

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(NEWARK VICINAGE)**

CIVIL ACTION NO.: 06-CV-688 (DMC)

DEBORAH FELLNER,
Individually and on Behalf of Those
Similarly Situated,

Plaintiffs,

v.

TRI-UNION SEAFOODS, L.L.C.,
d/b/a CHICKEN OF THE SEA,

Defendant.

ORDER

Upon consideration of the motion and other supporting papers in support of and in opposition to the Motion Requesting Judicial Notice of four matters as filed by Defendant Tri-Union Seafoods, L.L.C., and having considered the arguments of counsel, the motion is hereby **GRANTED**, specifically that the Court take Judicial Notice of the following:

_____ - “What You Need to Know About Mercury in Fish and Shellfish,” published by the United States Department of Health and Human Services and the United States Environmental Protection Agency.

_____ - “Backgrounder for the 2004 FDA/EPA Consumer Advisory: What You Need to Know About Mercury in Fish and Shellfish,” published by the United States Department of Health and Human Services and the United States Environmental Protection Agency.

_____ - 8/12/05 Letter from Lester M. Crawford, D.V.M., Ph.D., United States Commissioner of Food and Drugs, to Bill Lockyer, Attorney General of the State of California

_____ - Section 540.600 of the Federal Food and Drug Administration's Compliance Policy Guide that allows up to one part of methyl mercury per million non-mercury parts of the edible portion of seafood.

It is so ORDERED this _____ day of _____, 2006

Hon.
United States District Court

Copies to:

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