

Exhibit V

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF VERMONT
DOCKET #: 5:09-cv-00230

ALICE H. ALLEN and LAURENCE E. ALLEN,
d/b/a AL-LENS FARMS, et al.,

Plaintiffs,

vs.

DAIRY FARMERS OF AMERICA, et al.,

Defendants.

This is the Videotaped Examination of

JAMES F. KELLEHER

held on the 18th day of March, 2011

held at the Bond, Schoeneck & King, One

Lincoln Center, Syracuse, New York,

commencing at 9:14 a.m., ending at 2:55 p.m.

REPORTED BY: NANCY H. SWARTZ
Shorthand Reporter
Notary Public

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1 Q I may have asked you this but
2 approximately how long did it last?

3 A We used -- over lunch, it would just be
4 an hour.

5 Q How often do you meet with Mr. Stoddart
6 over the years?

7 A Once a year.

8 Q Is it always in Albany?

9 A Yes.

10 Q And is this a regular meeting or just as
11 things come up?

12 A Just -- there's no set date, no.

13 Q And are you friends or is this for
14 business purposes?

15 A We don't socialize so I'd say it's
16 business.

17 Q And are there other cases where you've
18 asked Mr. Stoddart what prices they're paying
19 farmers, by they I mean Agri-Mark?

20 A I can't remember, we've discussed many
21 things at the meetings.

22 Q Have you discussed with Mr. Stoddart on

1 previous occasions what Agri-Mark's pay program
2 was?

3 A I don't recall, I probably asked if there
4 was any changes.

5 Q When would you have done that?

6 A I don't recall.

7 Q And was that -- did you ask him that for
8 the same purpose, to figure out what you were
9 going to do competitively?

10 MR. KUNEY: Objection to form.

11 Q Let me rephrase that. Did you ask him
12 that question to help you figure out what you
13 were going to do competitively?

14 MR. KUNEY: Objection to form.

15 A I'm just backing up what the farmers tell
16 me.

17 Q You're trying to verify it, again, verify
18 it from the source of the -- strike that.

19 You're basically going to the source of
20 Agri-Mark's pricing to verify the information
21 you're hearing in the field about their prices?

22 A Yes.