

**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 OF ORGANIZATION, RULE 30(b)(6) CORPORATE  
REPRESENTATIVE(S) OF THE PLAINTIFF, MONSOUR’S, INC.**

TO: ALL PARTIES AND/OR THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that the Defendant will take the deposition upon oral examination of the following witness or witnesses:

Rule 30(b)(6) corporate representative(s) of Monsour’s, Inc. to be identified and produced by the Plaintiff Monsour’s, Inc.

to testify on behalf of the Plaintiff Monsour’s, Inc. on the following matters, including *inter alia*:

1. All claims made by Monsour’s, Inc. in this litigation;
2. All affirmative defenses raised by it in this litigation;
3. Each category of damages claimed by Monsour’s, Inc.;
4. How damages were calculated by Monsour’s, Inc.;
5. How damages were mitigated, if at all, by Monsour’s, Inc.;
6. All claims or affirmative defenses raised by Monsour’s, Inc.;
7. Financial records of Monsour’s, Inc. and how those records were created and kept;
8. Business activities of Monsour’s, Inc.;
9. All matters relevant or material to this litigation and to any claims made by any party;

10. All matters into which inquiry is allowed under the Federal Rules, including Rule 26;
11. The conduct of Monsour's Inc.'s business; and
12. All matters subject to the court's order regarding planning and scheduling.

The deposition(s) will be taken pursuant to Rule 30(b)(6) upon oral examination before a certified shorthand reporter on Wednesday, March 15, 2006, at 8:00 o'clock a.m. in the offices of Plaintiffs' counsel at 200 W. Douglas Ave., Ste. 500, Wichita, KS, said deposition to be used for discovery and evidence in the above captioned matter. The deposition shall concern all claims made by this Plaintiff and all matters relevant to any claim or defense raised by this Plaintiff.

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,

KLENDIA, MITCHELL, AUSTERMAN &  
ZUERCHER, L.L.C.

s/John Val Wachtel

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#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 7<sup>th</sup> day of March, 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:

Dustin DeVaughn  
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Attorney for Plaintiff

s/John Val Wachtel

John Val Wachtel

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