

**U.S. District Court****Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:07-cv-00734-DSC**

DICAPRIO v. MENU FOODS INCOME FUND et al

Assigned to: David S. Cercone

Case in other court: Court of Common Pleas of Lawrence County  
PA, 10534-2007

Cause: 28:1441 Notice of Removal-Product Liability

Date Filed: 05/30/2007

Jury Demand: Plaintiff

Nature of Suit: 365 Personal Inj. Prod. Liability

Jurisdiction: Diversity

**Plaintiff****MARY DICAPRIO***individually and on behalf of all others similarly  
situated*represented by **Joseph S. Bellissimo**  
Robert N. Pierce & Associates  
324 Sims Street  
Ellwood City, PA 16117  
(724) 758-5544  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Robert N. Peirce, III**  
Peirce, Raimond & Coulter  
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Pittsburgh, PA 15219  
(412) 281-7229  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****MENU FOODS INCOME FUND**represented by **Lynn E. Bell**  
Davies, McFarland & Carroll  
One Gateway Center  
Tenth Floor  
Pittsburgh, PA 15222  
(412) 281-0737  
Email: lbell@dmcp.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****MENU FOODS, INC.**represented by **Lynn E. Bell**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant**

**MENU FOODS MIDWEST  
CORPORATION**

represented by **Lynn E. Bell**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**MENU FOODS SOUTH DAKOTA, INC.**

represented by **Lynn E. Bell**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**MENU FOODS HOLDINGS, INC.**

represented by **Lynn E. Bell**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**WAL-MART STORES, INC.**

*a Delaware Corporation*

*doing business as*

**WAL-MART SUPER CENTER STORE NO.**

**2287**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/30/2007	<u>1</u>	NOTICE OF REMOVAL from Court of Common Pleas of Lawrence County PA, case number 10534-2007. (Filing fee \$ 350 receipt number 4522), filed by MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA, INC., MENU FOODS HOLDINGS, INC., MENU FOODS INCOME FUND, MENU FOODS, INC.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Civil Cover Sheet Part 1 of 2# <u>3</u> Civil Cover Sheet Part 2 of 2# <u>4</u> Receipt #4522)(jsp) (Entered: 05/31/2007)
05/30/2007	<u>2</u>	Disclosure Statement by MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA, INC., MENU FOODS HOLDINGS, INC., MENU FOODS INCOME FUND, MENU FOODS, INC.. (jsp) (Entered: 05/31/2007)
05/31/2007	<u>3</u>	MOTION to Stay <i>All Proceedings</i> by MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA, INC., MENU FOODS HOLDINGS, INC., MENU FOODS INCOME FUND, MENU FOODS, INC.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P# <u>17</u> Exhibit Q# <u>18</u> Exhibit R# <u>19</u> Exhibit S# <u>20</u> Exhibit T)(Bell, Lynn) (Entered: 05/31/2007)
06/01/2007	<u>4</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution Program. The parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties.(njt) (Entered: 06/01/2007)
06/06/2007	<u>5</u>	MOTION for Extension of Time to File Answer , <i>Plead or File Further Motions</i> by MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA,

INC., MENU FOODS HOLDINGS, INC., MENU FOODS INCOME FUND, MENU FOODS, INC.. (Attachments: # 1 Proposed Order)(Bell, Lynn) (Entered: 06/06/2007)

06/15/2007

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ORDER granting 5 defendants' Motion for Extension of Time to Plea or File Further Motions. Defendants' granted 45-day extension of time to file responsive pleading upon disposition of pending Motion to Stay. Signed by Judge David S. Cercone on 6/14/07. (njt) (Entered: 06/15/2007)

08/21/2007

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Conditional Transfer Order received from the Judicial Panel on Multi-District Litigation. (Attachments: # 1 Letter) (jv) (Entered: 08/21/2007)