Doc. 5

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS **FAYETTEVILLE DIVISION**

| SANDRA L. GRAY individually and |) | |
|--|---|------------------|
| NICK JACKSON and DEENA JACKSON |) | |
| As husband and wife and |) | Case No. 07-5065 |
| All others Persons Similarly Situated, |) | |
| · |) | |
| Plaintiffs |) | |
| |) | |
| ν, |) | |
| |) | • |
| MENU FOODS; MENU FOODS |) | |
| INCOME FUND; MENU FOODS |) | |
| GEN PAR LIMITED; MENU FOODS |) | |
| LIMITED PARTNERSHIP; MENU |) | |
| FOODS OPERATING PARTNERSHIP; |) | |
| MENU FOODS MIDWEST CORP; |) | |
| MENU FOODS SOUTH DAKOTA; |) | |
| MENU FOODS, INC.; MENU FOODS |) | |
| HOLDINGS, INC.; WAL-MART |) | |
| STORES, INC.; XUZHOU ANYING |) | |
| BIOLOGIC TECHNOLOGY |) | |
| DEVELOBMENT COLUMN | Š | |

Defendants

STATEMENT WITH RESPECT TO SERVICE

Comes now the undersigned attorney and for his Affidavit states:

That on or about the 17th day of April, 2007, the undersigned sent by certified mail a copy of a Summons and Complaint to Menu Foods, Inc., defendant herein. The Domestic Return Receipt card was signed by the defendant or an agent thereof on April 23, 2007, and is attached hereto confirming service upon the Defendant.

Bill G. Horton

| STATE OF ARKANSAS |) |
|-------------------|------|
| |) SS |
| COUNTY OF BENTON |) |

Subscribed and sworn to before me, the undersigned Notary Public, within and for the County and State aforesaid on this \angle^{th} day of May, 2007.

Notary Public

My Commission Expires: 11/17/16



| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the malipiece, or on the front if space permits. | A. Signature X |
| Menu Foods Inc Corp. Trust Co. 820 Bear Tavern Rd | D. he delivery address different from item 10 Yes. If YES, enter delivery address bolow. No RESTRICTED DELIVEDY |
| 820 Bear Tavern Kd West Trenton NJ 108628 | 3. Service Type Contified Mail |
| 7005 1820 0005 9760 8327 | |
| PS Form 3811, February 2004 Domestic R | eturn Receipt 1025ps.op.et.suc / |