

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

Western

District of

Arkansas

Sandra L. Gray, individually, and Nick Jackson  
and Denna Jackson, husband and wife, et al.

## SUMMONS IN A CIVIL ACTION

V.  
Menu Foods, et al.

CASE NUMBER: 07-5066 U.S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

APR 25 2007

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK

TO: (Name and address of Defendant)

Wal-Mart  
Bentonville, AR

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Bill G. Horton, Nolan, Caddell & Reynolds  
PO Box 184  
Fort Smith, AR 72902

an answer to the complaint which is served on you with this summons, within 20  
30 days after service  
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you  
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the  
Clerk of this Court within a reasonable period of time after service.

CHRISTOPHER R. JOHNSON

CLERK

*Connie Test*

(By) DEPUTY CLERK

DATE

4-11-07

AO 440 (Rev. 8/01) Summons in a Civil Action

| RETURN OF SERVICE   |                   |                                |
|---|-------------------|--------------------------------|
| Service of the Summons and complaint was made by me <sup>(1)</sup>  | DATE              | 4-17-07 2:15 P.M.              |
| NAME OF SERVER (PRINT)<br>CAROLYN L. WILLIAMSON   | TITLE             | PROCESS SERVER BPS-96-8        |
| Check one box below to indicate appropriate method of service   |                   |                                |
| <input type="checkbox"/> Served personally upon the defendant. Place where served:<br><br><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br>Name of person with whom the summons and complaint were left:<br><br><input type="checkbox"/> Returned unexecuted:<br><br><input checked="" type="checkbox"/> Other (specify): By delivery to JARED DROWN (LAWSUIT COORDINATOR) |                   |                                |
| STATEMENT OF SERVICE FEES   |                   |                                |
| TRAVEL  | SERVICES          | TOTAL \$0.00                   |
| DECLARATION OF SERVER   |                   |                                |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.  |                   |                                |
| Executed on   | 4-17-07 2:15 P.M. | CAROLYN L. WILLIAMSON BPS-96-8 |
|   | Date              | Signature of Server            |
| P.O. Box 4212 Fayetteville, AR 72702  |                   |                                |
| Address of Server   |                   |                                |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

WESTERN

District of

ARKANSAS

Gray  
Plaintiff

NOTICE AND CONSENT-  
EXERCISE OF JURISDICTION BY A UNITED  
STATES MAGISTRATE JUDGE

VS.

Case No. 07-5065

Menn  
Defendant

NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE  
TO EXERCISE JURISDICTION

In accordance with the provisions of 28 U.S.C. sec. 636 (c), and Fed. R.Civ.P.73, you are notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of this district court.

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 U.S.C. sec. 636(c) and Fed. R. Civ. P. 73, the parties in this case consent to have a United States magistrate judge conduct any and all proceedings in this case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

| Party Represented | Signatures | Date  |
|-------------------|------------|-------|
| _____             | _____      | _____ |
| _____             | _____      | _____ |
| _____             | _____      | _____ |

Return form to:

U.S. Clerk, P.O. Box 1547, Fort Smith, AR 72902