

Duplicate Original

**AFFIDAVIT OF PROCESS SERVER**

In The United States District Court for the Western District of Arkansas - Texarkana Division

Kirby Cooper, Individually and on behalf of all others  
Similarly situated  
Plaintiff(s)  
v  
Menu Foods Midwest Corporation, et al  
Defendant(s)

Case No: 07-4036

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

**Service:** I served Menu Foods Midwest Corporation

With the (documents) Summons; Complaint; and Notice of Availability of a United States Magistrate Judge to Exercise Jurisdiction

Person Served: Scott LaScala of The Corporation Trust Company, Registered Agent

Service Address: The Corporation Trust Company, 1209 N. Orange St., Wilmington, Delaware 19801

Date of Service: May 1, 2007

Time of Service: 1:50 p.m.

**Manner of Service:** (X) By personally delivering copies to the person/authorized agent of entity being served.

( ) By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof

( ) By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 or older and explaining the general nature of the papers.

( ) By posting copies in a conspicuous manner to the address of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):


- ( ) Unknown at address      ( ) Evading                      ( ) Moved, left no forwarding      ( ) Other
- ( ) Address does not exist      ( ) Service canceled by Litigant      ( ) Unable to serve in a timely fashion

**Description:** Age: 40's Sex: M Race: W Hgt: 5'10" Wgt: 170 Hair: Brown Glasses: No

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on:

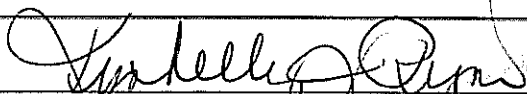
May 14, 2007                      at Wilmington,      Delaware  
Date                                      City                                      State

State of Delaware  
County of New Castle

  
Daniel Newcomb, Process Server  
Delaware Attorney Services  
2000 Pennsylvania Avenue, Suite 207  
Wilmington, DE 19806 (302) 429-0657

Subscribe and sworn before me a Notary Public of the State of Delaware on May 14, 2007

Witness My Hand and Official Seal To

  
Kimberly J. Ryan, My Commission Expires 6/15/08  
Notary Public, State of Delaware

**KIMBERLY J. RYAN**  
**NOTARY PUBLIC-DELAWARE**  
My Commission Expires: June 15, 2008