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**Attorneys for Plaintiff**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

\_\_\_\_\_  
Troy Gagliadri, individually and on behalf of all others )  
similarly situated, )

Plaintiffs, )

v. )

Civil Action No. )

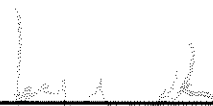
Menu Foods, Inc., Menu Foods Income Fund, Menu )  
Foods Midwest Corporation, and Menu Foods South )  
Dakota, Inc., )

Defendant. )

**CERTIFICATE OF  
NON-ARBITRABILITY**

Joseph J. DePalma, of full age, certifies that pursuant to L. Civ. R. 201.1 the within matter is not arbitrable, being that the Complaint seeks damages that are in an excess of \$150,000 and injunctive relief.

Dated: March 30, 2007

  
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Joseph J. DePalma, Esq.