

UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**CHAIRMAN:**  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**  
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<http://www.jpml.uscourts.gov>

July 16, 2007



JUL 20 2007

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

William T. Walsh, Clerk  
1050 Mitchell H. Cohen U.S. Courthouse  
400 Cooper Street  
Camden, NJ 08102

Re: MDL-1850 -- IN RE Pet Food Products Liability Litigation

(See Attached CTO-1)

Dear Mr. Walsh:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 28, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,  
Jeffery N. Lüthi  
Clerk of the Panel

By *Thomas A. Moore*  
Deputy Clerk

CO7-575 CO7-684  
CO7-576 CO7-685  
CO7-577  
CO7-634  
CO7-666  
CO7-667  
CO7-668  
CO7-669  
CO7-670

Attachment

cc: Transferee Judge: Judge Noel L. Hillman  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)



07-CV-00575-BCST

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

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 16 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS  
DOCKET NO. 1850  
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
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)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
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		
<del>NV 2 07-686</del>	<del>Maragaret Picus v. Wal-Mart Stores, Inc., et al.</del>	Opposed 7-16-07
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	

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

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DIST. DIV. C.A. #

CASE CAPTION

WAW 2 07-686  
WAW 2 07-687  
WAW 2 07-688  
WAW 2 07-689  
WAW 2 07-690  
WAW 2 07-745  
WAW 2 07-746  
WAW 2 07-747  
WAW 2 07-748  
WAW 2 07-749  
WAW 3 07-5204  
WAW 3 07-5205

Lcrac Dineen v. Menu Foods  
Sandra Shingle v. Menu Foods  
Gary Thomas v. Menu Foods  
Deborah A. Mullen v. Menu Foods  
Helen Percy v. Menu Foods  
Paula Monk v. Menu Foods  
Tony Boyer v. Menu Foods  
Norman Brenton v. Menu Foods  
Lynda Nagel v. Menu Foods  
Teresa Eilers v. Menu Foods  
Jeff Rusiecki v. Menu Foods  
Nancy Guthrie v. Menu Foods

WISCONSIN WESTERN

WIW 3 07-159  
WIW 3 07-248

Jacqueline Johnson v. The Procter & Gamble Co., et al.  
Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

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**DOCKET NO. 1850**  
**IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

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Hon. Amy J. St. Eve  
U.S. District Judge  
1260 Everett McKinley Dirksen  
U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Hon. Edward F. Harrington  
Senior U.S. District Judge  
6130 John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210-3002

Hon. Douglas P. Woodlock  
U.S. District Judge  
4110 John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210-3002

Hon. D. Brock Hornby  
U.S. District Judge  
Edward T. Gignoux Federal Courthouse  
156 Federal Street  
Portland, ME 04101

Hon. Ann D. Montgomery  
U.S. District Judge  
13W U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. Sarah W. Hays  
U.S. Magistrate Judge  
6672 Charles Evans Whittaker U.S.  
Courthouse  
400 East Ninth Street  
Kansas City, MO 64106

Hon. David C. Bramlette  
Senior U.S. District Judge  
P.O. Drawer 928  
Natchez, MS 39121-0928

Hon. Noel L. Hillman  
U.S. District Judge  
United States District Court  
P.O. Box 2706  
Camden, NJ 08102-1570

~~Hon. Roger L. Hunt  
Chief Judge, U.S. District Court  
6018 Lloyd D. George U.S. Courthouse  
333 Las Vegas Boulevard, South  
Las Vegas, NV 89101~~

Hon. Larry R. Hicks  
U.S. District Judge  
804 Bruce R. Thompson U.S. Courthouse  
400 South Virginia Street  
Reno, NV 89501

Hon. Jed S. Rakoff  
U.S. District Judge  
1340 Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Hon. Peter C. Economus  
U.S. District Judge  
313 Federal Building & U.S. Courthouse  
125 Market Street, Room 313  
Youngstown, OH 44503

Hon. Sylvia H. Rambo  
Senior U.S. District Judge  
P.O. Box 868  
Harrisburg, PA 17108

Hon. Mary M. Lisi  
Chief Judge, U.S. District Court  
310 Federal Building & U.S. Courthouse  
One Exchange Terrace  
Providence, RI 02903-1270

Hon. Thomas W. Phillips  
U.S. District Judge  
145 Howard H. Baker, Jr. U.S. Courthouse  
800 Market Street  
Knoxville, TN 37902

Hon. John C. Coughenour  
Senior U.S. District Judge  
16229 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1271

Hon. Robert S. Lasnik  
Chief Judge, U.S. District Court  
15128 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1271

INVOLVED JUDGES LIST (CTO-1) MDL-1850

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Hon. Ricardo S. Martinez  
U.S. District Judge  
13134 United States Courthouse  
700 Stewart Street  
Seattle, WA 98101-1271

Hon. Marsha J. Pechman  
U.S. District Judge  
14229 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1290

Hon. James L. Robart  
U.S. District Judge  
14134 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1290

Hon. Thomas S. Zilly  
Senior U.S. District Judge  
15229 U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101-1290

Hon. Robert J. Bryan  
Senior U.S. District Judge  
4427 U.S. Courthouse  
1717 Pacific Avenue  
Tacoma, WA 98402

Hon. Barbara B. Crabb  
Chief Judge, U.S. District Court  
United States District Court  
P.O. Box 591  
Madison, WI 53701-0591

## INVOLVED CLERKS LIST (CTO-1)

DOCKET NO. 1850

## IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

James W. McCormack, Clerk  
402 U.S. Courthouse  
600 West Capitol Avenue  
Little Rock, AR 72201-3325

Christopher R. Johnson, Clerk  
523 John Paul Hammerschmidt  
Federal Building  
35 East Mountain Street  
Fayetteville, AR 72701-6420

Sherri R. Carter, Clerk  
G-8 U.S. Courthouse  
312 North Spring Street  
Los Angeles, CA 90012

Jack L. Wagner, Clerk  
4-200 U.S. Courthouse  
501 I Street  
Sacramento, CA 95814-2322

Richard W. Wicking, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

W. Samuel Hamrick, Jr., Clerk  
4290 Edward J. Schwartz Federal  
Building  
880 Front Street  
San Diego, CA 92101-8900

Gregory C. Langham, Clerk  
A105 Alfred A. Arraj U.S. Courthouse  
901 19th St.  
Denver, CO 80294-3589

Sheryl L. Loesch, Clerk  
300 George C. Young U.S.  
Courthouse  
80 North Hughey Avenue  
Orlando, FL 32801

Clarence Maddox, Clerk  
Federal Courthouse Square  
301 North Miami Avenue  
Miami, FL 33128-7788

Cameron S. Burke, Clerk  
Fed. Bldg. & U.S. Courthouse  
MSC 039  
550 West Fort Street  
Boise, ID 83724

Michael W. Dobbins, Clerk  
Everett McKinley Dirksen  
U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Sarah Thornton, Clerk  
Clerk's Office - Attn: Sherry Jones  
U.S. District Court  
595 Main Street  
Worcester, MA 01608

Linda L. Jacobson, Clerk  
Edward T. Gignoux U.S.  
Courthouse  
156 Federal Street  
Portland, ME 04101

Richard Sletten, Clerk  
202 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Patricia L. Brune, Clerk  
2710 Charles Evans Whittaker  
U.S. Courthouse  
400 E. Ninth Street  
Kansas City, MO 64106

J.T. Noblin, Clerk  
316 James O. Eastland U.S.  
Courthouse  
245 East Capitol Street  
Jackson, MS 39201

Lance S. Wilson, Clerk  
Bruce R. Thompson U.S. Cthse.  
& Fed. Bldg., Suite 301  
400 South Virginia Street  
Reno, NV 89501

J. Michael McMahon, Clerk  
Daniel Patrick Moynihan U.S.  
Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Geri M. Smith, Clerk  
United States District Court  
2-161 Carl B. Stokes U.S. Courthouse  
801 West Superior Avenue  
Cleveland, OH 44113

Mary E. D'Andrea, Clerk  
P.O. Box 983  
Harrisburg, PA 17108-0983

David A. DiMarzio, Clerk  
356 John O. Pastore Federal Building  
Two Exchange Terrace  
Providence, RI 02903

Patricia L. McNutt, Clerk  
130 Howard H. Baker Jr. U.S.  
Courthouse  
800 Marker Street  
Knoxville, TN 37902

Bruce Rifkin, Clerk  
U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101

Joseph W. Skupniewitz, Clerk  
U.S. District Court  
P.O. Box 432  
Madison, WI 53701-0432