

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

IN RE: PET FOOD PRODUCTS
LIABILITY LITIGATION

MDL Docket No. 1850 (All
Cases)

Civil Action No. 07-2867
(NLH) (AMD)

ORDER

This matter having come before the Court on the motion of defendant for a show cause order [363]; and

Defendant requesting that a settlement class member who has not opted out of the settlement agreement--John Lizotte--be enjoined from pursuing his pending litigation in another court in violation of this Court's Final Approval Order and Final Judgment; and

On September 10, 2009, the Court having ordered John Lizotte and his counsel to show cause within 14 days as to why they should not be held in contempt for refusing to discontinue the prosecution of their pending litigation contrary to this Court's November 17, 2008 Order; and

Defendant informing the Court that the Worcester County Trial Court of Massachusetts ordered the dismissal of the Lizotte action on September 22, 2009; and

Defendant further representing that it does not seek any further relief from these parties at this time, and is therefore seeking to withdraw its motion;

Accordingly,

IT IS HEREBY on this 30th day of September, 2009

ORDERED that defendant's motion for an order to show cause [363] is **DENIED AS MOOT**; and it is further

ORDERED that defendant shall serve copies of this Order on John Lizotte and his attorney Christopher Uhl.

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey