



DISTRICT Court Of ARKANSAS

ARKANSAS Venue

Docket Number: 07 4036

KIRBY COOPER, ET ALS  
vs.  
MENU FOODS INCOME FUND, ET ALS

Plaintiff  
Defendant

Person to be served (Name and Address):  
MENU FOODS, INC.  
C/O REGISTERED AGENT FOR SERVICE CORPORATION TRUST COMPANY  
820 BEAR TAVERN ROAD  
WEST TRENTON NJ 08528  
By serving: MENU FOODS, INC.

**AFFIDAVIT OF SERVICE**  
(For Use by Private Service)

Cost of Service pursuant to R. 4:4-3(c)

\$ \_\_\_\_\_

Attorney: JASON M. HATFIELD, ESQ  
Papers Served: SUMMONS AND COMPLAINT

Service Data:  Served Successfully  Not Served

Date/Time: 04/24/2007 01:07PM

- Delivered a copy to him/her personally
- Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)
- Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. (indicate name & official title at right)

Attempts: \_\_\_\_\_  
Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_

Name of Person Served and relationship/title:  
ANNMARIE CONTI  
FULFILLMENT SPECIALIST

**Description of Person Accepting Service:**

SEX: F AGE: 21-35 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: \_\_\_\_\_

**Unserved:**

- Defendant is unknown at the address furnished by the attorney
- All reasonable inquiries suggest defendant moved to an undetermined address
- No such street in municipality
- Defendant is evading service
- No response on: \_\_\_\_\_  
Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_  
Date/Time: \_\_\_\_\_

Other: \_\_\_\_\_

**Served Data:**

Subscribed and Sworn to me this  
24 day of April, 2007

Notary Signature: [Signature]  
CHERYL M. DE VERA  
NOTARY PUBLIC OF NEW JERSEY  
Name of Notary Commission Expiration  
My Commission Expires April 6, 2011

I, JAMES NUNN  
was at the time of service a competent adult  
not having a direct interest in the litigation.  
I declare under penalty of perjury that the  
foregoing is true and correct.

[Signature] 4/24/2007  
Signature of Process Server Date

RR

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, INC.

c/o Registered Agent for Service Corporation Trust Company 820 Bear Tavern Road West Trenton, NJ 08628

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 (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

DATE

4/13/07