

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, )  
)  
v. ) Case No. 07 CV 01338  
)  
Menu Foods Limited, Menu Foods Inc., and )  
Menu Foods Midwest Corporation )  
)  
Defendants. )

**AFFIDAVIT OF BRENT HACKETT**

I, Brent Hackett, being first duly sworn on oath, state that I have personal knowledge of the following facts and if called upon to testify in this matter, I could competently testify as follows:


1. I am currently employed at Crawford & Company ("Crawford"), an independent claims management company. My position at Crawford is Assistant Vice President, Catastrophe Services and Operations.
2. Crawford was retained by Menu Foods to assist in answering telephonic calls and responding to questions from concerned customers regarding Menu Foods' recall ("Menu Foods' project").
3. As Assistant Vice President, I am directly involved in overseeing the Menu Foods' project.
4. Crawford's communication with Menu Foods' customers has only been in response to customers' telephone calls. Crawford has never pro-actively contacted any customers, but rather only answered and/or returned customers' telephone calls.
5. Crawford never purported to advise any callers of their legal rights and/or how they should proceed with their claim.
6. Crawford posted the attached Data Collection Form on the following website: [www.claimsalert.ca/menufoods](http://www.claimsalert.ca/menufoods), on March 22, 2007. This Data Collection Form was not mailed to customers, however, customers could download the Form from the website and

complete it if they chose to do so.

- 7. In a few instances, however, customers urgently requested a copy of the Data Collection Form be sent to them. For the request of customers in these limited instances, Crawford mailed no more than fifty (50) Data Collection Forms.
- 8. Crawford used the Data Collection Form, at the direction of Menu Foods, to keep a record of telephone calls from concerned customers.
- 9. The Data Collection Form never suggested to customers how they should proceed with their claims.
- 10. When the Data Collection Form was posted on the website, Crawford did not have a settlement procedure in place. To date, Crawford has not settled any claims on behalf of Menu Foods.
- 11. Crawford never solicited any settlements, releases and/or opt-outs from Menu Foods' customers regarding the recall.

FURTHER AFFIANT SAYETH NAUGHT

Dated: May 14, 2007



\_\_\_\_\_  
 Brent Hackett  
 Crawford & Company  
 539 Riverbend Drive  
 Kitchener, Ontario  
 N2K3S3

Sworn to before me this \_\_\_\_\_  
day of May, 2007

\_\_\_\_\_  
Notary Public