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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

FEDERAL TRADE COMMISSION, STATE
OF ARIZONA, STATE OF CALIFORNIA,
DISTRICT OF COLUMBIA, STATE OF
ILLINOIS, STATE OF MARYLAND, STATE
OF NEVADA, STATE OF NEW MEXICO,
STATE OF OREGON, and STATE OF
WYOMING,

Plaintiffs,

v.

THE KROGER COMPANY and
ALBERTSONS COMPANIES, INC.,

Defendants.

Case No.: 3:24-cv-00347-AN

DECLARATION OF SONIA
PFAFFENROTH IN SUPPORT OF
DEFENDANTS' MOTION TO
PARTIALLY EXCLUDE THE EXPERT
TESTIMONY OF NICHOLAS HILL

REDACTED

I, Sonia Pfaffenroth, declare as follows:

1. I am a partner in the law firm of Arnold & Porter Kaye Scholer LLP, counsel for Defendant, The Kroger Company (“Kroger”) in the above-captioned case. I am over the age of eighteen and competent to testify in this matter. I make this declaration based on my personal knowledge. I make this declaration in support of Defendants’ Motion to Partially Exclude the Expert Testimony of Nicholas Hill.

2. Attached to this declaration as Exhibit 1 are excerpts of the Expert Report of Nicholas Hill, dated June 18, 2024.

3. Attached to this declaration as Exhibit 2 are excerpts of the Expert Rebuttal Report of Nicholas Hill, dated July 12, 2024.

4. Attached to this declaration as Exhibit 3 are excerpts of the Expert Report of Daniel Galante, dated July 1, 2024.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: August 14, 2024

/s/ Sonia K. Pfaffenroth
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