

Exhibit 3

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IN RE: DEAN ACQUISITION OF

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FOREMOST FARMS,

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CONSUMER PRODUCTS DIVISION

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ORIGINAL

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Deposition of DAVE FUHRMANN

8

Wednesday, December 23rd, 2009

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10

8:12 a.m.

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at

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QUARLES & BRADY LLP

33 East Main Street - Suite 900

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Madison, Wisconsin

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Reported by Sarah M. Sondag, RPR, RMR

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1 of -- I'm sorry, into Rabobank's valuation of the
2 **Foremost business?**

3 A I don't recall. You would have to look through
4 their -- I would have to look through this again.

5 **Q Did Foremost discuss the anti-trust risk of the**
6 **Dean/Foremost transaction with Dean?**

7 A Yes.

8 **Q Tell me about those discussions.**

9 A Why don't you ask some specific questions.

10 **Q Okay. Did Foremost ask Dean to take the anti-trust**
11 **risk?**

12 A Yes.

13 **Q And what did Dean say?**

14 A They had different answers at different times.

15 **Q What was their first answer?**

16 A Initially Deans wanted us to share in that risk.

17 **Q Was this an important part of the negotiations?**

18 A Yes.

19 **Q It was important on the Foremost side?**

20 A Yes.

21 **Q Why did Dean end up taking the anti-trust risk?**

22 A Because we refused to.

1 Q And why did you refuse to?

2 MR. SCHOTT: I -- I think I better object
3 here because I think that was probably a subject that
4 was discussed with counsel.

5 MR. KANTOR: Understood.

6 Q Would Foremost have done the deal with Dean if Dean
7 had not taken the anti-trust risk?

8 A No.

9 Q Let's go back to I think it's Exhibit 5. This is the
10 presentation you made to the Board of Directors.

11 A Okay.

12 Q Will you turn to the third page, this is the page
13 ending 1113. Do you see fourth to last bullet point
14 says, "No HSR risk." What does this mean?

15 A Hart-Scott-Rodino.

16 Q And when you say that there is no HSR risk, what does
17 that mean?

18 A That means that we're not assuming any risk with the
19 Hart-Scott-Rodino Act.

20 Q Does this -- when you say "no risk," are you
21 referring to no risk with regard to filing?

22 A Yes.

1 Q And from your standpoint this covers any risk arising
2 out of the filing of the anti-trust or anything
3 involving the anti-trust investigation?

4 A Yes.

5 (Exhibit 7 marked for identification.)

6 BY MR. KANTOR:

7 Q I'm handing you what's been marked as Exhibit 7.
8 That is February 19th, 2009 email from Mike Doyle to
9 Steve Schultz and it's CCed to you, Dave Fuhrmann,
10 and Joe Weis. The Bates number is DEAN-FM147282.

11 A Okay.

12 Q Do you see towards the bottom of the first page where
13 it says, "Clarification. We are also proceeding
14 under the same context as our conference call with
15 Pete and you on the fact that the HSR issues are not
16 the issues for FFUSA. Please confirm."

17 A Yes.

18 Q Who's Pete?

19 A I assume that's Pete Schenkel.

20 Q Do you recall this conference call?

21 A Not specifically.

22 Q And when it refers to "HSR issues," what does it

1 refer to?

2 A Hart-Scott-Rodino.

3 Q Anything specific?

4 A I don't specifically recall the conference call.

5 Q Okay. Do you recall any -- what resulted out of this
6 conference call?

7 A Other than what's written here, no.

8 Q And Dean eventually did confirm that HSR issues are
9 not an issue for Foremost?

10 A Yes.

11 Q And just to be clear, for HSR is this the fact, the
12 filing or the overall anti-trust risk?

13 A It's the overall anti-trust risk.

14 Q And the filing -- the filing or decision not to file
15 itself?

16 A Yes.

17 MR. KANTOR: This is a good place for
18 another five-minute break.

19 (A brief recess was taken.)

20 BY MR. KANTOR:

21 Q Are you familiar with Plan B?

22 A Yes.