Newman, Creed & Associates ("NC&A") hereby files the following Objection to the Motion to Strike the Application by Newman, Creed & Associates for An Award of Attorney's Fees and Reimbursement of Costs and Expenses on the following grounds:

An application for reimbursement of Attorney's Fees and Reimbursement of Expenses and Costs is authorized under Federal Rules of Civil Procedure Rule 23 (g)(1)(C)(iv), Rule 23(h)(1) and Rule 54(d)(2). As more fully discussed in the Memorandum in Support of Objection to Motion to Strike filed concurrently herewith, the Application by Newman, Creed & Associates was appropriately filed given the unique circumstances in this case where there was no appointment of interim lead counsel or any lead counsel until nearly 21 months into the litigation. Moreover, Russell Paul, Esq. requested permission to associate into the Todd Sokolowski et

al. v. Menu Foods, Inc. et al, Docket No. 1:2007cv01709, matter for the purposes of coordinating the efforts of the plaintiff class early on especially as it related to the efforts on limiting communications between The IAMS Company and putative class members; the undersigned was asked by lead counsel Scott Kamber, Esq., to travel to Watsontown, PA to inspect a Del Monte, Inc. storage facility; NC&A was asked to attend a meeting with lead counsel and defense counsel on issues pertaining to the preservation and destruction of evidence and was involved with those issues throughout the litigation, and dedicated the substantial resources of a small law firm to this matter without obtaining any response from any of the lead counsel as to whether or not any of its time would be reimbursed at the time of settlement.

Therefore, the Motion to Strike should be denied.

DATED: October 10, 2008

Respectfully Submitted,



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