

IN THE UNITED STATES DISTRICT COURT CIRCUIT

FOR THE DISTRICT OF HAWAII

YVONNE ORTIZ, Individually and)
on behalf of all other similarly)
situated persons,)

Plaintiff,)

vs.)

MENU FOODS, INC., a New Jersey)
corporation; MENU FOODS)
HOLDINGS, INC., a Delaware)
corporation; MENU FOODS)
INCOME FUND, an unincorporated)
Canadian business; DOE ENTITIES)
and INDIVIDUALS 1-100,)

Defendants.)

CIVIL NO. CV07-00323 DAE LEK
(Class Action)

DECLARATION OF CHAD P. LOVE

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The undersigned hereby declares that:

1. I am an attorney licensed to practice law before all the Courts in the State of Hawaii and one of the attorneys for Defendants Menu Foods, Inc., Menu Foods Holdings, Inc., and Menu Foods Income Fund in the above-captioned proceeding, am competent to testify as to the matters stated herein and make this declaration upon personal knowledge except and unless stated to be upon

information and belief. I submit this Declaration in opposition to Plaintiff Yvonne Ortiz' Motion for Remand.

2. I have been licensed to practice law in the State of Hawaii and the U.S. District Court for the District of Hawaii since 1975. I graduated from the University of California, Berkeley, in 1975. I have been specializing in civil litigation matters since 1975. I have handled a broad range of litigation, including cases involving products liability, negligence, business torts, and commercial law. In addition, I have defended clients in class actions and putative class actions.

3. Plaintiff Ortiz and the putative class have two attorneys. The lead attorney is Thomas Grande, a partner at Davis Levin Livingston Grande, who was licensed in Hawaii in 1985 and has 22 years of experience. (See Exhibit A, a true and accurate copy of the "attorney profile" of Thomas A. Grande, Esq., from "<http://www.davislevin.com/grande.html>", printed on July 27, 2007.) The other is Emily Gardner, Esq., who was admitted to the Hawaii bar in 1997, but started her practice in 1999 and has eight years of trial litigation experience. (See **Exhibit B**, a true and accurate copy of "Additional Information" regarding Emily A. Gardner, from "<http://www.animallawhawaii.com/experience2>", printed on July 24, 2007.)

4. Based on my experience as a trial attorney who has worked on numerous products liability and negligence cases, some of which were class

actions or putative class actions, I believe that it would be reasonable to expect that Mr. Grande and Ms. Gardner will expend from 1000 to 2000 hours on this case, from the initial meeting with their client through trial. I base my estimate on the following partial list of tasks that will be required of them in connection with their representation of the putative class:

- Interviews and conferences with the class representative;
- Research background facts regarding alleged pet food contamination and background of Defendants;
- Draft Complaint;
- Prepare and defend motion for remand;
- Prepare and defend motion for class certification;
- Prepare class representative for deposition;
- Defend deposition of class representative;
- Prepare Answers to Interrogatories served on class representative;
- Prepare responses to Request for Production served on class representative;
- Prepare and defend motion of expert in support of motion for class certification;
- Review of records and other documents supporting damages claims;

- Prepare for and attend Court hearings and conferences;
- Propound discovery requests on Defendants and analyze information provided in response thereto;
- Prepare for and attend depositions of Defendants' representatives;
- Prepare for and attend depositions of Defendants' experts;
- Prepare class representative and experts for testimony at trial;
- Prepare for trial, including motions in limine, voir dire, jury instructions; and
- Attend and participate in trial.

In addition, Plaintiffs likely will have to respond to motions filed by Defendants and interview and retain veterinary and testing experts, among many other tasks.

5. Accordingly, in my opinion, as the case currently stands, it is reasonable to expect that Plaintiffs' counsel will spend a minimum of 1000 to 2000 hours on this case, although this amount could increase or decrease depending on particular issues that arise in the case related to the activities above, and the potential transfer of this action by the Judicial Panel on Multidistrict Litigation to

the coordinated litigation arising out of the pet food recall pending in the District of New Jersey.

I, CHAD P. LOVE, DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Honolulu, Hawaii, July 27, 2007.



CHAD P. LOVE