

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

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

RENEE BLASZKOWSKI, *et al.*,
individually and on behalf of
others similarly situated,
Plaintiffs,

vs.

MARS, INCORPORATED, *et al.*,
Defendants.

**EVIDENTIARY OBJECTION BY NATURA PET PRODUCTS, INC.
TO THE DECLARATION OF JEFFREY B. MALTZMAN**

Natura Pet Products, Inc. (“Natura”) hereby objects to the Declaration of Jeffrey B. Maltzman executed on January 16, 2009 (“Maltzman Declaration”).¹ Natura’s specific objection is as follows:

1. In addition to attorney Cathy MacIvor, many of our firm’s attorneys have handled previous class actions, including the undersigned counsel serving as lead defense counsel in two class actions with allegations of hundred plus million dollar exposure before this honorable court (*Gall v Princess Cruises* and *Pinto v Princess Cruises*). Both Pinto and Gall resulted in class certification being granted and settlements achieved that expeditiously resolved the claims of the class members and all parties.

[Declaration of Jeffrey B. Maltzman at ¶6.] Natura objects to the prior excerpt as irrelevant (FRE 402). Mr. Maltzman’s experience as a class action *defense counsel* where the classes *were certified by stipulation* does not tend to show that Maltzman Foreman is qualified to serve as plaintiffs’ class counsel here.

¹ The Maltzman Declaration indicates it was signed in the year 2007. Natura assumes this to be a typographical error and the actual year it was signed was 2009.

RULE 7.1 CERTIFICATE

Prior to filing this objection, Natura's counsel, Kristen E. Caverly and Robert C. Mardian III, conferred with the plaintiffs in a good faith effort to resolve the issues raised in the motion. After conferring with the plaintiffs, they refused to withdraw the items Natura seeks to strike.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 27, 2009, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the counsel so indicated on the attached Service List.

s/Jeffrey S. York

Attorney

CERTIFICATE OF SERVICE
RENEE BLASZKOWSKI, ET AL., VS. MARS, INCORPORATED, ET AL.
Case No. 1:07-21221-CIV-ALTONAGA/TURNOFF
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