

4. Annexed to the Motion as Exhibit "A" is a true and accurate copy of the publicly available document: "What You Need to Know About Mercury in Fish and Shellfish," published by the United States Department of Health and Human Services and the United States Environmental Protection Agency.

5. Annexed to the Motion as Exhibit "B" is a true and accurate copy of the publicly available document: "Backgrounder for the 2004 FDA/EPA Consumer Advisory: What You Need to Know About Mercury in Fish and Shellfish," published by the United States Department of Health and Human Services and the United States Environmental Protection Agency."

6. Annexed to the Motion as Exhibit "C" is a true and accurate copy of the publicly available Letter from Lester M. Crawford, D.V.M., Ph.D., United States Commissioner of Food and Drugs, to Bill Lockyer, Attorney General of the State of California, dated August 12, 2005, re: a suit filed on June 21, 2004 in San Francisco Superior Court.

7. Annexed to the Motion as Exhibit "D" is a true and accurate copy of Section 540.600 of the Federal Food and Drug Administration's Compliance Policy Guide.

I certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Kenneth A. Schoen
Kenneth A. Schoen

Dated: March 9, 2006