

CERTIFICATION PURSUANT TO LOCAL RULE 7.8(b)(2)

Undersigned counsel hereby certifies pursuant to Local Rule 7.8(b)(2) that the foregoing document contains 4,575 words (exclusive of the caption, the table of contents, the table of authorities, and the certifications herein) according to the word count feature of undersigned counsel's computer.

/s/ Harvey Freedenberg
Harvey Freedenberg

Of Counsel for Plaintiff/Counterclaim
Defendant, The Hershey Company

Dated: November 18, 2010