

II. EXPERT WITNESS LIST:

Dr. Itamar Simonson
Sebastian S. Kresge Professor of Marketing
Graduate School of Business
Stanford University
Stanford, CA 94305-5015
(650) 725-8981

Professor Simonson will testify via declaration, supplemental declaration and expert report regarding matters made the basis of this lawsuit.

Dr. Thomas J. Maronick
Professor of Marketing
Towson University
Towson, Maryland 21252

Subject to a ruling on Defendants' Motion to Exclude the Expert Report and Opinion of Thomas J. Maronick, and without waiver of Defendants' objections, Defendants may offer portions of Professor Maronick's expert report and deposition testimony.

III. ATTORNEY DECLARANTS

Carl C. Butzer
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-5902

Shannon Zmud Teicher
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-5987

Defendants' attorneys will testify via declaration as previously set forth in Defendants' briefing relating to Defendants' Motion to Exclude the Expert Report and Opinion of Thomas J. Maronick and Plaintiffs' Motions for Class Certification.

Respectfully submitted,

/s/ Charles L. Babcock

CHARLES L. "CHIP" BABCOCK
Texas State Bar No. 01479500
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-6030
(214) 953-5822 - Fax
Email: cbabcock@jw.com

DAVID T. MORAN
Texas State Bar No. 14419400
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-6051
(214) 661-6677 - Fax
Email: dmoran@jw.com

CARL C. BUTZER
Texas State Bar No. 03545900
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-5902
(214) 661-6609 - Fax
Email: cbutzer@jw.com

SHANNON ZMUD TEICHER
Texas State Bar No. 24047169
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-5987
(214) 661-6844 – Fax
Email: steicher@jw.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2010, I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic case files system of the court. The electronic case files system sent a “Notice of Electronic Filing” to individuals who have consented in writing to accept this Notice as service of this document by electronic means. All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by first class mail today, November 17, 2010.

/s/ Charles L. Babcock

Charles L. Babcock