

# Exhibit “A”



(d) The word “document” shall mean any writing, recording, electronically stored information or photograph in your actual or constructive possession, custody, care or control, which pertain directly or indirectly, in whole or in part, either to any of the subjects listed below or to any other matter relevant to the issues in this action, or which are themselves listed below as specified documents, including, but not limited to: correspondence, memoranda, notes, messages, diaries, minutes, books, reports, charts, ledgers, invoices, computer printouts, microfilms, video tapes or tape recordings.

(e) “Agent” shall mean: any agent, employee, officer, director, attorney, independent contractor or any other person acting at the direction of or on behalf of another.

(f) “Person: shall mean any individual, corporation, proprietorship, partnership, trust, association or any other entity.

(g) The words “pertain to” or “pertaining to” mean: relates to, refers to, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.

(h) The term “third party” or “third parties” refers to individuals or entities that are not a party to this action.

(i) The term “action” shall mean the case entitled BLASZKOWSKI, *et al.* v. MARS INCORPORATED, *et al.*, Case No. 07-21221-CIV-ALTONAGA/TURNOFF, pending in the United States District Court for the Southern District of Florida.

(j) The word “identify”, when used in reference to a document (including electronically stored information), means and includes the name and address of the

custodian of the document, the location of the document, and a general description of the document, and a general description of the document, including (1) the type of document (e.g., letter or memorandum) and, if electronically stored information, the software application used to create it (e.g., MS Word or MS Excel Spreadsheet); (2) the general subject matter of the document or electronically stored information; (3) the date of the document or electronically stored information; (4) the author of the document or electronically stored information; (5) the addressee of the document or electronically stored information; and (6) the relationship of the author and addressee to each other.

(k) The phrase “evidentiary basis” shall mean an evidentiary basis sufficient to support factual allegations in a pleading pursuant to Rule 11(b)(3), Federal Rules of Civil Procedure.

## INSTRUCTIONS

If you object to fully identifying a document, electronically stored information or oral communication because of a privilege, you must nevertheless provide the following information pursuant to Local Rule 26.1.G.6.(b), unless divulging the information would disclose the privileged information:

- (1) the nature of the privilege claimed (including work product);
- (2) if the privilege is being asserted in connection with a claim or defense governed by state law, the state privilege rule being invoked;
- (3) the date of the document, electronically stored information or oral communication;
- (4) if a document: its type (e.g., letter or memorandum) and, if electronically stored information, the software application used to create it (e.g., MS Word or MS Excel Spreadsheet), and the custodian, location, and such other information sufficient to identify the material for a subpoena duces tecum or a production request, including where appropriate the author, the addressee, and, if not apparent, the relationship between the author and addressee;
- (5) if an oral communication: the place where it was made, the names of the persons present while it was made, and, if not apparent, the relationship of the persons present to the declarant; and
- (6) the general subject matter of the document, electronically stored information or oral communication.

You are under a continuous obligation to supplement your answers to these interrogatories under the circumstances specified in Federal Rule of Civil Procedure 26(e).

#### INTERROGATORIES

1. Identify each occasion on which any of the named plaintiffs actually purchased any pet food products manufactured, distributed or sold by New Albertsons, within the State of Florida during the class period.

2. Identify each occasion on which any of the named plaintiffs actually purchased any pet food products manufactured, distributed or sold by New Albertsons, which were delivered to a location within the State of Florida during the class period.

3. For each purchase identified in response to interrogatory number 1 or 2 above, identify the purchaser, the seller, the place of purchase, the place of delivery, if different from the place of purchase, the specific product purchased, the quantity of product purchased and the price paid.



4. Identify each retail location at which you contend New Albertsons offers for sale any Pet Food Products, within the state of Florida, during the class period.

5. Identify each retail location at which you contend New Albertsons has sold any Pet Food Products, within the state of Florida, during the class period.

6. Identify all efforts made by named plaintiffs or their agents to purchase pet food products from New Albertsons within the State of Florida during the class period.

7. Identify all efforts made by named plaintiffs or their agents to purchase pet food products from New Albertsons for delivery in the State of Florida during the class period.

Date: December 18, 2007.

Respectfully submitted,

/s Craig P. Kalil

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