

**RETURN OF SERVICE**

State of Florida

County of Southern

Court

Case Number: 07-21221 CIV ALTONAGA/TURNOFF

Plaintiff:

**RENEE BLASKOWSKI, ET AL.,**

vs.

Defendant:

**MARS, INC., ET AL.,**

For:

Cathrine Macivor  
Maltzman Foreman, PA  
2 S Biscayne Blvd.  
Ste. 2300

Received by T.C. Mann, Inc. on the 30th day of July, 2007 at 12:00 pm to be served on **THE KROGER CO. OF OHIO C/O CORPORATION SERVICE COMPANY, R.A., 1201 HAYS STREET, TALLAHASSEE, FL 32301.**

I, Christopher M. Compton, do hereby affirm that on the **31st day of July, 2007 at 1:00 pm, I:**

**CORPORATE:** served by delivering a true copy of the **Summons in a Civil Case and Corrected Amended Class Action Complaint** with the date and hour of service endorsed thereon by me, to: **KIM GLOVER as OPERATION SPECIALIST for THE KROGER CO. OF OHIO C/O CORPORATION SERVICE COMPANY, R.A.,** at the address of: **1201 HAYS STREET, TALLAHASSEE, FL 32301,** and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the Second Judicial Circuit in which the process was served. Under penalty of perjury I declare I have read the foregoing documents and that the facts stated in it are true. Notary not required pursuant to FL Statute 92.525 Sec (2).



**Christopher M. Compton**  
Process Server # 101

**T.C. Mann, Inc.**  
**1001 N America Way**  
**Suite 107**  
**Miami, FL 33132**  
**(305) 577-0220**  
Our Job Serial Number: 2007104157

*Copy*

**BILL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 07-21221 CIV ALTONAGA/Turnoff

RENEE BLASZKOWSKI, AMY HOLLUB, PATRICIA DAVIS,  
SUSAN PETERS, DEBORAH HOCK, MIKE FLOYD,  
BETH WILSON, CLAIRE KOTZAMPALTIRIS,  
DONNA HOPKINS-JONES, NICOLE PIAZZA,  
MARIAN LUPO, JANE HERRING, JO-ANN MURPHY,  
STEPHANIE STONE, PATRICIA HANRAHAN,  
DEBBIE RICE, ANN QUINN, SHARON MATHIESEN,  
SANDY SHORE, CAROLYN WHITE, LOU WIGGINS,  
MICHELLE LUCARELLI, RAUL ISERN, DANIELE VALORAS  
individually and on behalf of  
others similarly situated,

Plaintiffs/Class Representatives,  
vs.

MARS INC., MARS PETCARE US, INC.,  
PROCTER AND GAMBLE CO., THE IAMS CO.,  
COLGATE PALMOLIVE COMPANY,  
DEL MONTE FOODS, CO.,  
NESTLÉ USA INC., NESTLÉ PURINA  
PETCARE CO., NESTLE S.A., NUTRO PRODUCTS INC.,  
MENU FOODS, INC., MENU FOODS INCOME FUND,  
DOANE PET CARE ENTERPRISES, INC.,  
PUBLIX SUPER MARKETS, INC.,  
NEW ALBERTSON'S INC., ALBERTSON'S LLC,  
THE KROGER CO. OF OHIO, SAFEWAY INC.,  
H. E. BUTT GROCERY COMPANY,  
MEIJER INC., MEIJER SUPER MARKETS, INC.,  
THE STOP & SHOP SUPERMARKET COMPANY,  
PETCO ANIMAL SUPPLIES STORES, INC.,  
PET SUPERMARKET, INC., PET SUPPLIES "PLUS,"  
PET SUPPLIES PLUS/USA INC.,  
PETSMART INC., TARGET CORP.,  
WAL-MART STORES, INC.,

Defendants.

Filed 7/31/07 Time 10:00  
P.S. Dmc  
Printed Name  
Entered in the Clerk's Court of  
2nd Judicial Circuit # 101

**JUL 27 2007**

*SUMMONS IN A CIVIL CASE*

TO: **THE KROGER CO. OF OHIO**  
**Registered Agent – Corporation Service Company**  
1201 Hays Street  
Tallahassee, FL 32301

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY(S):

Catherine J. MacIvor  
Florida Bar No. 932711  
Maltzman Foreman, P.A.  
One Biscayne Tower  
2 South Biscayne Boulevard, Suite 2300  
Phone: 305-358-6555/Facsimile: 305-374-9077

an Answer to the Amended Complaint which is herewith served upon you, within twenty (20) days after service of this Summons upon 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. You must also file your Answer with the Clerk of this Court within a reasonable time after service.

\_\_\_\_\_  
*Clarence Maddox*  
CLERK

\_\_\_\_\_  
AUG 27 2007  
DATE

\_\_\_\_\_  
(BY) DEPUTY CLERK

Dated: \_\_\_\_\_, 2007  
Miami, FL

\_\_\_\_\_  
CATHERINE J. MACIVOR (FBN 932711)  
[cmacivor@mlegal.com](mailto:cmacivor@mlegal.com)  
JEFFREY B. MALTZMAN (FBN 0048860)  
[jmaltzman@mlegal.com](mailto:jmaltzman@mlegal.com)  
JEFFREY E. FOREMAN (FBN 0240310)  
[jforeman@mlegal.com](mailto:jforeman@mlegal.com)  
DARREN W. FRIEDMAN (FBN 0146765)  
[dfriedman@mlegal.com](mailto:dfriedman@mlegal.com)  
MALTZMAN FOREMAN, PA  
One Biscayne Tower  
2 South Biscayne Boulevard -Suite 2300  
Miami, Florida 33131  
Tel: 305-358-6555 / Fax: 305-374-9077  
Attorneys for Plaintiffs



**CORRECTED AMENDED CLASS ACTION COMPLAINT**  
(Correcting scrivener's errors in text of Amended Complaint only)

1. Plaintiffs/Class Representatives, Renee Blaszkowski ("Blaszkowski"), Amy Hollub ("Hollub"), Patricia Davis ("Davis"), Susan Peters ("Peters"), Deborah Hock ("Hock"), Mike Floyd ("Floyd"), Beth Wilson ("Wilson"), Claire Kotzampaltiris ("Kotzampaltiris"), Donna Hopkins-Jones ("Hopkins-Jones"), Nicole Piazza ("Piazza"), Marian Lupo ("Lupo"), Jane Herring ("Herring"), Jo-Ann Murphy ("Murphy"), Stephanie Stone ("Stone"), Patricia Hanrahan ("Hanrahan"), Debbie Rice ("Rice"), Ann Quinn ("Quinn"), Sharon Mathisen ("Mathiesen"), Sandy Shore ("Shore"), Carolyn White ("White"), Lou Wiggins ("Wiggins"), Michelle Lucarelli (Lucarelli), Raul Isern (Isern") and Danielle Valoras ("Valoras") (hereinafter collectively referred to as Plaintiffs/Class Representatives"), individually and on behalf of others similarly situated, file this Class Action Complaint against Defendants, Mars Inc., a Delaware corporation, Mars Petcare U.S. Inc., a Delaware corporation, Procter & Gamble Co., an Ohio corporation, the Iams Co., an Ohio Corporation, Colgate Palmolive Company, a Delaware corporation, Hill's Pet Nutrition, a Delaware corporation, Del Monte Foods Co., a Delaware corporation, Nestlé USA, Inc., a Connecticut corporation, Nestlé Purina Petcare Co., a Missouri corporation, Nestlé, S.A., a Swiss corporation, Nutro Products, Inc., a California corporation, Menu Foods, Inc., a New Jersey corporation, Menu Foods Income Fund, a Canadian unincorporated open-ended trust, Doane Pet Care Enterprises, Inc., a Delaware corporation, Publix Super Markets, Inc., a Florida corporation, New Albertson's, Inc., a Delaware corporation, Albertson's LLC, a Delaware corporation, The Kroger Co. of Ohio, an Ohio corporation, Safeway Inc., a Delaware corporation, H.E. Butt Grocery Company, a Texas corporation, Meijer Inc., a Michigan corporation, Meijer Super Markets Inc., a Michigan corporation, Mars Petcare US, Inc., a Delaware corporation, The Stop & Shop Supermarket Co., a Delaware corporation, Petco

### AMENDED CLASS ACTION COMPLAINT

1. Plaintiffs/Class Representatives, Renee Blaszkowski (“Blaszkowski”), Amy Hollub (“Hollub”), Patricia Davis (“Davis”), Susan Peters (“Peters”), Deborah Hock (“Hock”), Mike Floyd (“Floyd”), Beth Wilson (“Wilson”), Claire Kotzampaltiris (“Kotzampaltiris”), Donna Hopkins-Jones (“Hopkins-Jones”), Nicole Piazza (“Piazza”), Marian Lupo (“Lupo”), Jane Herring (“Herring”), Jo-Ann Murphy (“Murphy”), Stephanie Stone (“Stone”), Patricia Hanrahan (“Hanrahan”), Debbie Rice (“Rice”), Ann Quinn (“Quinn”), Sharon Mathisen (“Mathiesen”), Sandy Shore (“Shore”), Carolyn White (“White”), Lou Wiggins (“Wiggins”), Michelle Lucarelli (Lucarelli), Raul Isern (Isern”) and Danielle Valoras (“Valoras”) (hereinafter collectively referred to as Plaintiffs/Class Representatives”), individually and on behalf of others similarly situated, file this Class Action Complaint against Defendants, Mars Inc., a Delaware corporation, Mars Petcare U.S. Inc., a Delaware corporation, Procter & Gamble Co., an Ohio corporation, the Iams Co., an Ohio Corporation, Colgate Palmolive Company, a Delaware corporation, Del Monte Foods Co., a Delaware corporation, Nestlé USA, Inc., a Connecticut corporation, Nestlé Purina Petcare Co., a Missouri corporation, Nestlé, S.A., a Swiss corporation, Nutro Products, Inc., a California corporation, Menu Foods, Inc., a New Jersey corporation, Menu Foods Income Fund, a Canadian unincorporated open-ended trust, Doane Pet Care Enterprises, Inc., a Delaware corporation, Publix Super Markets, Inc., a Florida corporation, New Albertson’s, Inc., a Delaware corporation, Albertson’s LLC, a Delaware corporation, The Kroger Co. of Ohio, an Ohio corporation, Safeway Inc., a Delaware corporation, H.E. Butt Grocery Company, a Texas corporation, Meijer Inc., a Michigan corporation, Meijer Super Markets Inc., a Michigan corporation, Mars Petcare US, Inc., a Delaware corporation, The Stop & Shop Supermarket Co., a Delaware corporation, Petco Animal Supplies Stores, Inc., a Delaware corporation, Pet

2 PK TALL  
Makler Forman

FLAGLER POST OFFICE  
MIAMI, Florida  
331019998  
1158540102 -0091  
07/28/2007 (800)275-8777 09:11:24 AM

Product Description	Sales Receipt Sale Qty	Unit Price	Final Price
TALLAHASSEE FL 32301 Zone-4 Priority Mail 7 lb. 2.2 oz.			
Issue PVI:			\$11.00
TALLAHASSEE FL 32301 Zone-4 Priority Mail 6 lb. 15.40 oz.			
Issue PVI:			\$11.00
Total:			\$22.95
Paid by:			\$23.00
Cash			-\$0.05
Change Due:			

Order stamps at USPS.com/shop or call 1-800-Stamp24. Go to USPS.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Bill#: 1000900497313  
Clerk: 17

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

\*\*\*\*\*  
\*\*\*\*\*

HELP US SERVE YOU BETTER

Go to: <http://gx.gallup.com/pos>

TELL US ABOUT YOUR RECENT  
POSTAL EXPERIENCE

YOUR OPINION COUNTS

\*\*\*\*\*  
\*\*\*\*\*

Customer Copy