

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF ARKANSAS**

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BEST PALLETS INC., and BEST INDUSTRIAL	§
PALLETS, L.L.C., by and through their President and	§
Owner JAMES L. TAYLOR; ITNOLAP PALLET &	§
CRATING, INC., by and through its President and	§
Owner WILLIAM M. CLARK; ITNOLAP PALLET	§ <b>The Honorable Robert T. Dawson</b>
& CRATING, L.L.C., by and through its President and	§
Half-Owner WILLIAM M. CLARK; PALLET	§ <b>U.S. District Judge</b>
EXPRESS, INC., by and through its Vice-President	§
and Owner LYNN RIDGE BELL; and GOEMAN'S	§ <b>Case No. 08-2012</b>
WOOD PRODUCTS, INC., by and through its	§
President and Owner DANNY J. GOEMAN, for	§
themselves and all other similarly situated,	§
PLAINTIFFS AND PROPOSED CLASS	§
REPRESENTATIVES,	§
	§
v.	§
	§
BRAMBLES INDUSTRIES, INC., and BRAMBLES	§
NORTH AMERICA, INC., d/b/a CHEP USA,	§
DEFENDANTS	§
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**SUPPLEMENT TO MEMORANDUM OF LAW IN SUPPORT OF  
MOTION FOR CLASS CERTIFICATION**

The above-named Plaintiffs hereby supplement their Motion for Class Certification and Memorandum of Law in Support of Motion for Class Certification (originally filed November 13, 2008) with revised reports of Judd H. Michael, Ph.D (originally attached as Exhibit "6A" to Plaintiff's Memorandum), and Charles David Ray, Ph.D. (originally attached as Exhibit "6B" to Plaintiff's Memorandum).

The revised reports of Drs. Michael and Ray were submitted to opposing counsel, William Kolasky, by e-mail on November 20, 2008, and are attached to this pleading to supplement the Plaintiff's Motion and Memorandum in Support of Class Certification. The

attached affidavits and reports provide supplemental support to demonstrate the fact of damage to the class, and outline a workable methodology for providing the proof of the amount of damage to the class as a whole and each member of the proposed class. The revised reports include new paragraphs numbered 26 through 30, with additional figures (graphic representations), as referenced in the added paragraphs.

WHEREFORE, Plaintiffs respectfully supplement their Motion and Memorandum with the revised reports, attached hereto as Exhibit "6A (revised)", "Exhibit 6B (revised)".

Respectfully submitted,

/s/ Joe D. Byars, Jr

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**COUNSEL FOR THE NAMED  
PLAINTIFFS AND PROPOSED CLASS**

**CERTIFICATE OF SERVICE**

I, Joe D. Byars, Jr., hereby certify that on December 29, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

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/s/ Joe D. Byars, Jr.

Joe D. Byars, Jr.