

CLOSED, ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-03236-JSR

Cashman et al v. Menu Foods Midwest Corporation et al
Assigned to: Judge Jed S. Rakoff
Cause: 28:1331 Fed. Question: Other

Date Filed: 04/23/2007
Date Terminated: 08/06/2007
Jury Demand: Both
Nature of Suit: 385 Prop. Damage Prod.
Liability
Jurisdiction: Federal Question

Plaintiff

Mark Cashman
*Individually and on behalf of all others
similarly situated*

represented by **Gregory Mark Nespole**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ciro Aiello
*individually and on behalf of all others
similarly situated*

represented by **Gregory Mark Nespole**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Martin E. Restituyo
(See above for address)
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V.

Defendant**Menu Foods Midwest Corporation****Defendant****Menu Foods Income Fund****Defendant****Menu Foods Limited**

Defendant

Menu Foods Inc.

Defendant

Menu Foods Holdings Inc.

Defendant

The Procter & Gamble Company

represented by **Allison Beth Neidoff**
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Defendant

The Iams Company

represented by **Allison Beth Neidoff**
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Kim M. Catullo
 (See above for address)
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Defendant

Chemnutra Inc.

represented by **Brian Preston Heermance**
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Defendant

John Does
 No. 1 through 100

Date Filed	#	Docket Text
04/23/2007	1	COMPLAINT against Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings Inc., The Procter & Gamble Company, The Iams Company, Chemnutra Inc., John Does, Menu Foods Midwest Corporation, Menu Foods Income Fund. (Filing Fee \$ 350.00, Receipt Number 613021) Document filed by Mark Cashman, Ciro Aiello.(jpo) (Entered: 04/24/2007)
04/23/2007		SUMMONS ISSUED as to Menu Foods Limited, Menu Foods Inc., Menu Foods

		Holdings Inc., The Procter & Gamble Company, The Iams Company, Chemnutra Inc., John Does, Menu Foods Midwest Corporation, Menu Foods Income Fund. (jpo) (Entered: 04/24/2007)
04/23/2007		Magistrate Judge Kevin N. Fox is so designated. (jpo) (Entered: 04/24/2007)
04/23/2007		Case Designated ECF. (jpo) (Entered: 04/24/2007)
04/27/2007	2	NOTICE OF COURT CONFERENCE: Conference to take place on June 25, 2007, at the United States Courthouse, 500 Pearl Street, New York, New York in Courtroom 14B at 11:00 a.m. (Signed by Judge Jed S. Rakoff on 4/27/07) (js) (Entered: 04/30/2007)
04/27/2007		Set Deadlines/Hearings: Status Conference set for 6/25/2007 11:00 AM before Judge Jed S. Rakoff. (js) (Entered: 04/30/2007)
04/30/2007	3	NOTICE OF APPEARANCE by Allison Beth Neidoff on behalf of The Procter & Gamble Company, The Iams Company (Neidoff, Allison) (Entered: 04/30/2007)
05/21/2007	4	STIPULATION: the time for defendants Procter & Gamble and The Iams Company's time to answer or otherwise respond to the complaint is extended to 6/26/07. (Signed by Judge Jed S. Rakoff on 5/21/07) (db) (Entered: 05/21/2007)
05/21/2007		Set Answer Due Date purs. to 4 Stipulation and Order as to The Procter & Gamble Company answer due on 6/26/2007; The Iams Company answer due on 6/26/2007. (db) (Entered: 05/21/2007)
06/20/2007		***DELETED DOCUMENT. Deleted document number 5 Certified Conditional Transfer Order. The document was incorrectly filed in this case. (jeh) (Entered: 06/20/2007)
06/25/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 6/25/2007. (tro) (Entered: 06/28/2007)
06/28/2007		Minute Entry for proceedings held before Judge Jed S. Rakoff : Initial Pretrial Conference held on 6/28/2007. (jp) (Entered: 07/13/2007)
06/29/2007	5	ANSWER to Complaint. Document filed by The Procter & Gamble Company, The Iams Company. (Attachments: # 1 Rule 7.1 Disclosure Statement)(Catullo, Kim) (Entered: 06/29/2007)
06/29/2007	6	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Document filed by Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings Inc., Menu Foods Midwest Corporation, Menu Foods Income Fund.(Kirshnitz, Eliot) (Entered: 06/29/2007)
06/29/2007	7	ANSWER to Complaint with JURY DEMAND. Document filed by Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings Inc., Menu Foods Midwest Corporation, Menu Foods Income Fund.(Kirshnitz, Eliot) (Entered: 06/29/2007)
06/29/2007	8	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Chemnutra Inc..(Heermance, Brian) (Entered: 06/29/2007)
06/29/2007	9	ANSWER to Complaint with JURY DEMAND. Document filed by Chemnutra Inc..(Heermance, Brian) (Entered: 06/29/2007)
06/29/2007	10	CIVIL CASE MANAGEMENT PLAN:This court requires that this case shall be ready for trial on 11/26/07; the case is to be tried to a jury; joinder of additional parties must be accomplished by 9/7/07; Defendants will move or answer by June 29, 2007; see document for further discovery deadlines; Joinder of Parties due by 9/7/2007., Motions due by 7/16/2007.,Responses due by 8/6/2007,Replies due by 8/20/2007., A hearing on plaintiffs' class certification motion shall be held on 8/29/07 at 4 p.m. before Judge Jed S. All depositions must be completed by 11/2/07...; All discovery is to be completed by 11/2/07. (Signed by Judge Jed S. Rakoff on 6/28/07) (djc) . (Entered: 07/02/2007)

07/13/2007	<u>11</u>	NOTICE of MULTIDISTRICT CONSOLIDATION PURSUANT TO 28 U.S.C. § 1407. Document filed by Menu Foods Limited, Menu Foods Inc., Menu Foods Holdings Inc., The Procter & Gamble Company, The Iams Company, Chemnutra Inc., Mark Cashman, Ciro Aiello, Menu Foods Midwest Corporation, Menu Foods Income Fund. (Attachments: # <u>1</u> Transfer Order.# <u>2</u> Conditional Transfer Order (CTO-1).)(Dizon, Carolyn) (Entered: 07/13/2007)
07/24/2007	<u>12</u>	CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER OUT ORDER FROM THE MDL PANEL...transferring this action from the U.S.D.C. - S.D.N.Y to the United States District Court - District of New Jersey. (Signed by Judge MDL Panel on 6/28/7) (laq) Additional attachment(s) added on 8/6/2007 (Aquino, Lourdes). (Entered: 08/03/2007)
08/06/2007		MDL TRANSFER OUT: Mailed certified copy of docket entries and transfer order along with letter of acknowledgment to the United States District Court - District of New Jersey. Mailed via Federal Express AIRBILL # 8582 4870 0382 on 8/6/7. (laq) (Entered: 08/06/2007)

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