

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: Pet Food Products) Civil Action No. 07-2867(NLH)
Liability Litigations) MDL DOCKET NO. 1850
)
) The Honorable Noel L. Hillman
)
) NOTICE OF APPEAL BY
) OBJECTOR AND NONPARTY
) IN INTEREST DONALD R. EARL


TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Notice is hereby given that Donald R. Earl objector and nonparty in interest, hereby appeals to the United States Court of Appeals for the Third Circuit from the "Order" entered in this action by the District Court for the District of New Jersey dated February 10, 2009 [Doc. No. 299], which denied motions to intervene and to vacate evidence destruction orders, and related interlocutory decisions: the "Order Regarding Objection to Pet Food Evidence Disposal Plan Approved on December 18, 2007" [Doc. No. 128], the "Order Granting Defendants' Unopposed Motion to Limit the Retention of Organized Recalled Product, Raw Wheat Gluten and Unorganized Inventory" dated December 18, 2007 [Doc. No. 106], and the "Order Granting Defendants' Unopposed Motion to Adopt the Retrieval Plans for Organized Recalled Product

1 Recommended by Defendants' Expert" dated April 14, 2008 [Doc.
2 No. 140]. Copies of these orders are attached hereto as
3 Exhibits 1 through 4.

4 Objector/Appellant, Donald R. Earl, is aware of two
5 other notices of appeal in this action filed by Objectors Jim
6 Johnson and Dustin Turner dated December 3, 2008, and by
7 Objectors/Appellants Margaret Picus and Daniel Kaffer dated
8 December 12, 2008, which are currently pending in this Court.
9

10
11 Dated February 24, 2009.
12 Respectfully submitted by:

13
14
15 
16 Donald R. Earl (pro se)
17 3090 Discovery Road
18 Port Townsend, WA 98368
19 360-379-6604
20
21
22
23
24
25
26
27
28