

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

MARK MONSOUR, SHEILA MONSOUR,)
and MONSOUR'S INC.,)

Plaintiffs,)

vs.)

Case No. 05-1204-MLB

MENU MAKER FOODS, INC.,)

Defendants.)

_____)

NOTICE OF DEPOSITION

TO: ALL PARTIES AND/OR THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that the Defendant will take the deposition of Kevin F. Mitchelson, Esq., upon oral examination before a certified shorthand reporter on Tuesday, February 22, 2006, at 1:00 o'clock p.m. in the offices of Wheeler and Mitchelson, Chtd., 4th and Broadway, Pittsburg, KS, 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.

Respectfully submitted,

KLEND A, MITCHELL, AUSTERMAN &
ZUERCHER, L.L.C.

s/John Val Wachtel
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13th day of February, 2006, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send electronic notice of this filing to:

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s/John Val Wachtel
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