

Torzilli, Paul

From: Jacobs, Jon
Sent: Thursday, June 30, 2011 3:47 PM
To: Adler, Sandy; Allen, Robin; Buterman, Larry; Fitzgerald, Scott; Gibson, Alexander; Gilleran, Fiona J; Gitlin, Adam; Glende, Mitchell; Gringer, David; Heyer, Ken; Hill, Nicholas; Ho, Jenny; Irish, Adam; Jacobs, Jon; Joseph, Tiffany; Joyce, Barry; Kantor, Ryan; Kelly, David; Knutsen, Karl; Mackay, Ian; Martin, Richard; Mosier, Richard; Mucchetti, Peter; Muskin, Matt; Nauts, Veronica; Ruane, Patricia M; Sandfort, Michael; Schaffer, Mary; Shanefelter, Jennifer; Taggart, Benjamin; Tenney, Julie A.; Torzilli, Paul; Tuyay, Byron; Wainer, Leticia; Yao, Lucy
Subject: FW: Golden-Guernsey Divestiture - New Development

Fyi.

From: Chris Olsen [<mailto:colsen@eco-inc.com>]
Sent: Thursday, June 30, 2011 1:48 PM
To: Jacobs, Jon
Subject: Re: Golden-Guernsey Divestiture - New Development

Hi Jon -
Thank you for your consideration in this matter.

I thought it important that another recent development be brought to the table. I learned yesterday a Chicago distributor quit, and I believe is going to the Dean side. I believe yu are going to see a lot of this, w/ Dean ending up w/ the majority anyhow.

Thanks,
Chris

Chris Olsen
ECO, Inc.
Ph. 262.723.5070 X 212

----- Original Message -----

From: Jacobs, Jon
To: Chris Olsen
Sent: Thursday, June 30, 2011 8:33 AM
Subject: RE: Golden-Guernsey Divestiture

Chris -

I wanted to let you know that we did receive this e-mail and understand your concerns. Although the deadline for public comment was June 14, we will pass this comment on to the judge overseeing the case. We plan to provide him with your comment, along with our response to it, as part of our motion to enter the proposed final judgment. We hope to file that motion shortly.

Jon.

From: Chris Olsen [<mailto:colsen@eco-inc.com>]
Sent: Tuesday, June 28, 2011 12:47 PM
To: Jacobs, Jon
Subject: Golden-Guernsey Divestiture

Hi Jon -

Having taken in all this divestiture ruling for Golden Guernsey (GG) and Dean's and the related action, here is my observation:



First, there is no one that I am aware of other than possibly DFA/Kemp's that is qualified to do any type of sustainable life for this plant. I am personally now dealing with school district's nervous to award us a bid as they do not know if the plant will exist a year from now. We have lost business based on this, and it is getting worse. School programs are requesting special products to meet the USDA's requirements and we are being postured due to Dena's hesitation to make the product as no one else takes it other than schools. GG has the ability to make it but cannot because Dean's will not start the plastic line @ GG - "see the new owner" is the opinion, and they have plastic production available @ other plants. SO now, our option is to bring the product in from Michigan. Who do you think is going to bear the costs of this? The schools, taxpayers and consumers.

I have maintained from the get-go the Dean acquisition may not be the best thing, but it happened. I have further maintained that there are only a few viable players to buy and sustain this plant. You are now looking at a grocery distributor and two investment groups as your prospective buyers? That is pathetic. DFA/Kemp's did go thru, which is maybe viable, although of interest that you would then make 2 of the 3 plants in Wisconsin owned by the same company along with 90% of the production capacity for fluid. You may as well have an auction at let the place go along with the 150 jobs, numerous distributors, bulk haulers and support personnel.

I cannot believe that this type of a train wreck is occurring under your auspices. It would seem much more prudent to reach an arm's length monitored operating agreement w/ Dean's to insure competition. You would have competent dairy people running a plant with adequate funding. Without a player operating the facility (as previously discussed - Prairie Farms, Smith's Dairy, or possibly DFA, which would be very good if they can use the Borden Label at that plant) or Dean Foods, it will be a slaughter of that plant. It should be obvious to you NO ONE wants the plant based on the oncoming slaughter simply by reviewing the interest in purchase presented.

I am extremely concerned about this path that is developing, and further am becoming quite convinced this is not in the public's interest, and is not good for our firm.

I would request you forward this to the judge handling this matter prior to his ruling. I do not know if public comment has ended, however the judge should be aware of the crippling effects this is already causing not in the public interest. Dean has done nothing wrong.

The entire action is simply human nature and speculation driven from an action brought on by the DOJ. Now mitigate it.

The DOJ has brought on this scenario. It is now your obligation to mitigate damage to the public, which includes us. You need to get a grip on riding herd please - and make this a viable action or correct the path it is on. I would request our immediate response to the above prior to my contacting our congressmen and senators.

Please advise of the DOJ's intents as to damage control and sustainability Jon. Thank you.

Sincerely,

Chris Olsen
ECO, Inc.
Ph. 262.723.5070 X 212

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