

UNITED STATES DISTRICT COURT  
for the  
NORTHERN DISTRICT OF CALIFORNIA

EBAY INC.,

Plaintiff

v.

DIGITAL POINT SOLUTIONS, INC., SHAWN  
HOGAN, KESSLER'S FLYING CIRCUS,  
THUNDERWOOD HOLDINGS, INC., TODD  
DUNNING, BRIAN DUNNING,  
BRIANDUNNING.COM, and DOES 1-20,

Defendants

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Civil Action No.

08-4052B2

**Summons in a Civil Action**

To: *(Defendant's name and address)*

KESSLER'S FLYING CIRCUS  
c/o Todd Dunning  
1 Stockbridge  
Aliso Viejo, CA 92656

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

David R. Eberhart, Esq. Telephone (415) 984-8700  
Sharon M. Bunzel, Esq. Facsimile (415) 984-8701  
O'MELVENY & MYERS LLP  
Two Embarcadero Center, 28<sup>th</sup> Fl.  
San Francisco, CA 94111

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: ~~August 25, 2008~~ **AUG 26 2008**

**RICHARD W. WIEKING**

Name of clerk of court  
**LASHANDA SCOTT**

Deputy clerk's signature

*(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)*