

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 07-21221-CIV-ALTONAGA/TURNOFF

RENEE BLASZKOWSKI, AMY HOLLUM, 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., PROCTOR AND GAMBLE, CO., THE IAMS CO., COLGATE PALMOLIVE COMPANY, HILL'S PET NUTRITION, a Delaware Corporation, DEL MONTE FOODS, CO., NESTLE USA INC., NESTLE PURINA PETCARE CO., NESTLE S.A., NUTRO PRODUCTS INC., MENU FOODS, INC., MENU FOODS INCOME FUND, DOANE PET CARE ENTERPRISES, INC., PUBLIX SUPERMARKETS, 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.

**AFFIDAVIT OF ROBERT VERHEULEN IN SUPPORT OF
THE MOTION TO DISMISS FILED BY THE DEFENDANT MEIJER, INC.**

STATE OF MICHIGAN

COUNTY OF Kent

Before me, the undersigned authority, personally appeared Robert VerHeulen, who upon being duly sworn, deposes and states:

1. My name is Robert VerHeulen. I am over the age of eighteen (18) years old, am competent to testify and have personal knowledge of the facts contained in this Affidavit;

2. I am a vice president and deputy general counsel of Meijer, Inc.;

3. Meijer, Inc. is a Michigan corporation with its principal place of business in Grand Rapids, Michigan;

4. Meijer, Inc. does not own or operate any grocery stores in the State of Florida;

5. Meijer, Inc. is not qualified to do business in the State of Florida. It neither has a principal place of business in Florida nor has any offices or agents in Florida;

6. Meijer, Inc. does not own or lease tangible personal or real property in the State of Florida and does not have any telephone listing, bank account or mailing address in Florida;

7. At all times relevant to the allegations in the above-styled action, Meijer, Inc. did not engage in any advertisement, marketing or sale of pet food or other products from retail stores located in the State of Florida; and

8. Meijer Super Markets, Inc. does not exist as a legal entity.

FURTHER AFFLIANT SAYETH NAUGHT



ROBERT VERHEULEN

ACKNOWLEDGMENT

I HEREBY CERTIFY that on this 19th day of September 2007, personally appeared Robert VerHeulen, who is personally known to me or who produced the following identification MI Drivers License and he swore, subscribed and acknowledged before me that he executed the foregoing as his free act and deed as such officer or representative of said corporation or entity, for the uses and purposes therein mentioned, and that he did take an oath.

In witness whereof, I have hereunto set my hand and seal in Kent County
Michigan

SEAL



Signature