Filed 12/08/2005

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

MARK MONSOUR,)
SHEILA MONSOUR)
and MONSOUR'S, INC.)
Plaintiffs,) Case No. 05-1204-MLB
v.)
MENU MAKER FOODS, INC.,)
Defendant.)

AMENDED NOTICE OF VIDEOTAPED DEPOSITION

ALL PARTIES AND/OR THEIR COUNSEL OF RECORD TO:

PLEASE TAKE NOTICE that the plaintiffs will take the videotaped deposition of Ed Fairchild upon oral examination before a certified shorthand reporter on Wednesday, December 14, 2005, at 1:00 p.m. at Menu Maker Foods, Inc., 913 Big Horn Drive, Jefferson City, Missouri, said deposition to be used for discovery and evidence in the above-captioned matter.

You are notified to appear and take such part in the examination as you may deem advisable and as shall be fit and proper.

You are further notified that said deposition will be continued or adjourned from time to time or from place to place until completed.

s/ Dustin L. DeVaughn

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of December, 2005, 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 following:

John Val Wachtel Klenda, Mitchell, Austerman & Zuercher, L.L.C. 1600 EPIC Center 201 North Main, Wichita, KS 67202-4888

Telephone: 316.267.0331 Facsimile: 316.267.0333 jvwachtel@kmazlaw.com Attorneys for Defendant

> s/ Dustin L. DeVaughn Dustin L. DeVaughn