

## 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  
unincorporated Canadian business; Doe Entities  
and Individuals 1- 100,

Defendants.

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

DECLARATION OF RANDALL  
BANDMANN

DECLARATION OF RANDALL BANDMANN

I, Randall Bandmann, do hereby declare:

1. I am a resident of the State of Hawaii and one of the named Plaintiffs in the above-noted case. I make the following statements based on my personal knowledge and am competent to testify thereto.
2. I purchased Ol'Roy Dog Hearty Slices in Gravy canned dog food from Walmart in Lihue, Kauai in December of 2006 and fed it my shih tsu named Keawe, resulting in Keawe becoming severely ill..
3. I brought my claim against the three Defendants in Hawaii state court, under Hawaii state laws. I am not seeking an amount in damages, including attorney's fees that is in excess of \$75,000.

4. It would be extremely inconvenient for me if the case I originally filed in Hawaii state court was moved to New Jersey. This seems very unfair to me and to be motivated more by Defendants' convenience, certainly not mine. It would also seem to be a strategy on the part of Defendants to get me to drop my case given the extreme inconvenience it will cause me.

5. I, RANDALL BANDMANN, declare under the penalty of perjury that the foregoing is true and correct.

DATED: 9-20-07, HAWAII, SEPTEMBER 20, 2007.

  
RANDALL BANDMANN