

EXHIBIT D

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

HEARTBRAND BEEF, INC.

Plaintiff,

vs.

LOBEL'S OF NEW YORK, LLC,
WORLDWIDE MEDIA, INC., THOUGHT
CONVERGENCE, INC. and YAHOO! INC.
Defendants.

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Civil Action No. 6:08-cv-00062

DECLARATION OF RONALD BEEMAN

I, Ronald Beeman, declare as follows:

1. I am over the age of twenty-one (21), and I am competent to make this declaration, and I have personal knowledge of the facts stated herein.

2. I am the President of Heartbrand Beef, Inc., Plaintiff in the above-entitled cause.

3. I believe that Heartbrand Beef, Inc. is the only source of Akaushi beef in the United States. All of the Akaushi cattle that Heartbrand Beef, Inc. raises, and all the Akaushi beef that has not been shipped by Heartbrand Beef, Inc. to its customers are located in Lavaca County, Texas.

4. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and this Declaration was executed on this 29th day of October, 2008.



Ronald Beeman