

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS

SUPERIOR COURT
C.A. NO: 06-1963-B

WHITE CITY SHOPPING CENTER, LP,

Plaintiff,

v.

P.R. RESTAURANTS, L.L.C.,

Defendants.

AFFIDAVIT OF CHRISTOPHER SCHLESINGER

I, Christopher Schlesinger, hereby depose and say as follows:

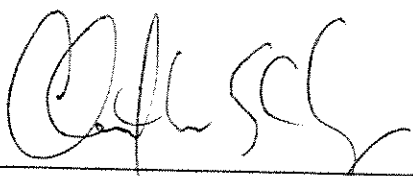
1. I have been in the food service industry since the age of 18. Following my graduation from the Culinary Institute of America in 1977, I have worked in 35 different restaurants, working with New England's most innovative chefs. In 1986, I opened East Coast Grill. In 1989, I opened Jake and Earl's Dixie BBQ, and in 1990, I opened the Blue Room. I am presently the chef and owner of All Star Sandwich Bar in Cambridge, Massachusetts. I am co-author of five cookbooks, one of which won the James Beard Cookbook Award. I have co-authored a monthly feature on culinary issues in *The New York Times* and have written numerous articles for magazines such as *GQ* and *Food & Wine*. I am also a Contributing Editor for *Saveur* magazine. I have taught culinary students at the Culinary Institute of America and was the winner of the James Beard Award in 1996 for "Best Chef of the Northeast." I am a founding member of the national organization Chefs 2000 and actively work with local farmers to preserve farming in New England. I also consider myself someone very knowledgeable in culinary history.

2. I know of no chef or culinary historian who would call a burrito a sandwich. Indeed, the notion would be absurd to any credible chef or culinary historian.

3. A sandwich is of European roots and is generally recognized in our industry as two pieces of leavened bread with something in between, typically slices of meat and/or slices of cheese. Although there may be other contents, including sliced vegetables, included in a sandwich, a sandwich is rarely, if ever, served with beans or rice in between the slices of bread. A sandwich is typically served cold.

4. A burrito, on the other hand, is specific to Mexico and is a food that is typically hot, with its contents being blended in a mix as they are rolled into a tortilla, a flat unleavened product originally from Mexico, that seals its contents in a blend inside as it is rolled and folded. Unless requested to leave out, a burrito always includes rice and beans. It typically contains a grilled chopped meat filling, choices of salsas, sour cream, guacamole, chopped tomatoes, grated cheese and lettuce.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 20 DAY OF OCTOBER, 2006.



Christopher Schlesinger

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail hand on 10/20/06
E. M. M. 1 666