

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 ERIN OWENS

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The undersigned hereby declares that:

1. I am a paralegal at the law firm of Love & Kirschenbaum, which represents Defendants Menu Foods, Inc., Menu Foods Holdings, Inc., and Menu Foods Income Fund in the above-captioned action. I submit this Declaration in opposition to Plaintiff Yvonne Ortiz' motion for remand.

2. On July 25 and 26, 2007, I called several veterinarians and veterinary clinics and hospitals in the State of Hawaii and asked them to provide me with the cost of screening for renal failure in dogs and cats including the appropriate blood and urine tests to accomplish same, the price of an office visit and any other costs that would be associated with the visit. Based on my phone calls, I learned the following (which does not include tax in all cases, and unless otherwise specified, the information I received applied to both dogs and cats):

1) VCA Animal Hospitals
Serving the Honolulu Area
(866) 302-7042

Blood - \$100-\$200 (average = \$150)
Urine - \$200-\$250 (average = \$225)
Office visit - \$50
Bio-Hazard Fee (clean up fee enforced by OSHA) - \$4-\$5
(average = \$4.50)
Total = \$429.50

2) Animal Clinic Inc.
3270 Waialae Avenue
Honolulu, HI 96815
(808) 734-0255

Blood - \$145
Urine - \$65
Office visit - \$37
Total = \$247

3) Animal Hospital of Hawaii

3111 Castle St.
Honolulu, HI
(808)-732-7387

**Total for office visit, exam, diagnostic profile,
liver profile, blood count, and urinalysis and = \$262.84.**

4) Aloha Animal Hospital

4224 Waiialae Ave
Honolulu, HI 96816
(808) 734-2242

Blood - \$80-\$200 (Average = \$140)

Urine - \$40.59

Office visit - \$80

Total = \$260.59

(Note that these prices are based on cats. Prices for dogs usually are slightly higher, but cannot be provided with specificity without a consultation with the animal.)

5) Animal Clinic Waipahu

Animal Clinic Waipahu
Waipahu, HI 96797
(808) 671-1751

Blood - \$102-\$130 (Average = \$116)

Urine - \$40.85

Office visit - \$40.60

Clean up fee - \$4.05

Total = \$201.50

(The prices were characterized as the bare minimum. During consultation, the doctor may recommend additional tests.)

- 6) **Gentry-Waipio Pet Clinic**
94-1040 Waipio Uka St Ste 8
Waipahu, HI 96797
(808) 676-2205

Blood - \$99
Urine - \$30
Office visit - \$30-\$50 (Average = \$40)
Total = \$169

- 7) **Hatami Michelle A DVM**
Pearl City, HI 96782
(808) 456-2221

Blood and urine - \$115
Office visit - \$35
Total = \$150

- 8) **Island Veterinary Care LLC**
830 Coolidge St Ste 1
Honolulu, HI 96826
(808) 944-0003

Total cost of blood and urine tests and office visit = \$235

- 9) **Kamiya Francis T DVM**
98-1247 Kaahumanu St Ste 111
Aiea, HI 96701
(808) 488-3667

Drawing Blood - \$9
Testing Blood - \$77.85
Taking Urine - \$25
Testing Urine - \$30.95
Office visit - \$36
Total = \$178.80

- 10) Kokua Pet Clinic**
1111 Dillingham Blvd Ste E5
Honolulu, HI 96817
(808) 843-8382

Blood - \$76
Urine - \$30
Office visit - \$27
Total = \$133

- 11) Kondo Roger M DVM**
1115 Young St
Honolulu, HI 96814
(808) 593-9336

Blood - \$92
Urine - \$34
Standard office visit - \$47.50
Total = \$173.50

(In addition, testing for renal failure costs approximately \$300.)

- 12) Leadbeater Patrick A DVM Mrcvs**
Kahala Pet Hospital The Vete
Honolulu, HI 96801
(808) 735-4433

Blood - \$90-\$120 (Average = \$105)
Urine - \$21
Office visit - \$45
Total = \$171

(The cost of the urine test noted above is if it is performed in-house.
If the test is sent to an outside lab, it costs \$40 - \$70.)

13) Central Maui Animal Clinic Inc

45 Hookele
Kahului, HI 96732
(808) 893-2380

Blood + Urine = about \$200
Office visit = \$39
Total = \$239

14) Lahaina Veterinary Clinic

PO Box 11375
Lahaina, HI 96761
(808) 661-3515

Blood - \$92-\$129 (Average = 110.50)
Urine - \$29 (base cost)
Office visit - \$48
Total = \$187.50

(The base cost for a urine test is \$29; the test can run up to \$75 - \$95.)

3. Based on the information I received from the above 14 veterinarians and veterinary facilities, the average cost for renal screening for a dog or cat in Hawaii is \$217.01.

I, ERIN OWENS, DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Honolulu, Hawaii, July 27, 2007.


ERIN OWENS