

Proposed \$24 million settlement in recall of approximately 180 brands of pet food announced

VANCOUVER, June 2 /CNW/ - A series of mediations conducted since October 26, 2007 has resulted in a proposed North-American settlement of all claims relating to the pet food that was subject to recalls commencing March 16, 2007. The recalls, which began with Menu Foods Income Fund's March 2007 recall ultimately included approximately 180 brands of pet food and pet treats produced by 12 different manufacturers and were distributed, marketed and sold by dozens of retailers in the United States and Canada.

The settlement provides for the creation of a USD\$24 million settlement fund, which will be used to pay for the economic losses sustained by those who purchased the recalled pet food or pet treats or fed it to their pets. While losses supported by documents will be compensated more fully, the settlement also provided 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 United States.

The settlement will be subject to approval by the courts in the United States and Canada. The settlement received preliminary approval in the United States on May 30, 2008. At preliminary hearings to be held in Canada, 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 date for the preliminary Canadian hearings has not yet been set but it is anticipated they will occur in late June, 2008. The final hearings to approve the settlement in Canada will take place after notice has been given to class members, likely in late October, 2008.

The Canadian claims were prosecuted by members of a national consortium of law firms comprised of Branch MacMaster, Sutts Strosberg LLP, Rochon Genova LLP, Falconer Charney LLP, Himelfarb Proszanski LLP; Pollock & Company; Barry Spalding Lawyers; Wagners Law Firm; Docken & Company and Merchant Law Group.