

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Jared Workman, and Mark and Mona Cohen,
on behalf of themselves and all others
similarly situated,
Plaintiffs,
vs.
Menu Foods Limited, Menu Foods Inc., and
Menu Foods Midwest Corporation
Defendants.

AFFIDAVIT OF RUSSELL D. PAUL IN SUPPORT OF MEMORANDUM OF
LAW IN SUPPORT OF ORDER TO SHOW CAUSE WHY A PROTECTIVE
ORDER TO SUPERVISE OR LIMIT COMMUNICATIONS WITH ABSENT
CLASS MEMBERS SHOULD NOT ISSUE

COMMONWEALTH OF PENNSYLVANIA )
COUNTY OF PHILADELPHIA )

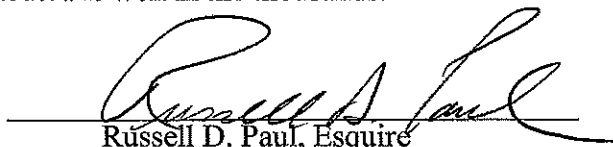
RUSSELL D. PAUL, being first duly sworn, deposes and says:

- 1. I am an attorney with the firm Berger & Montague, P.C., counsel for Plaintiffs in the above-referenced action.
2. I make this affidavit in further support of Plaintiffs' Memorandum Of Law In Support Of Order To Show Cause Why A Protective Order To Supervise Or Limit Communications With Absent Class Members Should Not Issue.
3. I and other attorneys and paralegals of my firm have been in contact with numerous other counsel for plaintiffs across the country, with our own clients, and with concerned potential class members also around the country.
4. Based on these extensive contacts, we have learned over the last two weeks that clients of plaintiffs' counsel have been sent by Menu Foods detailed

questionnaires in the form of Exhibit C. Other absent class members that have not formally retained counsel have informed plaintiffs' firms that they have received the same Claim Form from Menu Foods.

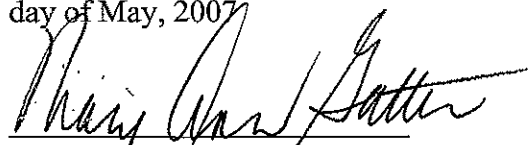
5. It appears that Menu Foods directs the Claim Form to any consumer who calls Menu Foods' toll-free number to inquire into the pet food recall and express concern for their pet(s). It further appears that Menu Foods has also sent the Claim Form to named representatives in similar class actions around the country.
6. The precise number of Claim Forms distributed to affected pet owners is unknown to plaintiffs' counsel at this time. However, since Menu Foods has likely received many thousands of calls to its toll-free number, it is likely that the number of Claim Forms distributed is well in the thousands.

Dated: May 7, 2007

  
Russell D. Paul, Esquire  
**BERGER & MONTAGUE, P.C.**  
1622 Locust Street  
Philadelphia, PA 19103  
Telephone: (215) 875-3000  
Facsimile: (215) 875-4604

Sworn to before me this 7th

day of May, 2007

  
Notary Public

