

Date Filed: _____

Court Date: _____

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: WORLD SPICE INC., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023962

Date Filed: _____

Court Date: _____

**UNITED STATES DISTRICT COURT
COUNTY OF****DISTRICT: EASTERN DISTRICT OF NEW YORK**

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.: _____

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

Plaintiff(s)/Petitioner(s)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: WORLD SPICE INC., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York ☐ and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

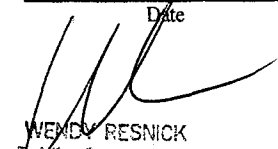
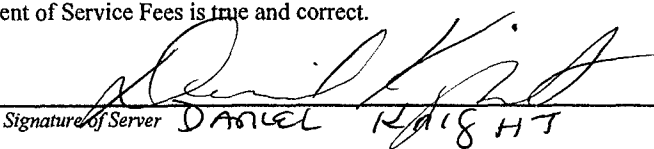
#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023962

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>SEPT. 24. 2007 @ 4:40 P.M.</u>	
NAME OF SERVER <u>DANIEL Knight</u>	TITLE <u>PROCESS SERVER</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>223-225 E Highland PKwy</u> <u>ROSELLE NJ</u>		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>SEPT 25 2007</u> <div style="text-align: center;">  WENDY RESNICK Notary Public, State of New York No. 01RE5067484 Qualified in Westchester County Commission Expires Oct. 15, 2010 </div>	<div style="text-align: center;">  Signature of Server <u>DANIEL KNIGHT</u> </div> <div style="text-align: center; margin-top: 20px;"> <u>PO Box 67 Westtown N.Y.</u> Address of Server </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**UNITED STATES DISTRICT COURT
COUNTY OF**

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DISTRICT: EASTERN DISTRICT OF NEW YORK

Date Filed: _____

Court Date: _____

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

vs

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ 07203, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: WORLD SPICE INC., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY KESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023949

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

vs

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ 07203, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: WORLD SPICE INC., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York ☐ and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023949

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Sept. 24, 2007 @ 4:40 PM
NAME OF SERVER DANIEL KNIGHT	TITLE PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the third-party defendant. Place where served: 223-225 E. Highland Ave. Roselle N.J.
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	--------------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on SEPT. 25, 2007
Date

Daniel Knight
Signature of Server DANIEL KNIGHT

WENDY RESNICK
Notary Public, State of New York
No. 01RE5067464
Qualified in Westchester County
Commission Expires Oct. 15, 2010

PO Box 67 Westtown NY
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, 1NJ 07203, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES TRADING CORP. d/b/a ATLANTIC QUALITY SPICE & SEASONINGS, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023944

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

vs

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, 1NJ 07203, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES TRADING CORP. d/b/a ATLANTIC QUALITY SPICE & SEASONINGS, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

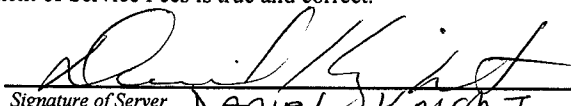
#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Daniel Knight
Server's Lic #
Invoice/Work Order # 07023944

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>SEPT. 24. 2007 @ 4:40 PM</u>	
NAME OF SERVER <u>DANIEL KNIGHT</u>	TITLE <u>PROCESS SERVER</u>	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>223-225E Highland PKwy</u> <u>ROSELLE, N.J. 07203</u>		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>SEPT. 25 2007</u> <div style="text-align: center;">Date</div>	<div style="text-align: center;">  Signature of Server <u>DANIEL KNIGHT</u> </div>	
WENDY RESNICK Notary Public, State of New York No. 01PE5067484 Qualified in Westchester County Commission Expires Oct. 15, <u>2010</u>	<div style="text-align: center;"> <u>P.O. Box 67, WESTTOWN, N.Y.</u> Address of Server </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Date Filed: _____

Court Date: _____

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

vs

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY PLAINTIFF)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 E. HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: ATLANTIC QUALITY SPICE & SEASONINGS A DIVISION OF VAN DE VRIES TRADING, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #

Invoice/Work Order # 07023932

Date Filed: _____

Court Date: _____

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

Plaintiff(s)/Petitioner(s)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 E. HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: ATLANTIC QUALITY SPICE & SEASONINGS A DIVISION OF VAN DE VRIES TRADING, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023932

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE SEPT. 24, 2007 @ 4:40 P.M.
NAME OF SERVER DANIEL KNIGHT	TITLE PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the third-party defendant. Place where served: 223-225 E. Highland PKwy
ROSELLE N.J.
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

- ☐ Returned unexecuted:

- ☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	--------------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on SEPT 25 2007
Date

WENDY PESNICK
Notary Public, State of New York
No. 01855067404
Qualified in Westchester County
Commission Expires Oct. 15, 2010

Signature of Server DANIEL KNIGHT

P.O. Box 67, Westtown N.Y.
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Date Filed: _____

Court Date: _____

**NEW YORK
COUNTY OF****DISTRICT: EASTERN DISTRICT OF NEW YORK**

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

Plaintiff(s)/Petitioner(s)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES SPICE CORPORATION, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023895

Date Filed: _____

Court Date: _____

**NEW YORK
COUNTY OF****DISTRICT: EASTERN DISTRICT OF NEW YORK**

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

Plaintiff(s)/Petitioner(s)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES SPICE CORPORATION, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023895

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>September 24, 2007 @ 4:40 PM</u>	
NAME OF SERVER <u>DANIEL KNIGHT</u>	TITLE	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>223-225 E Highland Ave Roselle N.J.</u>		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on <u>Sept. 25, 2007</u> Date</p> <p><u>Wendy Bernick</u> Notary Public, State of New York No. 0195507-0000 Qualified in Westchester County Commission Expires Oct. 15, 2010</p> </div> <div style="width: 50%;"> <p><u>[Signature]</u> Signature of Server <u>DANIEL KNIGHT</u></p> <p><u>PO Box 67 Westtown N.Y.</u> Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Date Filed: _____

Court Date: _____

**UNITED STATES DISTRICT COURT
COUNTY OF**

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

vs

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES FOOD CORP., d/b/a ATLANTIC QUALITY SPICE & SEASONINGS, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE506764, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023948

Date Filed: _____

Court Date: _____

**UNITED STATES DISTRICT COURT
COUNTY OF**

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: VAN DE VRIES FOOD CORP., d/b/a ATLANTIC QUALITY SPICE & SEASONINGS, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

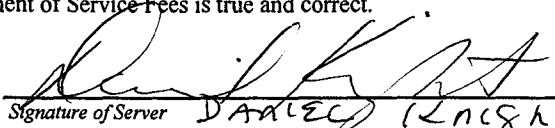
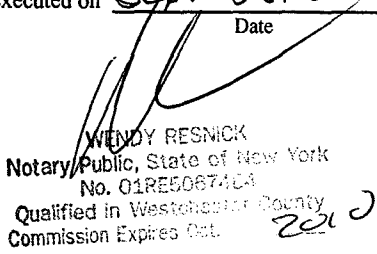
WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight

Server's Lic #

Invoice/Work Order # 07023948

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>SEPT. 24, 2007 @ 4:40 PM</u>	
NAME OF SERVER <u>DANIEL KNIGHT</u>	TITLE <u>PROCESS SERVER</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>223-225 E Highland Pkwy Roselle, NJ</u>		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>SEPT. 25, 2007</u> <div style="text-align: center;">Date</div>	<div style="text-align: center;">  Signature of Server <u>DANIEL KNIGHT</u> </div>	
<div style="text-align: center;">  Notary Public, State of New York No. 01RE50874CA Qualified in Westchester County Commission Expires Oct. <u>2010</u> </div>	<div style="text-align: center;"> <u>P.O. Box 67, Westtown N.Y.</u> Address of Server </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

VS

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: ATLANTIC QUALITY SPICE & SEASONINGS A DIVISION OF VAN DE VRIES FOOD CORP., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York ☐ and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 5' 4" - 5' 8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023946

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: EASTERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

Date Filed: _____

Court Date: _____

DAVID ALLEN and ASHLEE ALLEN, Individually and as Guardians ad Litem for XAVIER ALLEN, an infant (plaintiff) -VS- ROBERT'S AMERICAN GOURMET FOOD, INC., a domestic corporation (defendant)

ROBERT'S AMERICAN GOURMET FOOD, INC. (DEFENDANT & 3RD PTY PLAINTIFF) -VS- VAN DE VRIES SPICE CORPORATION, ET AL (3RD PTY DEFENDANT)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Daniel Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On September 24, 2007 at 4:40PM, at 223-225 HIGHLAND PARKWAY, ROSELLE, NJ, deponent served the within Third Party Summons in a Civil Action & Third Party Complaint

on: ATLANTIC QUALITY SPICE & SEASONINGS A DIVISION OF VAN DE VRIES FOOD CORP., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering thereat a true copy of each to BELLA LOWY personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____ on the _____ day of _____ at _____ on the _____ day of _____ at _____ Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York ☐ and Certified Mail # _____

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Gray Age: 61-70 Yrs Height: 5'4" - 5'8"
Weight: 161 - 200 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on September 25, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE508746, Westchester County
Commission Expires Oct. 15, 2010

Daniel Knight
Server's Lic #
Invoice/Work Order # 07023946

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Sept. 24, 2007 @ 4:40 PM
NAME OF SERVER DANIEL KNIGHT	TITLE PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the third-party defendant. Place where served: 223-225E Highland PKwy
ROSELLE N.J.
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:☐ Other (specify):**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	-----------------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Sept. 25, 2007
Date

Signature of Server

DANIEL KNIGHT

WENDY RESNICK
Notary Public, State of New York
No. 01RE5067464
Qualified in Westchester County
Commission Expires Oct. 15, 2010

Address of Server

P.O. Box 67 WESTTOWN N.Y.

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.