

U.S. Department of Justice
United States Marshals Service



REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS

DEMANDE
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION À L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 novembre 1965.

<p>Identity and address of the applicant <i>Identité et adresse du requérant</i></p> <p>Jason M. Hatfield, Esq. Lundy & Davis, LLP 300 N. College Ave., Suite 309 Fayetteville, AR 72701 USA (479) 527-3921</p>	<p>Address of receiving authority <i>Adresse de l'autorité destinataire</i></p> <p>Ministry of the Attorney General Ontario Court of Justice 393 Main Street, Box 1208 Haileybury, Ontario Canada POJ 1K0</p>
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The undersigned applicant has the honour to transmit – in duplicate – the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., (identity and address)

Le requérant soussigné a l'honneur de faire parvenir – en double exemplaire – à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, à savoir:
(identité et adresse)

Menu Foods Income Fund, 8 Falconer Drive, Streetsville, Ontario L5N 1B1

- (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5 alinéa premier, lettre a).
- (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b) :
- (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*:
c) le cas échéant, par remise simple (article 5, alinéa 2).

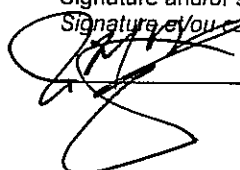
The authority is requested to return or to have returned to the applicant a copy of the documents and of the annexes with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents
Énumération des pièces

Summons with attached Complaint and Notice of Availability of a Magistrate

Done at Fayetteville, AR USA, the 04/23/2007
Fait à _____, le _____

Signature and/or stamp
Signature et/ou cachet


Jason M. Hatfield

*Delete if inappropriate
Rayer les mentions inutiles.

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served *

1) que la demande a été exécutée

- the (date) - le (date)

- at (place, street, number) - à (localité, rue, numéro)

May 29, 2007

8 Falconer Dr, Mississauga, ON
CANADA

- in one of the following methods authorized by article 5:

- dans une des formes suivantes prévues à l'article 5:

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.
a) selon les formes légales (article 5, alinéa premier, lettre a)

(b) in accordance with the following particular method:
b) selon la forme particulière suivante:

(c) by delivery to the addressee, who accepted it voluntarily.*
c) par remise simple.

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à:

- (identity and description of person)
- (Identité et qualité de la personne)

Mark Weins

- relationship to the addressee family, business or other
- liens de parenté de subordination ou autres avec le destinataire de l'acte:

C.F.O.

2) that the document has not been served, by reason of the following facts*:
2) que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

ANNEXES
Annexes

Documents returned:
Pièces renvoyées

In appropriate cases, documents establishing the service:
Le cas échéant, les documents justificatifs de l'exécution:

AS on, "Request for Service"

Done at Brampton, the 7th day
Fait à Canada le of June,
2007

Signature and/or stamp
Signature et/ou cachet
Alan Davidson, Sheriff's Officer
Peel Region

SUMMARY OF THE DOCUMENT TO BE SERVED
ÉLÉMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents In civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 novembre 1965.

(article 5, fourth paragraph)
(article 5, alinéa quatre)

Name and address of the requesting authority:

Nom et adresse de l'autorité requérante:

Jason M. Hatfield, Esq., Lundy & Davis, LLP, 300 N. College Ave., #309, Fayetteville, AR 72701 USA

Particulars of the parties:

Identité des parties:

Kirby Cooper, et al. v. Menu Foods Income Fund, et al.

JUDICIAL DOCUMENT
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Nature et objet de l'instance, le cas échéant, le montant du litige:

Date and place for entering appearance:

Date et lieu de la comparution:

Court which has given judgment:**

Jurisdiction qui a rendu la décision:

Dale of judgment:**

Date de la décision:

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

EXTRAJUDICIAL DOCUMENT
ACTE EXTRAJUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

Service of Complaint filed in the U.S. District Court of Arkansas, Texarkana Division

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

Twenty (20) Days to Respond to Complaint

FD-40 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

WESTERN District of ARKANSAS
TEXARKANA DIVISION

KIRBY COOPER, Individually and on behalf
of all others similarly situated,

Plaintiffs

SUMMONS IN A CIVIL ACTION

V.

MENU FOODS MIDWEST CORPORATION, MENU FOODS
INCOME FUND, MENU FOODS SOUTH DAKOTA INC.,
MENU FOODS INC., MENU FOODS HOLDINGS,
INC. AND WAL-MART STORES, INC.

CASE NUMBER:

07-4036

Defendants

TO: (Name and address of Defendant)

MENU FOODS INCOME FUND
by Service of an Officer/Director
8 Falconer Drive
Steetsville, ON
Canada L5N 1B1

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jason M. Hatfield
Lundy & Davis, LLP
300 N. College Ave., Suite 309
Fayetteville, AR 72701 USA
(479) 527-3921
(479) 587-9196 (fax)
jhatfield@lundydavis.com

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CHRISTOPHER R. JOHNSON

CLERK

Charlotte Powell

(By) DEPUTY CLERK

4/13/07

DATE