

IN THE UNITED STATES DISTRICT COURT CIRCUIT

FOR THE DISTRICT OF HAWAII

Valerie Sylvester, David Pang, Andrew Garcia,
Ruth Camargo, Chris Hubbard, Stacey Collins,
Randall Bandmann, Kelly Engle, Pam Gould and
Erik Coral-Sands

Plaintiffs,

v.

MENU FOODS, INC., a New Jersey Corporation;
MENU FOODS HOLDINGS, INC., a Delaware
Corporation, MENU FOODS INCOME FUND, an
unicorporated Canadian business; Doe Entities
and Individuals 1- 100,

Defendants.

Civil No. CV07-00409ACKKSC
(Non-Vehicle Tort)

DECLARATION OF EMILY A.
GARDNER

DECLARATION OF EMILY A. GARDNER

I, Emily A. Gardner do hereby declare:

1. I am an attorney licensed to practice law in all courts in the State of Hawaii, am the attorney of record for all named Plaintiffs in the above-noted case and make the following statements based on my personal knowledge and am competent to testify thereto.
2. Attached hereto as Exhibit "1" is a true and correct copy of Plaintiffs' Notice of Opposition to Conditional Transfer Order (CTO-4), filed with the clerk of the Judicial Panel of Multidistrict Litigation on August 31, 2007.
3. Attached hereto as Exhibit "2" is a true and correct copy of Plaintiffs Valerie Sylvester, David Pang, Andrew Garcia, Ruth Camargo, Chris Hubbard, Stacey Collins, Randall Bandmann, Kelly Engle, Pam Gould and Erik Coral-Sands'

Motion to Vacate CTO-4, and their Brief in support thereof, served on the Judicial Panel on Multidistrict Litigation on September 16, 2007.

I, Emily Gardner, declare under the penalty of perjury that the foregoing is true and correct.

DATED: HONOLULU, HAWAII, September 20, 2007.

/s/ Emily A. Gardner
EMILY A. GARDNER