

**IF YOU PURCHASED OR YOUR PET(S) CONSUMED RECALLED PET FOOD, YOU  
MAY BE ELIGIBLE TO PARTICIPATE IN A CLASS ACTION SETTLEMENT**

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

**United States District Court for the District of New Jersey  
In re Pet Food Products Liability Litigation, MDL No. 1850**

**WHO IS INCLUDED?**

If you purchased, used or obtained, or your pet used or consumed pet food and/or pet treats that were recalled between March 16, 2007 and the present because they allegedly contained contaminated wheat gluten or rice protein concentrate ("Recalled Pet Food Products"), you may be eligible to participate in a class action settlement and obtain compensation. This Notice is just a summary. For more complete information, you should read the Full Notice and refer to the list of Recalled Pet Foods, which are available at [www.petfoodsettlement.com](http://www.petfoodsettlement.com) or by calling the Claims Administrator at 1-800-392-7785.

**WHAT ARE THE LAWSUITS ABOUT?**

Plaintiffs allege through lawsuits filed in the United States and Canada that various companies and other defendants manufactured, distributed, sold and/or marketed Recalled Pet Food Products, and that as a result of contamination, persons who purchased or whose pets consumed the Recalled Pet Food Products were damaged. The lawsuits allege that some pets were taken for health screening, or may have become sick and/or died after consuming the Recalled Pet Food Products. Defendants have denied any wrongdoing.

**WHAT ARE THE SETTLEMENT TERMS?**

The Proposed Settlement provides for the creation of a \$24 million cash Settlement Fund from which eligible consumers may receive up to a 100% cash payment of reasonable, documented economic damages which means expenses incurred as a result of their purchase or their pet's consumption of Recalled Pet Food Products. In addition to compensation for expenses supported by documentation, consumers may also receive payment of up to \$900 for other reasonable and valid economic damages for which they do not have documentation. Expenses may include veterinary screening or treatment costs, death-related expenses, pet purchase or new pet costs, property damage and other costs.

**WHAT ARE YOUR OPTIONS?**

If you wish to remain a member of the Settlement Class, you do not have to do anything. *But, to obtain any settlement benefits you must file a claim.* If the Court approves the Proposed Settlement, you will be bound by all the Court's orders, the release and other provisions of the Settlement Agreement. This means you will give up any legal rights you may have against defendants and other released entities and individuals covered by the Settlement, regardless of whether you file a claim.

If you wish to make a claim, you must complete, sign, and return a Claim Form, along with any accompanying documentation, to the Claims Administrator at the address listed at the end of this Notice. You may obtain a Claim Form by calling the toll-free number 1-800-392-7785 or by visiting the Settlement Website [www.petfoodsettlement.com](http://www.petfoodsettlement.com) to download a form. **Claim Forms must be postmarked no later than November 24, 2008.**

If you do not wish to participate in the the Settlement, you must send a written exclusion request, containing your name, address and telephone number, to the Claims Administrator at the address listed at the end of this notice, postmarked **no later than August 15, 2008.** If you request to be excluded from the Settlement Class, you cannot make a claim in, or object to, this Settlement.

If you wish to appear at the Final Approval Hearing or comment or object to this Proposed Settlement, you must submit to the

Court a written objection and/or notice to appear by following the procedures and deadlines described in the Full Notice by **no later than September 12, 2008.** The Full Notice is available at [www.petfoodsettlement.com](http://www.petfoodsettlement.com). A copy of your comment or objection must also be sent by first class mail to one of the attorneys for the Settlement Class ("Class Counsel") and one of the attorneys for Defendants, **no later than September 12, 2008.** A list of the attorneys is provided on the Full Notice, available at [www.petfoodsettlement.com](http://www.petfoodsettlement.com).

**WILL THE COURT APPROVE THE PROPOSED SETTLEMENT?**

This Court granted preliminary approval of the Settlement, and will hold a Final Approval Hearing on **October 14, 2008 at 9:30 a.m.** in the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Room 1050, Camden, NJ 08101 to consider whether the Proposed Settlement is fair, reasonable, and adequate and to consider Class Counsel's request for attorneys' fees and reimbursement of expenses.

**DOES THE SETTLEMENT APPLY TO CANADIANS?**

The same settlement terms apply to Canadian residents and approval of the Settlement will be sought in various Canadian courts. However, there will be different timelines for completion of the various steps required for Canadian residents to make a claim, or to seek to be excluded from the settlement. If you are a Canadian resident and you purchased, used or obtained, or your pet used or consumed Recalled Pet Food Products, please visit the Canadian page at [www.petfoodsettlement.com](http://www.petfoodsettlement.com), or contact the Claims Administrator at 1-800-392-7785 for information on the Canadian settlement and claims process.

**WHO REPRESENTS ME?**

This Court has appointed Class Counsel to represent the Class. Class Counsel will request the Court for an award of attorneys' fees in an amount not to exceed 25% of the Settlement Fund and for reimbursement of expenses incurred in the cases pending in the consolidated United States action. In addition, Canadian attorneys will seek attorneys' fees in an amount not to exceed 6% of the Settlement Fund and for reimbursement of expenses incurred in the Canadian actions. You may hire your own attorney, if you wish. However, you will be responsible for that attorney's fees and expenses.

**WHERE CAN I OBTAIN MORE INFORMATION?**

For more information, you can view the court file in the Clerk's Office at the courthouse address above, visit the settlement website: [www.petfoodsettlement.com](http://www.petfoodsettlement.com), or contact the Claims Administrator:

In Re Pet Food Products Liability Litigation  
Claims Administrator  
c/o Heffler, Radetich & Saitta LLP  
P.O. Box 890  
Philadelphia, PA 19105-0890  
1-800-392-7785  
[claims@petfoodsettlement.com](mailto:claims@petfoodsettlement.com)

**Please Do Not Contact The Court Or The Clerk Of The Court Concerning This Notice.**

By Order of the Court Dated: **May 30, 2008**  
THE HONORABLE JUDGE NOEL L. HILLMAN  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**QUESTIONS? VISIT [WWW.PETFOODSETTLEMENT.COM](http://WWW.PETFOODSETTLEMENT.COM) OR CALL TOLL-FREE 1-800-392-7785**