

MENU FOODS CLASS ACTION

The Proposed Settlement

Following a series of mediations conducted since October 26, 2007, the parties have reached a proposed settlement of all claims relating to the manufacture, distribution or sale of the Recalled Pet food. The proposed settlement encompasses 180 brands of pet food and pet treats produced by twelve different manufacturers, including Menu Foods, and distributed, marketed and sold by dozens of retailers.

The proposed settlement provides for the creation of a \$24 million settlement fund, which will be used to pay for the economic losses sustained by those who purchased the recalled pet food or fed it to their pets. While losses supported by documents will be compensated more fully, the settlement also provides for some payment for certain undocumented economic losses, subject to review and decision by the Claims Administrator. Any money left over after all claims are paid will be donated to animal welfare charities in Canada and in the U.S.

The settlement will be subject to approval by the courts in the U.S. and in Canada, and is NOT FINAL UNTIL THAT TIME. The settlement received preliminary approval in the U.S. on May 30, 2008. We anticipate that preliminary hearings will be scheduled in Canada during the month of June 2008. At those hearings, the Canadian courts will be asked to approve notices to class members with information regarding the proposed terms of the settlement, eligibility criteria and claims process. The final hearings to approve the settlement in Canada will take place after notice has been given to class members, and likely in late October 2008.

Claims Process

There will be a claims period in which eligible class members can make claims for compensation pursuant to the terms of the settlement agreement. This claims period will be different for US and Canadian residents given the different dates for approval in the various courts.

In Canada, eligible class members will be able to make claims for compensation after Notice of Certification is approved by our Courts, which we expect will occur in the preliminary hearings in late June or early July 2008. Further information on how to make a claim will be posted on this website at that time. Details of the claims process will also be posted on a dedicated settlement website, which will also be established within the next few weeks at www.petfoodsettlement.com.

If you have previously provided your contact information to our firm, we will provide direct notice to you on how to make a claim at the commencement of the claims period.