

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

In Re Pet Foods Products Liability)	Civil Action No. 07-2867 (NLH)
Litigation)	
)	MDL Docket No. 1850

**DECLARATION OF GREGORY MARK NESPOLE IN SUPPORT OF
PLAINTIFFS' MOTION FOR APPOINTMENT OF INTERIM COUNSEL**

I, Gregory Mark Nespole, hereby declare:

1. I am a partner of the law firm of Wolf Haldenstein Adler Freeman & Herz LLP. I submit this Declaration in support of Plaintiffs' motion for appointment of Berger & Montague, P.C., Wexler, Toriseva, Wallace LLP, Coughlin Stoia Geller Rudman & Robins LLP, and Hagens Berman Sobol Shapiro LLP as Interim Counsel and Trujillo Rodriguez & Richards, LLC, as Liaison Counsel.

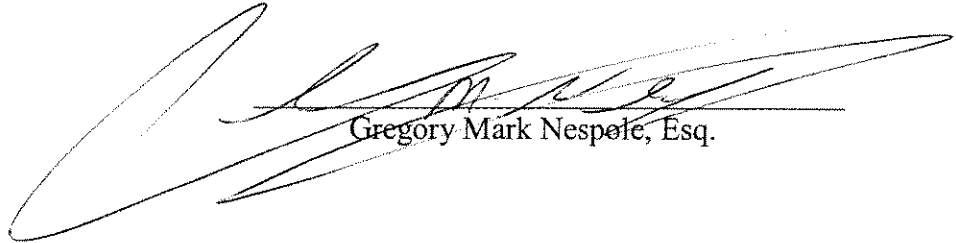
2. Wolf Haldenstein Adler Freeman & Herz LLP, Larry D. Drury Ltd., and the Progressive Law Group, LLC, (collectively "Plaintiffs' Counsel") commenced an action in the Southern District of New York, styled *Cashman v. Menu Foods Midwest Corp., et al.*, No. 07-cv-3236 (S.D.N.Y). Additionally, Plaintiffs' Counsel have been formally retained by 590 other class members in 42 States and the District of Columbia. Plaintiffs' Counsel also commenced the following actions now transferred to this Court:

- *Johnson v. The Procter and Gamble Co., et al.*, No. 07-C-0159-C (W.D. Wis.)
- *Rozman v. Menu Foods Midwest Corp., et al.*, No. 07-1808 (D. Minn.)
- *Connerton v. Menu Foods Corp., et al.*, No. 07-CV-10797 (D. Mass.)
- *Tompkins v. Menu Foods Midwest Corp., et al.*, No. 1:07-cv-00736-JLK (D. Colo.)

3. Subsequent to the filing of the Cashman case, Plaintiffs took several steps to actively litigate this action, including attending a pre-trial conference, entering into a scheduling order with the defendants (attached hereto as Exhibit 1), propounding discovery (attached hereto as Exhibit 2), and obtaining from defendants an agreement to respond to their discovery demands, which agreement, despite Judge Rakoff's order, they have refused to honor.

4. All Plaintiffs' cases were subsequently transferred to this Court pursuant to the Conditional Transfer Order issued by the Judicial Panel on Multidistrict Litigation transferring all Tag-Along Actions to the United States District Court for the District of New Jersey. (Attached hereto as Exhibit 3).

Signed under penalty of perjury this 5th day of September 2007.



Gregory Mark Nespele, Esq.



Exhibit 1