

# **EXHIBIT 10**



4. Mr. Murphy forewarned us in no uncertain terms that if he (or members of his office) were to discover that any member of the Rubashkin family had either an equity interest or a management role in the company after we purchased it, the US Attorney's Office would not allow this. Mr. Murphy made it clear that this exclusion applied to all members of the Rubashkin family, not just to Mr. Sholom Rubashkin. We understood from Mr. Murphy's statement that if any member of the Rubashkin family were to have an ownership interest or a management role in the company after we purchased Agriprocessors, the Department of Justice would pursue this and we would be subject to prosecution.

5. I asked Mr. Murphy whether the prohibition extended to regular employees. Could we, for example, hire Mr. Heshy Rubashkin as an employee? Mr. Murphy told us it would be permissible to hire Mr. Heshy Rubashkin as an ordinary employee, but not as a manager.

6. In the months following my meeting with Mr. Murphy, I had several conversations with Mr. Joe Sarachek, the bankruptcy trustee. During that time, we were in discussions with parties who were interested in purchasing Agriprocessors.

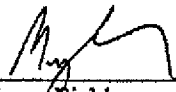
7. Ultimately, however, the exclusion of Rubashkin family members pronounced by the US Attorney's Office prevented the group of investors from making a formal offer for the company. While the parties that we were in discussions with had the financial wherewithal to consummate a deal that we believed would be acceptable to the bank and the trustee, due to the admonition from the US Attorney's office the investors were unable to put together a management team that they felt had sufficient experience in the kosher meat-processing industry.

8. Agriprocessors was the largest kosher meat-processing plant in the country. The Rubashkin family's extensive experience and knowledge of the industry were extremely difficult

to replicate. By forbidding all members of the Rubashkin family from having any type of management role in the company, the US Attorney's Office made it virtually impossible for us to put together a management team with the experience and knowledge necessary (a) to satisfy our investors and (b) to successfully operate such a business.

Pursuant to 28 U.S.C. 1746 I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

April 9, 2010

  
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Meyer Eichler