

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

IN RE Pet Foods Products : Civil Action No. 07-2867 (NLH)
Liability Litigation :
: MDL DOCKET NO. 1850
:
: ALL CASES

The Court having held an initial practice and procedure conference pursuant to 28 U.S.C. § 1407(a) on this date; and

The Court having considered the pending motions to appoint interim lead counsel and interim liaison counsel [25, 28, 29, 32, 34] and to stay the MDL proceedings to allow for mediation [68]; and

For the reasons expressed on the record;

IT IS HEREBY on this 26th day of September, 2007

1. **ORDERED** that Plaintiffs' motions to appoint interim lead counsel and interim liaison counsel [29, 32, 34] are **DENIED in part and GRANTED in part** as follows:

Plaintiffs' motions to appoint Lisa J. Rodriguez, Esq. as interim liaison counsel is **GRANTED**; and

Plaintiffs' motions to appoint interim lead counsel are **DENIED WITHOUT PREJUDICE**; and it is further

ORDERED that Plaintiffs' may renew by letter their motions to appoint interim lead counsel no later than December 28, 2007; and it is further

2. **ORDERED** that Defendants' joint motion to appoint lead/liaison counsel [28] is **GRANTED**; and it is further

3. **ORDERED** that the joint motion to stay the MDL proceedings to allow for mediation [68] is **GRANTED** as follows:

All cases in this MDL shall be stayed for 90 days from the date of this Order and the continuation of the initial practice and procedure conference shall be held on Monday, January 7, 2008 at 11:00am in Courtroom 3A on which date liaison counsel for Defendants and Plaintiffs shall report to the Court the status of the mediation; and it is further

4. **ORDERED** that within 30 days of the date of this Order, the parties shall submit to the Court a consent order with respect to the preservation of: a) documents, b) electronic discovery, and (c) evidence. If the parties are unable to submit a consent order with regard to the preservation of (c) evidence only, the parties shall, as set forth on the record, inform the Court of the status of their efforts to effect such a consent order; and it is further

5. **ORDERED** that with regard to the Court's August 28, 2007 Order to Show Cause [23]:

Within 7 days, liaison counsel for Plaintiffs and Defendants shall contact by telephone the four non-party members of the putative class who contacted this Court by telephone expressing a desire to settle with Menu Foods; and

Within 7 days thereafter, Defendants shall prepare a proposed communication directed at the eight non-parties who

contacted this Court by telephone or by letter regarding their request to settle directly with Menu Foods, which Plaintiffs' liaison counsel will distribute to all other plaintiffs' counsel for review; and

Within 7 days thereafter, submit the proposed communication to the Court for approval for dissemination to the eight non-parties along with any opposition expressed by other counsel.

s/ Noel L. Hillman

At Camden, New Jersey

NOEL L. HILLMAN, U.S.D.J.