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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DEBRA ZANETTI and DANIEL TRONGONE, class representatives on behalf of themselves and others similarly situated, Plaintiffs, v. IKO MANUFACTURING, INC., a Delaware Corporation, Defendants.	)	Civil Action No. 09-CV-02017 (DRD/MAS) **CERTIFICATION OF VANESSA M. KELLY IN SUPPORT OF DEFENDANT'S MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' AMENDED COMPLAINT**

Vanessa M. Kelly, of full age, certifies as follows:

1. I am an attorney at law of the State of New Jersey and a member of the firm Schwartz Kelly, LLC, attorneys for Defendant IKO Manufacturing, Inc. ("IKO") in the captioned matter. I make this Certification in support of IKO's motion for an extension of time to answer or otherwise respond to Plaintiffs' complaint. This Motion is made without waiving any defenses, including but not limited to lack of personal jurisdiction.

2. Plaintiffs filed their Complaint on April 29, 2009. (Dkt. No. 1). IKO was not served with the original complaint. Plaintiffs filed an Amended Complaint on June 1, 2009. (Dkt. No. 4).

3. IKO was served with the Amended Complaint on June 8, 2009. IKO's answer was due June 28, 2009. IKO filed an application for an automatic clerk's extension of time within which to file its answer or otherwise respond to the Amended Complaint. (Dkt. #7). On June 29, 2009, IKO was granted an automatic clerk's extension of time to file its answer or responsive pleading making IKO's response due July 14, 2009 (Clerk's Text Order, June 29, 2009).

4. In the Amended Complaint, Plaintiffs have alleged a wide-reaching consumer class action "on behalf of all persons and entities who purchased IKO shingles." (Amended Complaint at ¶ 1).

5. The Amended Complaint is similar, if not identical, to other complaints filed in other federal courts. Specifically, a complaint filed on April 30, 2009 is pending in the United States District Court for the Central District of Illinois under caption *McNeil* et al. *v. IKO Manufacturing, Inc.*, Civil Action No. 2:09-cv-02105. Another complaint, filed April 29, 2009, is pending in the United States District Court for the Western District of New York, captioned *Gerald P. Czuba v. IKO Manufacturing, Inc.*, Civil Action No. 09-cv-0409. And a Complaint was filed on June 29, 2009 in the United States District Court for the Western District of Washington at Seattle, captioned *Michael Hight and Michael Augustine v. IKO Manufacturing, Inc.* et al, Civil Action No. 2:09-cv-00887-RSM. IKO intends to consolidate

these actions before a single federal court by filing a motion with the Judicial Panel on Multidistrict Litigation.

6. Accordingly, IKO respectfully requests an extension of thirty (30) days in order to adequately answer or otherwise respond to Plaintiffs' Amended Complaint, making IKO's answer or responsive pleading due August 13, 2009.

7. Plaintiffs, through their counsel, have consented to IKO's request for an extension of time to answer or otherwise respond to the Complaint.

8. A proposed order is attached.

I certify that the foregoing statements made by me are true. I am aware that if any of these statements are willfully false, I may be subject to punishment.

Dated: July 10, 2009

Vanessa M. Kelly