

EXHIBIT A

AFFIDAVIT OF JULIE T. BACKE

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

BEFORE ME, this date, personally appeared Julie T. Backe who, after being duly sworn, deposes and says:

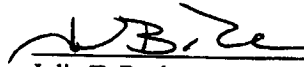
My name is Julie T. Backe and I am Assistant Corporate Secretary of New Albertson's, Inc., a Delaware corporation ("New Albertsons"). The following facts are within my personal knowledge, are facts of which I have been informed, or are facts that are disclosed by the books and records of New Albertson's, Inc.

1. Attached hereto as Exhibit A to this Affidavit is a true and correct copy of the list of current directors and officers of New Albertsons as of October 26, 2007.
2. New Albertsons filed an Affidavit of Officer and Director Change with the Florida Secretary of State's Office on August 3, 2006. The inclusion of Richard R. Bunnell as Vice President – Regional Supply Chain, Florida, Eastern Division, and Gerald T. Melville as Vice President – Florida Operations, Eastern Division, on the list of Directors and Officers was the result of clerical oversight following the sale of Albertson's, Inc. in June 2006.
3. Mr. Bunnell, who had been employed by Albertson's, Inc., became an employee and officer of Albertson's LLC after the sale. Mr. Bunnell was never an employee of New Albertsons.
4. Mr. Melville is employed by New Albertsons as Senior Vice President of Operations, Eastern Division, but is based in Pennsylvania, not Florida. Mr. Melville relocated to Pennsylvania shortly before the sale of the company. His Eastern Division job responsibilities do not include Florida.
5. As I stated in my earlier affidavit, New Albertsons does not own or operate any Albertsons stores in Florida, nor does it conduct any retail operations in the state.

FURTHER AFFIANT SAYETH NAUGHT.


Julie Backe, being duly sworn, deposes and says that the foregoing is true and correct to the best of her knowledge, information and belief.

DATED this 29th day of October, 2007.



Julie T. Backe

SWORN TO AND SUBSCRIBED before me this 27th day of October, 2007.



NOTARY PUBLIC

My commission expires: 8-16-11

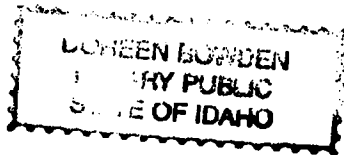


EXHIBIT A
to
Affidavit of
Julie T. Backe

10/26/2007

DIRECTORS AND OFFICERS**NEW ALBERTSON'S, INC.**

<u>Director</u>	<u>Title</u>
David L. Boehnen	Director
John P. Breedlove	Director
Pamela K. Knous	Director
<u>Officer</u>	<u>Title</u>
Jeffrey Noddle	Chief Executive Officer
David L. Boehnen	President - New Albertson's, Inc.
Michael L. Jackson	Executive Vice President
Pamela K. Knous	Executive Vice President & Chief Financial Officer
Duncan C. Mac Naughton	Executive Vice President - Marketing & Merchandising
David E. Pylipow	Executive Vice President - Human Resources
Kevin H. Tripp	Executive Vice President - Retail Midwest
Peter J. Van Helden	Executive Vice President - Retail West
Paul L. Singer	Senior Vice President & Chief Information Officer
Gerald D. Bay	Senior Vice President - Pharmacy Operations
Nancy E. Chagares	Senior Vice President - Marketing & Merchandising, Jewel-Osco
James F. Gentile	Senior Vice President - Six Sigma
Gregory C. Heying	Senior Vice President - Logistics
Gerald L. Melville	Senior Vice President - Operations, Eastern
Michele A. Murphy	Senior Vice President - Labor Relations
Fred J. Schuit	Senior Vice President - Operations, Southern California
Sherry M. Smith	Senior Vice President - Finance
Thomas P. Vesey	Senior Vice President - Operations, Shaw's
Joseph F. Yaksitch	Senior Vice President - Operations, Intermountain West
William H. Arnold	Group Vice President - Real Estate Law
John F. Boyd	Group Vice President & Treasurer
Sheila A. Close	Group Vice President - Application Services
Leland J. Dake	Group Vice President - Wholesale Merchandising
Adrian J. Downes	Group Vice President & Controller
Edward N. Hanson	Group Vice President - Retail Merchandising - Midwest
Timothy J. Lynch	Group Vice President - Retail Operations Support
Linda K. Massman	Group Vice President - Finance & Corporate Planning
Todd M. Michael	Group Vice President - Retail Merchandising - West
James P. Smits	Group Vice President - Fresh Merchandising
Michael K. Clawson	President - Intermountain West
Christopher T. Dimos	President - Pharmacy Operations
Susan M. Klug	President - Southern California Division
Keith I. Nielsen	President - Jewel-Osco Division
Judith A. Spires	President - Acme
Larry D. Wahlstrom	President - Shaw's Division
Eric Hymas	Sr. Vice President - Center Store Merchandising - IMT West
Darnell M. Allen	Vice President - Diversity & Inclusion
Dennis J. Bassler	Vice President - Operations, Southern California
Shannon Bennett	Vice President - Corporate Communications
Judy Bequette	Vice President - Bakery Merchandising
Bart E. Bohlen	Vice President - Operations, Acme
Stephen C. Bowater	Vice President - Chief Financial Officer, Jewel-Osco
John P. Breedlove	Vice President & Corporate Secretary
Blaine Bringham	Vice President - Sales & Merchandising
Gary Bronson	Vice President - Technical Operations
Craig P. Brown	Vice President - Store Development Support & Office Services
Tammy L. Brusseau	Vice President - Fresh Merchandising

10/26/2007

DIRECTORS AND OFFICERS

Mike Buck	Vice President - Service Deli Merchandising
James A. Cadres	Vice President - Merchandising Support
Diane Cercle	Vice President - Brand Management & Strategy
Timothy A. Corry	Vice President - Human Resources, Retail Midwest
Douglas M. Cygan	Vice President - GM & Grocery Merchandising, Jewel-Osco
Joseph "Joe" G. Fehringer	Vice President - Retail Planning & Consolidations
James Fowler	Vice President - Grocery & Non Foods Buying
Anthony Frederico	Vice President - Operations, Eastern
Elizabeth S. "Liz" Garrett	Vice President - Human Resources, Retail West
Eric Gerratt	Vice President - Accounting
Charla J. Giles	Vice President - Operations, Southern California
Michael S. Goulart	Vice President - Operations, Shaw's
Kip Bradley Gruell	Vice President - Meat & Seafood Merchandising
Larry C. Harmon	Vice President - Internal Audit
Robert L. Hughes	Vice President - Operations, Jewel-Osco
Gary D. Hunstiger	Vice President - Operations, Drug Stores
Chris Irmscher	Vice President - Human Resources, Pharmacy
Tony Z. Jolley	Vice President - IT Engineering
Michael R. Ketcham	Vice President - Center Store Merchandising
Stephen P. Kilgriff	Vice President
Barron P. Lambert	Vice President - General Counsel Real Estate - Shaw's
Mark J. Lavin	Vice President - Real Estate & Store Development - West Region
Michael E. Lech	Vice President - Supply Chain Management
Tom Lofland	Vice President - Center Store Merchandising IMT - West
Colin K. McKeon	Vice President - Real Estate & Construction
Joseph M. McKeska	Vice President - Real Estate & Construction
Greg A. McNiff	Vice President - Marketing
Ronald T. Mendes	Vice President - Pharmacy Law & Regulatory Affairs
Chris S. Mielke	Vice President - Marketing
Jacqueline C. Morris	Vice President - Operations, Southern California
Scott Morris	Vice President - Fresh Merchandising - IMT - West
Susan D. Morris	Vice President - Operations, Western Idaho Area, Intermountain West
John J. Nieman III	Vice President - Human Resources, Retail East
Mitchell W. Oddo	Vice President - Total Alcohol Beverage
John G. Ortiz	Vice President - Las Vegas, Southern California
Jeffrey T. Osban	Vice President - Mdsq & Mktg Applications, Co-sourcing & Resource Mgmt
John C. Owen	Vice President - Regional Supply Chain
Thomas A. Pankow	Vice President - Chief Financial Officer, Retail West
Peggy Pfaltzgraff-Holden	Vice President - Operations, Shaw's
David A. Robertson	Vice President - Logistics, Southern California & IMW Supply Chain
Terry E. Rocheleau	Vice President - Operations, Southern California
Brian D. Rood	Vice President - Regional Supply Chain
Daniel J. Salemi	Vice President - Central Services
Randall t. Stewart	Vice President - Operations, Portland Metro Area
Nancy Superchi	Vice President - Human Resources, Shared Services
Martin J. Teall	Vice President - Supply Chain
Bradley M. Trom	Vice President - Pharmacy Operations, West
Doyle J. Troyer	Vice President - Tax
Thomas J. Walter	Vice President - Labor Relations, East
Roy C. Whitmore	Vice President - Operations, Jewel-Osco
Daniel J. Zvonek	Vice President & Chief Financial Officer - Retail East
Linda K. Massman	Assistant Treasurer
Julie Thomson Backe	Assistant Corporate Secretary
Warren E. Simpson	Assistant Corporate Secretary
Carol L. Wood	Assistant Corporate Secretary

10/26/2007

DIRECTORS AND OFFICERS

EXHIBIT B

Adresse du destinataire :

ADDRESS OF THE ADDRESSEE :

Name und Adresse des Empfänger :

Indirizzo del destinatario :

Dirección del interesado :

NESTLE SA

Prise en la personne de ses représentants légaux

Av. Nestlé 55

1800 Vevey

Très important

Le document ci-joint est de nature juridique et peut affecter vos droits et obligations.

Les "éléments essentiels de l'acte" vous donnent quelques informations sur sa nature et son objet.

Il est toutefois indispensable de lire attentivement le texte même du document. Il peut être nécessaire de demander un avis juridique.

Si vos ressources sont insuffisantes, renseignez-vous sur la possibilité d'obtenir l'assistance judiciaire et la consultation juridique soit dans votre pays soit dans le pays d'origine du document.

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS.

THE "SUMMARY OF THE DOCUMENT TO BE SERVED" WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE.

YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

Sehr wichtig

Das beiliegende Schriftstück ist rechtlicher Art und kann ihre Rechte und Pflichten berühren.

Die "Angaben über den wesentlichen Inhalt des zuzustellenden Schriftstücks" geben Ihnen einige Auskünfte über dessen Natur und Gegenstand.

Es ist dennoch unerlässlich, den Text des Schriftstückes selber aufmerksam zu lesen.

Es kann auch nötig sein, hierüber eine Rechtsauskunft zu verlangen.

Falls Ihre finanziellen Mittel dafür nicht ausreichen, erkundigen Sie sich über die Möglichkeiten der unentgeltlichen Rechtshilfe und der unentgeltlichen Rechtsberatung, und zwar entweder in Ihrem Land oder im Herkunftsland dieses Schriftstücks.

Importante

L'allegato documento ha natura giuridica e può incidere sui vostri diritti e obblighi.

Gli "elementi essenziali dell'atto" contengono alcune informazioni sulla sua natura ed il suo oggetto.

E' tuttavia indispensabile leggere attentamente anche il testo del documento.

Potrebbe essere necessario chiedere una consulenza legale.

Se i vostri mezzi finanziari sono insufficienti, chiedete informazioni nel paese in cui risiedete o nel paese dal quale il documento proviene circa la possibilità di ottenere l'assistenza giudiziaria o la consulenza legale.

Muy importante

El documento adjunto es de naturaleza jurídica y puede afectar a sus derechos y obligaciones.

Los "elementos esenciales del acta" le proporcionan una información sobre su naturaleza y objeto.

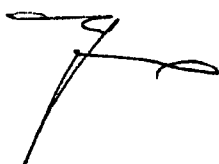
Es, sin embargo, indispensable que lea atentamente el texto del documento, pudiendo llegar a serle necesario un asesoramiento jurídico.

Si sus recursos fueren insuficientes, infórmese sobre la posibilidad de obtener el beneficio de justicia gratuita así como un asesoramiento jurídico, ya sea en su país de origen del documento.

TRIBUNAL CANTONAL VAUDOIS
Palais de justice de l'Hermitage
Route du Signal 8
CH - 1014 LAUSANNE
Switzerland

RECEPISSE - RECEIPT

Affaire n° :
Affare n. : TC N° 863 / 07
Case n° :

<p>Autorité requérante Ersuchende Behörde Autorità richiedente Issuing Authority Autoridad requeriente</p>	<p>MALTZMAN FOREMAN, P.A. One Biscayne Tower 2 South Biscayne Boulevard, Suite 2300 USA - Miami, Florida 33131 United States of America</p>
<p>Nature de la procédure Art des Verfahrens Natura della procedura Nature of proceeding Naturaleza del procedimiento</p>	<p>Réf. : Renee Blaskowsky v. Mars Inc. et al.</p>
<p>Désignation des actes à notifier Bezeichnung der zuzustellenden Akten Designazione degli atti da notificare Indication of the documents to be served Designación de los autos a notificar</p>	<p>- Amended class action complaint - Corrected amended class action complaint</p>
<p>Traduction Übersetzung Traduzione Translation Traducción</p>	<p>no</p>
<p>Nom et domicile de la personne à laquelle la notification doit être faite Name und Wohnort der Person, für welche die Zustellung bestimmt ist Nome e domicilio della persona alla quale deve essere fatta la notifica Name and address of the person upon whom service shall take place Filiación y dirección del destinatario</p>	<p>NESTLE SA Prise en la personne de ses représentants légaux Av. Nestlé 55 CH - 1800 Vevey Switzerland</p>
<p>Nationalité du destinataire (si connue) Nationalität des Empfängers (falls bekannt) Nazionalità del destinatario (se conosciuta) Nationality of receiver (if known) Nacionalidad del destinatario (si se conoce)</p>	
<p>Date de la notification et signature du destinataire Datum der Zustellung und Unterschrift des Empfängers Data della notifica e firma del destinatario Date of service and signature Fecha de la notificación y firma del destinatario</p>	<p>28.08.2007  Zingaro</p>

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:

MALTZMAN FOREMAN, P.A., 25 BISCAYNE BLVD, SUITE 2300,
MIAMI, FL 33131 UNITED STATES

Particulars of the parties:

Identité des parties:

RENEE BLASZKOWSKY V. MARS, INC, ET AL.

JUDICIAL DOCUMENT
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

TO GIVE NOTICE TO THE DEFENDANT OF THE INSTITUTION
AGAINST THEM OF A CLAIM, FOR CIVIL DAMAGES, AND SUMMON
THEM TO ANSWER THE COMPLAINT

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:

PLAINTIFF IS SEEKING TO RECOVER CIVIL DAMAGES,
AMOUNT TO BE DETERMINED IN COURT

Date and place for entering appearance:

Date et lieu de la comparution:

DEFENDANT HAS TWENTY DAYS FROM RECEIPT OF SUMMONS
TO ANSWER THE COMPLAINT, ADDRESS PROVIDED ON SUMMONS

Court which has given judgment:**

Jurisdiction qui a rendu la décision:

N/A

Date of judgment:**

Date de la décision:

N/A

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

N/A

EXTRAJUDICIAL DOCUMENT
ACTE EXTRAJUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte:

N/A

Time limits stated in the document:**

Indication des délais figurant dans l'acte:

N/A

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.

SUMMONS IN A CIVIL CASE

TO: Nestle S.A.
Avenue Nestle 5
Vevey
CH-1800
Vaud, Switzerland

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

AUG - 8 2007

CLERK

DATE



(BY) DEPUTY CLERK

Dated: _____, 2007
Miami, FL

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,
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DONNA HOPKINS-JONES, NICOLE PIAZZA,
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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,
HILL'S PET NUTRITION, a Delaware Corporation,
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.

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

EXHIBIT C

REDACTED

From: Catherine J. MacIvor [mailto:CMacIvor@mflegal.com]
Sent: Wednesday, August 22, 2007 6:38 PM
To: Licko, Carol A.
Subject: RE: case law

Carol,

I will look at these cases, but if no agreement has been reached as to spoliation, discovery has not been stayed in any event. Since I advised quite some time ago that the mandatory disclosure was so deficient, it should have been updated a long time ago. As far as mandatory disclosure goes, it was a false advertising claim from the beginning and I frankly disagree with your position that there is a difference in the complaints. I have prepared mandatory disclosure as a defense lawyer with far less information in the initial complaint.

I will get back to you about the draft spoliation agreement by next week.

Thank you.

Catherine J. MacIvor
Partner
Maltzman Foreman, PA
2 South Biscayne Boulevard
Suite 2300
Miami, Florida 33131
Tel : (305) 358-6555
Fax: (305) 374-9077
Email: CMacIvor@mflegal.com <mailto:CMacIvor@mflegal.com>

<<http://www.mflegal.com/mfmail/maltz.jpg>>

Website <<http://www.mflegal.com/>> | V. Card
<<http://www.mflegal.com/mfmail/cmavivor.vcf>>

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From: Licko, Carol A. [mailto:CALicko@HHLAW.com]
Sent: Wednesday, August 22, 2007 6:06 PM
To: Catherine J. MacIvor
Cc: Robin Hanger; Fry, Alan; Riviere-Badell, Adriana; Shaknes, Alexander; Mullen, John
Subject: case law

Catherine: Here are the two cases we offered to discuss with you:

Hilliard v. Black, 125 S.Supp.2d 1071 (N.D. Fla. 2000)

Medhekar v. U.S. Dist. Court, 99 F.3d 325 (9th Cir. 1996)

Pls. provide us with any case law supporting your contention that notwithstanding the court-imposed stay of all discovery, that we are now required to amend the initial disclosures served with respect to the initial complaint. As discussed, if you have such case law, we will gladly review it promptly and get back to you. Also please provide us with the names of those defendants whose initial disclosures you stated are satisfactory.

Finally, as discussed, we are available to discuss the draft preservation agreement previously provided to you at any time. Please advise us as to when you will be prepared to discuss and/or give us comments to this draft agreement. Thank-you.

Carol Licko, Partner
HOGAN & HARTSON LLP
Mellon Financial Center, 1111 Brickell Avenue, Suite 1900, Miami, FL
33131
direct +1.305.459.6612 | tel +1.305.459.6500 | fax +1.305.459.6550
calicko@hhlaw.com <mailto:calicko@hhlaw.com> | <http://www.hhlaw.com>
<<http://www.hhlaw.com/>>

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If you have received this electronic transmission in error, please notify us by telephone (+1-202-637-5600) or by electronic mail (PostMaster@HHLAW.COM) immediately.

CC: "Licko, Carol A." <CALicko@HHLAW.com>