

Exhibit 3

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN 28 2007

FILED  
CLERK'S OFFICE

**DOCKET NO. 1850**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-1)**


On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See F.Supp.2d (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-20 - TAG-ALONG ACTIONS  
DOCKET NO. 1850  
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

DIST. DIV. C.A. #

CASE CAPTION

ARKANSAS EASTERN  
ARE 4 07-376

Scott Stacey, et al. v. Nestle SA, et al.

ARKANSAS WESTERN  
ARW 4 07-4036  
ARW 5 07-5065

Kirby Cooper v. Menu Foods Income Fund, et al.  
Sandra L. Gray, et al. v. Menu Foods, et al.

CALIFORNIA CENTRAL  
CAC 2 07-1987  
CAC 2 07-2060  
CAC 2 07-2253  
CAC 2 07-2338  
CAC 2 07-2476  
CAC 2 07-2779  
CAC 2 07-2964  
CAC 5 07-398

Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al.  
Dawn Howe v. Menu Foods Ltd., et al.  
Lois Grady, et al. v. Menu Foods Income Fund, et al.  
Kelly Finestone v. Menu Foods, Inc., et al.  
Richard Chamberlain v. Nestle SA, et al.  
Ken Wahl, et al. v. Menu Foods Income Fund, et al.  
Jayne Englander, et al. v. Menu Foods Income Fund, et al.  
Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.

CALIFORNIA EASTERN  
CAE 2 07-654

Cheryl Carver v. Del Monte Foods Co., et al.

CALIFORNIA NORTHERN  
CAN 3 07-1809  
CAN 3 07-2665

Sherry Ingles v. Menu Foods, Inc., et al.  
Diane Lowery v. Menu Foods Income Fund, et al.

CALIFORNIA SOUTHERN  
CAS 3 07-705  
CAS 3 07-706  
CAS 3 07-734  
CAS 3 07-951

Robert Payne, et al. v. Menu Foods, Inc., et al.  
Diane Swarberg v. Menu Foods Holding, Inc., et al.  
Hayley Ford, et al. v. Menu Foods Income Fund, et al.  
John Colliard v. Menu Foods, Inc., et al.

COLORADO  
CO 1 07-736

Emily Tompkins v. Menu Foods Midwest Corp., et al.

FLORIDA MIDDLE  
FLM 2 07-235  
FLM 6 07-803

Maria Teresa Ferrarese v. Menu Foods, Inc., et al.  
George Birney, et al. v. Menu Foods, Inc.

FLORIDA SOUTHERN  
FLS 1 07-20955

Stephen Donnelly, et al. v. Menu Foods, Inc., et al.

IDAHO  
ID 1 07-160

Larry Klimes, et al. v. Menu Foods

ILLINOIS NORTHERN  
ILN 1 07-2162  
ILN 1 07-2183  
ILN 1 07-2211  
ILN 1 07-2237

Heather Amro v. Menu Foods Income Fund, et al.  
Gary Bruski v. Menu Foods, Inc., et al.  
Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.  
Sonja Foxe v. Menu Foods, Inc., et al.

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

PAGE 2 OF 3

DIST. DIV. C.A. #

CASE CAPTION

MASSACHUSETTS

MA 1 07-10745

Lidia Rodrigues v. Menu Foods, Inc., et al.

MA 1 07-10797

Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.

MAINE

ME 2 07-54

Mara Brazilian v. Menu Foods Income Fund, et al.

MINNESOTA

MN 0 07-1808

Stephanie Rozman v. Menu Foods Midwest Corp., et al.

MN 0 07-2108

Wendy Krosschell v. Menu Foods Income Fund, et al.

MISSOURI WESTERN

MOW 3 07-5041

Richard Schwinger v. Menu Foods, et al.

MISSISSIPPI SOUTHERN

MSS 5 07-105

Sarah Cavin v. Menu Foods, et al.

NEVADA

NV 2 07-686

Maragaret Picus v. Wal-Mart Stores, Inc., et al.

NV 3 07-159

Marion Streczyn v. Menu Foods, Inc., et al.

NEW YORK SOUTHERN

NYS 1 07-3236

Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.

OHIO NORTHERN

OHN 1 07-1018

Gregory Boehm v. Menu Foods, Inc., et al.

PENNSYLVANIA MIDDLE

PAM 1 07-929

Dixie Keller v. Menu Foods Ltd., et al.

RHODE ISLAND

RI 1 07-115

Carol Brown v. Menu Foods, Inc., et al.

TENNESSEE EASTERN

TNE 3 07-98

Barbara Light v. Menu Foods Income Fund

WASHINGTON WESTERN

WAW 2 07-575

Laura Migliore v. Menu Foods

WAW 2 07-576

Gail Moran v. Menu Foods

WAW 2 07-577

Sheryl Puett v. Menu Foods

WAW 2 07-634

Daniel Ray Reeves v. Menu Foods

WAW 2 07-666

Sheree A. Robinson v. Menu Foods

WAW 2 07-667

Phyllis A. Ullman v. Menu Foods

WAW 2 07-668

Elizabeth Palmer v. Menu Foods

WAW 2 07-669

Jason Labbate v. Menu Foods

WAW 2 07-670

Megan Whitt v. Menu Foods

WAW 2 07-684

Linda Weitz v. Menu Foods

WAW 2 07-685

Michelle Adams v. Menu Foods