## Exhibit "A"

## EXCERPTS OF PLAINTIFF PATRICIA DAVIS' RESPONSES TO DEFENDANT MARS' INCORPORATED'S FIRST SET OF INTERROGATORIES

MIAMI DIVISION

CASE NO. 07-21221 CIV ALTONAGA/Brown
RENEE BLASZKOWSKI, et al., individually and on behalf of others similarly situated,

Plaintiffs/Class Representatives,
vs.

MARS INC., et al.
Defendants.

# NOTICE OF SERVING PLAINTIFF PATRICIA DAVIS' RESPONSES TO MARS INCORPORATED'S <br> FIRST SET OF INTERROGATORIES 

Dated: June 30, 2008
Miami, FL
/s Catherine J. MacIvor
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address the concern, and the date or time period during which the pet used each such medication or remedy.

Objection. The request is facially overbroad based upon the defined term "you" because the Plaintiffs would have to inquire as to a spouse, relatives, employees, etc. to determine whether any of these persons who are not parties to this action actually have any sort of information regarding the Plaintiffs companion cats or dogs health and/or illness. See Kraft Foods N. Am., 238 F.R.D. 648, 658-59; Socas, 2008 U.S. Dist. LEXIS 16683, *3 ("the Court may restrain any discovery requests that are overbroad or would be unduly burdensome to produce"); In re U. S. Financial Sec. Litigation, 74 F.R.D. at 498 ("to avoid oppressiveness, interrogatories must be tailored to discover only what is reasonable and necessary to the litigation at hand"); Aero Holdings, Inc., 2000 U.S. Dist. LEXIS 19817, at *16-17 (holding that an interrogatory was overbroad because party would have been required to identify many people who had "no relevant knowledge concerning" the case) (emphasis added); Brooks v. S.C. Johnson \& Son, Inc.,, 1990 U.S. Dist. LEXIS 19395, at *7 (stating that the prevailing law of the Seventh Circuit is that parties are limited in their interrogatories to the identity and location of "persons having knowledge of relevant facts") (emphasis added); Colo. Structures Inc., 2007 U.S. Dist. LEXIS 63532, at *5 (interrogatory requesting plaintiff to identify all persons "who have any knowledge of any fact relating to the claims Plaintiffs are alleging against any Defendant" is "hopelessly broad" and must be revised); Clow Corp., 108 F.R.D. 304, 313 (D.P.R. 1985) (holding that interrogatories seeking the identification of "all persons who have knowledge of any facts pertaining to this lawsuit" are overbroad or unduly burdensome) (internal quotations omitted); Pioneer Res. Corp., 2006 U.S. Dist. LEXIS 38005, at *2 (holding that a request for documents identifying "any persons with knowledge about such offers" to buy or sell the defendant company is irrelevant); Woodford, 2008 U.S. Dist. LEXIS 22438, at *2 (holding that interrogatories requesting defendant to "identify all witnesses with potential knowledge of the basis of your response" as well as the identity of "all witnesses past and present employees of CDC/CDCR who have personal knowledge of CDCR's compliance with the [Religious Land Use and Institutionalized Persons Act]" are overbroad, unduly burdensome, and vague). While "[t]he legal tenet that relevancy in the discovery context is broader than in the context of admissibility . . .," the concept of relevancy "should not be misapplied so as to allow fishing expeditions in discovery." Martinez v. Cornell Corrs. of Tex., 229 F.R.D. 215, 218 (D.N.M. 2005)(Browning, J.); Marathon Ashland Petroleum LLC, 2007 U.S. Dist. LEXIS 29159, at *19-20; Wang's Int'l, Inc., 2006 U.S. Dist. LEXIS 38701, at *4-5; Haas Co., 1998 U.S. Dist. LEXIS 11141; GMC, 173 F.R.D.

Notwithstanding the objection, and without waiving it, as to her pets only, Ms. Davis will produce veterinarian records for the time period between May 9, 2003 and May 9, 2007 for all of the companion pets referenced in the response to interrogatory number 1 in lieu of a response per Federal Rule of Civil Procedure 33(d).
4. For each pet identified in response to Interrogatory No. 1, please identify all foods, whether commercially available or not, provided by you to the pet since the date your care of it began and for each such food, state the brand and product name (if any), the name and address of the retail store where it was purchased (if applicable), the date or time period during which it was
purchased (if applicable), the date or time period during which it was provided to the pet, and the amount and frequency with which the food was provided to the pet.

Objection. The request is facially overbroad based upon the defined term "you" and "your"because the Plaintiffs would have to inquire as to a spouse, relatives, employees, etc. to determine whether any of these persons who are not parties to this action actually have any sort of information regarding the purchase of food for the Plaintiffs' companion cats or dogs. See Kraft Foods N. Am., 238 F.R.D. 648, 658-59; Socas, 2008 U.S. Dist. LEXIS 16683, *3 ("the Court may restrain any discovery requests that are overbroad or would be unduly burdensome to produce"); Aero Holdings, Inc., 2000 U.S. Dist. LEXIS 19817, at *16-17 (holding that an interrogatory was overbroad because party would have been required to identify many people who had "no relevant knowledge concerning" the case) (emphasis added); In re U. S. Financial Sec. Litigation, 74 F.R.D. at 498 ("to avoid oppressiveness, interrogatories must be tailored to discover only what is reasonable and necessary to the litigation at hand"); Woodford, 2008 U.S. Dist. LEXIS 22438, at *2 (holding that interrogatories requesting defendant to "identify all witnesses with potential knowledge of the basis of your response" as well as the identity of "all witnesses past and present employees of CDC/CDCR who have personal knowledge of CDCR's compliance with the [Religious Land Use and Institutionalized Persons Act]" are overbroad, unduly burdensome, and vague); Brooks, 1990 U.S. Dist. LEXIS 19395, *7 (stating that the prevailing law of the Seventh Circuit is that parties are limited in their interrogatories to the identity and location of "persons having knowledge of relevant facts") (emphasis added); Clow Corp., 108 F.R.D. at 313 (holding that interrogatories seeking the identification of "all persons who have knowledge of any facts pertaining to this lawsuit" are overbroad or unduly burdensome") (internal quotations omitted). While "[t]he legal tenet that relevancy in the discovery context is broader than in the context of admissibility . . .," the concept of relevancy "should not be misapplied so as to allow fishing expeditions in discovery." Martinez v. Cornell Corrs. of Tex., 229 F.R.D. 215, 218 (D.N.M. 2005)(Browning, J.); Marathon Ashland Petroleum LLC, 2007 U.S. Dist. LEXIS 29159, at *19-20; Wang's Int'l, Inc., 2006 U.S. Dist. LEXIS 38701, at *4-5; Haas Co., 1998 U.S. Dist. LEXIS 11141; GMC, 173 F.R.D. at 224.

The temporal scope of this interrogatory is also unlimited in time and is therefore overbroad since it encompasses information well beyond the relevant time period of the Fourth Amended Complaint. The relative time period defined in the Fourth Amended Complaint is May 9, 2003 through May 9, 2007, which encompasses a four (4) year period of time. Cases in this jurisdiction have held that an appropriate time period for discovery is between 3 and 5 with 5 being the outermost edge of the proper scope of discovery. Ten (10) years well exceeds the outermost bound of the temporal scope of discovery. Avirgan, 116 F.R.D. at 593 (In limiting discovery to approximately four years, the court stated "there is no logical need to permit discovery into predicate acts alleged to have occurred ten or fifteen years ago" when the plaintiff has established that the requisite acts "occurred within a specified time frame"); Cherenfant, 2004 U.S. Dist. LEXIS 30458, *8 (in a discrimination case, the court held that a five year discovery time period was appropriate when it sufficiently covered the discriminatory acts in question); Cohen v. Status-One Invs., Inc., 2007 U.S. Dist. LEXIS 74365, *2-3 ("if discovery is sought nationwide for a ten-year period,
and the responding party objects on the grounds that only a five-year period limited to activities in the state of Florida is appropriate, the responding party shall provide responsive discovery falling within the five-year period as to the State of Florida"); Adkins v. Christie, 488 F.3d at 1330 (finding no abuse of discretion when trial court reduced discovery from a seven to five years to pertain to the relevant time period); Mawulawde $v$. Bd. of Regents, 2007 U.S. Dist. LEXIS 62700, *33-34 (stating that three to $f$

Notwithstanding the obiection, the Plaintiffs will respond to this request for the time period between May 9, 2003 and May 9, 2007, which is the Class Period defined in the Fourth Amended Complaint.

The following information applies to Ms. Davis' pets only during the Class Period defined in the Fourth Amended Complaint to the best of her recollection.
STORES WHERE PET FOOD/TREATS PURCHASED:

1. Publix Super Market, Belleview Commons, 10135 SE US 441, Belleview, FL
2. Publix Super Market, Churchill Square, 303

SE 17 St., Ocala, FL
3. Publix Super Market, Forty East Shopping Center, 3450 E Silver Springs Blvd, Ocala, FL
4. Publix Super Market, Quail Meadow

Commons, 4963 N US Hwy 27, Ocala, FL
5. Sweetbay Supermarket (formerly Kash \& Karry) 11310 S US Hwy 301, Belleview, FL
6. Sweetbay Supermarket (formerly Kash \& Karry) 7131 N US Hwy 441, Ocala, FL
7. Ocala Breeders Feed \& Supply, 6855 N US Hwy 27, Ocala, FL
8. Ocala Breeders Feed \& Supply, 431 NW 27 Ave, Ocala, FL
9. Seminole Feed, 315 NE Watula Ave, Ocala, FL
10. Tractor Supply Co, 7351 N US Hwy 441, Ocala, FL
11. Wal-mart, 9570 SW Hwy 200, Ocala, FL
12. Wal-mart, 4980 E Silver Springs Blvd, Ocala, FL
13. WinnDixie, 10393 S US Hwy 441, Belleview, FL
14. WinnDixie, 3435 N. Pine, Ocala, FL
15. Petsmart, 3500 SW College Rd, Ocala, FL
16. Pet Supermarket, 1746 E Silver Springs Blvd, Ocala, FL
17. Target, 2000 SW College Rd, Ocala, FL
18. Sam's Club, 3921 SW College Rd, Ocala, FL

## FOOD PURCHASED:

1. ARNOLD - Jack Russell Terrier - male

## Eagle Pack Holistic - dry

Purchased at:
Store \#8
Time Period of Purchase: 2006
Time Period provided:
Amount and Frequency: Per instructions /Alternating same

## Hannaford - canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Store \#6
2005-2006
same
Per instructions / Alternating
Purina Moist \& Meaty - cheese
Purchased at:
Stores \#1-6, 18
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
1991-2006
same
Per instructions /Alternating

## Iams Select Bites

Purchased at:
Stores \#4
Time Period of Purchase:
2006
Time Period provided:
Amount and Frequency:
same
Per instructions / Alternating

## Mighty Dog

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Iams Puppy - canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Alpo - canned

Purchased at: $\quad$ Stores \#1-6, 12-14
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Puppy Chow - both flavors

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Pedigree - pouch, canned \& dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## DelMonte Pup-Peroni - all types

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 12-14
1991-2006
same
Per instructions / Alternating

Stores \#4
2006
same
Per instructions / Alternating

1991-2006
same
Per instructions / Alternating

Stores \#1-6, 11-15
1991-2006
same
Per instructions / Alternating

Stores \#1-6, 11-15
1991-2006
same
Per instructions / Alternating

Stores \#1-6, 11-15, 17
2002-2006
same
as treats - $\mathbf{1 / d a y}$ usually

## DelMonte Milk Bones - Gravy, Small, Puppy, and Flavor

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## DelMonte Meaty Bones - small

Purchased at:
Time Period of Purchase:
Time Period provided:

Stores \#1-6, 11-17
1991-2006
same
as treats - 1/day usually

Stores \#1-6, 11-15
2005-2006
same

Amount and Frequency: as treats - 1/day usually

## Pedigree Marrobones

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#4, 6, 17
2005-2006
same
as treats - $\mathbf{1 / d a y}$ usually

Chicken Soup for the Pet Lover's Soul - senior and puppy dry
Purchased at: Stores \#7
Time Period of Purchase: 2004
Time Period provided: same
Amount and Frequency: Per instructions /Alternating
Hill's Science Diet - Canine Adult Sensitive Stomach dry
Purchased at: Stores \#9
Time Period of Purchase: 2006
Time Period provided: same
Amount and Frequency: Per instructions /Alternating
People food prepared as well - cheese, rice, ground beef, ground turkey, lunch meats, hot dogs, cottage cheese, eggs, noodles, liver, etc. Table scraps also.

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-18
1991-2006
same
alternating with commercial food

## 2. TIPPY - Mini Australian Shepherd - female

## Beneful - dry Healthy Harvest, Radiance, Weight

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eagle Pack Holistic - dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Store \#4, 6
2006-2007
same
Per instructions/Alternating

Store \#8
2006-2007
same
Per instructions /Alternating

## Hannaford - canned

Purchased at:
Time Period of Purchase:
Time Period provided:

Store \#6
2005-2007
same

Amount and Frequency:
Purina Moist \& Meaty - cheese
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Per instructions / Alternating

Stores \#1-6, 18
2003-2007
same
Per instructions /Alternating - infrequently since 4/2007

Stores \#4
2006-2007
same
Per instructions / Alternating

Stores \#4
2006
same
Per instructions / Alternating

Stores \#1-6, 12-14
2003-2007
same
Per instructions / Alternating

Stores \#1-6, 11-15
2003-2006
same
Per instructions / Alternating

Stores \#1-6, 11-15
2003-2006
same
Per instructions / Alternating

Stores \#1-6, 11-15, 17
2003-2007
same
as treats-1/day usually-infrequently since

## DelMonte Milk Bones - Gravy, Small, Puppy, and Flavor

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency: 4/2007

Stores \#1-6, 11-17
2003-2007
same
as treats-1/day usually- infrequently since

## DelMonte Meaty Bones

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-15
2005-2007
same
as treats-1/day usually- infrequently since 4/2007

Publix Dog Snacks
Purchased at:
Time Period of Purchase:
Store \#4
2007
Time Period provided:
same
Amount and Frequency:
1/day usually

## Pedigree Marrobones

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Stores \#4, 6, 17
2005-2007
same
as treats-1/day usually
Wellness- Puppy dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
almost exclusively people food
Wellness- Just for Puppy Treats
Purchased at:
Stores \#16
Time Period of Purchase:
2007
Time Period provided:
Amount and Frequency: exclusively people food

Old Mother Hubbard - Bacon biscuits
Purchased at:
Stores \#8
Time Period of Purchase: 2007
Time Period provided:

Amount and Frequency:
as treats - 1/day usually - after 4/2007 almost exclusively people food

## Purina Beggin Strips

Purchased at:
Time Period of Purchase:
Stores \#10
Time Period provided: 2007

Amount and Frequency: same
as treats - 3/day usually - after 4/2007 almost exclusively people food

## Chicken Soup for the Pet Lover's Soul - canned

Purchased at: Stores \#8
Time Period of Purchase: 2007
Time Period provided: same
Amount and Frequency: alternating with commercial food - after 4/2007
almost exclusively people food
Chicken Soup for the Pet Lover's Soul - senior and puppy dry
Purchased at:
Store \#7
Time Period of Purchase: 2004
Time Period provided:
same
Amount and Frequency: Per instructions /Alternating
People food prepared as well - cheese, rice, ground beef, ground turkey, lunch meats, hot dogs, cottage cheese, eggs, noodles, liver, cookies, etc. Table scraps also.

Purchased at: $\quad$ Stores \#1-6, 11-18
Time Period of Purchase: 2003-2007
Time Period provided:
same
Amount and Frequency: alternating with commercial food - after 4/2007 almost exclusively people food

## 3. Oliver - orange tabby cat - male

Chicken Soup for the Pet Lover's Soul - adult canned \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Store \#8
2004
same
Per instructions /Alternating
Purina Friskies - canned, pouches, treats, \& dry
Purchased at: $\quad$ Stores \#1-6, 11 -15, 17
Time Period of Purchase: 2003-2005
Time Period provided:
Amount and Frequency: Per instructions /Alternating
$\underline{\text { 9Lives - canned \& dry }}$

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
$\underline{\text { Meow Mix - canned, treats, \& dry }}$
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Pounce Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Cat and Kitten Chow

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina One dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Deli Cat

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Kit N Kaboodle

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Purina Fancy Feast canned
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 9-15, 17-18
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 9-15, 17-18
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
as treats, 4-5/day/Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

## Purina Whisker Linkins treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eukanuba Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Whiskas canned, pouch, dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Temptation Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Iams Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#4
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
Per instructions /Alternating

Stores \#1-6, 11-15
2003-2005
same
as treats, 4-5/day/Alternating

Stores \#11, 16
2003-2005
same
Per instructions /Alternating

People food prepared as well - cheese, ground beef, lunch meats, hot dogs, cottage cheese, eggs, liver, tuna fish, sardines, etc. Table scraps also.

Purchased at: $\quad$ Stores \#1-6, 11-18
Time Period of Purchase: 2003-2005
Time Period provided:
same
Amount and Frequency:
alternating with commercial food

## 4. Stretch - orange tabby cat - male

Purina Friskies - canned, pouches, treats, \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11 - 15, 17
2005-2007
same
Per instructions /Alternating

9Lives - canned \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Meow Mix - canned, treats, \& dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Pounce Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Cat and Kitten Chow

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina One dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Deli Cat

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Kit N Kaboodle

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Fancy Feast canned

Purchased at:
Time Period of Purchase:
Time Period provided:

Stores \#1-6, 9-15, 17-18
2005-2007
same
Per instructions/Alternating

Stores \#1-6, 9-15, 17-18
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
as treats, 4-5/day/Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions/Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
25

Amount and Frequency: Per instructions /Alternating

## Purina Whisker Linkins treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eukanuba Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Whiskas canned, pouch, dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Temptation Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Iams Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Merrick - canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eagle Pack -canned \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#4
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
as treats, 4-5/day/Alternating

Stores \#11, 16
2005-2007
same
Per instructions /Alternating

Store \#8
2007
same
Per instructions /Alternating

Store \#8
2007
same
Per instructions /Alternating

People food prepared as well - especially after $4 / 2007$ - cheese, ground beef, lunch meats, hot dogs, cottage cheese, eggs, liver, tuna fish, sardines, kippers, etc. Table scraps also.

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11 - 18
2005-2007
same
alternating with some commercial food

## 5. Spaz-Siamese - female

Purina Friskies - canned, pouches, treats, \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## 9Lives - canned \& dry

## Purchased at:

Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Meow Mix - canned, treats, \& dry

| Purchased at: | Stores \#1-6, 9-15, 17-18 |
| :--- | :--- |
| Time Period of Purchase: | 2005-2007 |
| Time Period provided: | same |
| Amount and Frequency: | Per instructions /Alternating |

## Pounce Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Cat and Kitten Chow

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina One dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Deli Cat

Purchased at:
Time Period of Purchase:
Stores \#1-6, 11-15, 17
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 9-15, 17-18
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 9-15, 17-18
2005-2007

Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
as treats, 4-5/day/Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007

Time Period provided:
Amount and Frequency:

## Purina Kit N Kaboodle

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Fancy Feast canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Whisker Linkins treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eukanuba Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Whiskas canned, pouch, dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Temptation Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Iams Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#4
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
as treats, 4-5/day/Alternating

Stores \#11, 16
2005-2007
same
Per instructions /Alternating

Merrick -canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Store \#8
2007
same
Per instructions /Alternating

## Eagle Pack -canned \& dry

Purchased at:
Time Period of Purchase:
Store \#8
Time Period provided:
2007
Amount and Frequency:
same
Per instructions/Alternating
People food prepared as well - cheese, ground beef, lunch meats, hot dogs, cottage cheese, eggs, liver, tuna fish, etc. Table scraps also.

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11 - 18
2005-2007
same
alternating with commercial food

## 6. Barnacle - black short-hair - male

Purina Friskies - canned, pouches, treats, \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## 9Lives - canned \& dry

Purchased at: $\quad$ Stores \#1-6, 9-15, 17-18
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Meow Mix - canned, treats, \& dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Pounce Treats

Purchased at: $\quad$ Stores \#1-6, 11-15
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Purina Cat and Kitten Chow
Purchased at:

Stores \#1-6, 11 -15, 17
2005-2007
same
Per instructions /Alternating

2005-2007
same
Per instructions /Alternating

Stores \#1-6, 9-15, 17-18 2005-2007
same
Per instructions /Alternating

2005-2007
same
as treats, 4-5/day/Alternating

Stores \#1-6, 11-15

Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina One dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Deli Cat

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Kit N Kaboodle

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Fancy Feast canned

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Purina Whisker Linkins treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Eukanuba Kitten dry

## Purchased at:

Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Whiskas canned, pouch, dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

Stores \#4
2005-2007
same
Per instructions /Alternating

Stores \#1-6, 11-15
2005-2007
same
Per instructions /Alternating

## Temptation Treats

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Stores \#1-6, 11-15
2005-2007
same
as treats, 4-5/day/Alternating

## Iams Kitten dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Stores \#11, 16
2005-2007
same
Per instructions /Alternating
Merrick -canned
Purchased at:
Time Period of Purchase:
Store \#8

Time Period provided:
Amount and Frequency:2007
same
Per instructions /Alternating

## Eagle Pack -canned \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Store \#8
2007
same
Per instructions/Alternating

People food prepared as well - cheese, ground beef, lunch meats, hot dogs, cottage cheese, eggs, liver, tuna fish, etc. Table scraps also.

Purchased at:
Stores \#1-6, 11 - 18
Time Period of Purchase: 2005-2007
Time Period provided:
Amount and Frequency:
same
alternating with commercial food

## 7. HAIRY - Jack Russell Terrier - male

## Beneful - dry Healthy Harvest, Healthy Radiance

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Store \#4, 6
2007
same
Per instructions /Alternating
Eagle Pack Holistic - dry
Purchased at:
Time Period of Purchase:
Store \#8
2007
Time Period provided:
Amount and Frequency:
same
Per instructions/Alternating

## $\underline{\text { Purina Moist \& Meaty - cheese }}$

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

## Puppy Chow - both flavors

Purchased at: Stores \#1-6, 11-15
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Pedigree - pouch, canned \& dry
Purchased at:

Stores \#1-6, 18
2007
same
infrequently

2007
same
Per instructions / Alternating

Time Period of Purchase:
Time Period provided:
Amount and Frequency:
DelMonte Pup-Peroni - all types
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-15
2007
same
Per instructions / Alternating

Stores \#1-6, 11-15, 17
2007
same
infrequently

## DelMonte Milk Bones - Gravy, Small, Puppy, and Flavor

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Stores \#1-6, 11-17
2007
same
as treats-1/day usually

## Publix Dog Snacks

Purchased at:
Store \#4
Time Period of Purchase:
2007
Time Period provided:
same
Amount and Frequency:
½/day usually

## Pedigree Marrobones

Purchased at:
Time Period of Purchase:
Stores \#4, 6, 17
Time Period provided:
Amount and Frequency:
2007
same
as treats-1/day usually
Wellness- Puppy dry
Purchased at:
Time Period of Purchase:
Stores \#16
Time Period provided:
2007
Time Period provided: same

Amount and Frequency: alternating

## Wellness- Just for Puppy Treats

Purchased at:
Stores \#16
Time Period of Purchase: 2007
Time Period provided:
Amount and Frequency:
same as treats - 3/day usually

## Old Mother Hubbard - Bacon biscuits

Purchased at:
Stores \#8
Time Period of Purchase: 2007
Time Period provided:
Amount and Frequency:
same
as treats - $1 /$ day usually
People food prepared as well - cheese, rice, ground beef, ground turkey, lunch meats, hot dogs, cottage cheese, eggs, noodles, liver, gizzards, cookies, etc. Table scraps also.

Purchased at:
Stores \#1-6, 11 - 18
Time Period of Purchase: 2007
Time Period provided:
same
Amount and Frequency: alternating with commercial food - after 4/2007 almost exclusively people food

## 8. COOPER - Boxer - male

## Beneful - dry Healthy Harvest, Healthy Radiance

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Eagle Pack Holistic - dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Store \#4, 6
2007
same
Per instructions /Alternating

Store \#8
2007
same
Per instructions /Alternating
Purina Moist \& Meaty - cheese
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
Puppy Chow - both flavors
Purchased at:
Time Period of Purchase:
Time Period provided:

Stores \#1-6, 11-15
2007
Stores \#1-6, 18
2007
same
infrequently
same

Amount and Frequency: Per instructions / Alternating
Pedigree - pouch, canned \& dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
DelMonte Pup-Peroni - all types
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 11-15
2007
same
Per instructions / Alternating

Stores \#1-6, 11 - 15, 17
2007
same
as treats - 1/day usually/alternating

DelMonte Milk Bones - Gravy, Small, Puppy, and Flavor
Purchased at: $\quad$ Stores \#1-6, 11-17
Time Period of Purchase: 2007
Time Period provided: same
Amount and Frequency: as treats - 1/day usually/alternating

## Publix Dog Snacks

Purchased at:
Store \#4
Time Period of Purchase:
2007
Time Period provided:
Amount and Frequency:
same
2 /day usually/alternating

## Pedigree Marrobones

Purchased at:
Time Period of Purchase:
Stores \#4, 6, 17
Time Period provided:
Amount and Frequency:
2007
same
as treats - 2/day usually/alternating

## Wellness- Puppy dry

Purchased at:
Time Period of Purchase:
Stores \#16
2007
Time Period provided:
Amount and Frequency:
same
alternating

## Wellness- Just for Puppy Treats

Purchased at:
Time Period of Purchase:
Stores \#16
Time Period provided:
Amount and Frequency:
2007
same
as treats - 3/day usually
Old Mother Hubbard - Bacon biscuits
Purchased at:
Stores \#8

Time Period of Purchase: 2007
Time Period provided:
Amount and Frequency: same
as treats - 1/day usually
People food prepared as well - cheese, rice, ground beef, ground turkey, lunch meats, hot dogs, cottage cheese, eggs, noodles, liver, gizzards, cookies, etc. Table scraps also.

Purchased at:
Stores \#1-6, 11-18
Time Period of Purchase:
2007
Time Period provided:
same
Amount and Frequency: alternating with commercial food - after 4/2007 almost exclusively people food

9 and 10. BoBo and Lilly - Brown, short-hair mixed - male and female

## Purina Moist \& Meaty - cheese

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:
DelMonte Pup-Peroni - all types
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#1-6, 18
2007
same
infrequently

Stores \#1-6, 11 - 15, 17
2007
same
as treats - $\mathbf{1 / d a y}$ usually/alternating

## DelMonte Milk Bones - Gravy, Small, Puppy, and Flavor

Purchased at:
Stores \#1-6, 11-17
Time Period of Purchase:
2007
Time Period provided:
same
Amount and Frequency:
as treats - $1 /$ day usually/alternating

## Publix Dog Snacks

Purchased at: Store \#4
Time Period of Purchase: 2007
Time Period provided: same
Amount and Frequency: 2 /day usually/alternating

## Pedigree Marrobones

Purchased at:
Time Period of Purchase:
Stores \#4, 6, 17
Time Period provided:
2007
Amount and Frequency:
same
as treats - 2/day usually/alternating
Wellness- Puppy dry

Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#16
2007
same
alternating

## Wellness- Just for Puppy Treats

Purchased at:
Stores \#16
Time Period of Purchase:
2007
Time Period provided:
Amount and Frequency:
same
as treats - 3/day usually
People food prepared as well - cheese, rice, ground beef, ground turkey, lunch meats, hot dogs, cottage cheese, eggs, noodles, liver, gizzards, cookies, etc. Table scraps also.
Purchased at: $\quad$ Stores \#1-6, 11-18
Time Period of Purchase:
2007
Time Period provided:
Amount and Frequency:
same
alternating very rarely with commercial food

## 11. Oreo - black short-hair - male

## Purina Friskies Signature Blend dry

Purchased at:
Stores \#4
Time Period of Purchase: 2007
Time Period provided:
same
Amount and Frequency:
Per instructions /Alternating
Meow Mix Wholesome Goodness - dry

Purchased at:
Stores \#4
Time Period of Purchase: 2007
Time Period provided:
Amount and Frequency:
Hills Science Diet Kitten - dry
Purchased at:
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

Stores \#16
2007
same
Per instructions /Alternating
People food prepared as well -- tuna fish, sardines, kippers, etc. Table scraps also.

Purchased at: Stores \#4
Time Period of Purchase:
Time Period provided:
Amount and Frequency:

2007
same
alternating with some commercial food

I, Pat Davis, declare and state the foregoing responses to interrogatories are true and correct under penalty of perjury.

Executed on June 21, 2008.


