

SUMMONS IN A CIVIL ACTION

**United States District Court
for the District of Colorado**

Civil Action Number: **10 - CV - 01546 REB-CBS**

**THE DIRECT MARKETING
ASSOCIATION,**

PLAINTIFF(S),

v.

**ROXY HUBER, in her capacity
as EXECUTIVE DIRECTOR,
COLORADO DEPARTMENT OF
REVENUE,**

DEFENDANT(S).

SUMMONS

To the above named Defendant(s):

You are hereby summoned and required to serve upon **George S. Isaacson, Esq.,**

plaintiff's attorney, whose address is: **Brann & Isaacson, 184 Main Street, P.O. Box 3070, Lewiston, Maine 04243-3070**

AND FILE WITH THE CLERK OF THE COURT

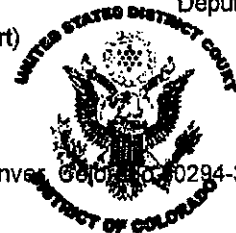
an answer to the complaint which is herewith served upon you, within **twenty-one (21)** days of service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Gregory C. Langham, Clerk

By: 

Deputy Clerk

(Seal of the Court)



Date: **June 30, 2010**

Clerk, U.S. District Court, Room A-105 Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, CO 80202-3589

NOTE: This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

RETURN OF SERVICE

NAME OF SERVER: Matthew P. Schaefer, Esq.

TITLE: Attorney for Plaintiff, The Direct Marketing Association

Check one box to indicate appropriate method of service.

Served personally upon the defendant. Place where left: _____

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.
Name of person with whom the summons and complaint were left: _____

Returned unexecuted:: _____

Other (specify): Service completed by delivery to authorized agent (Defendant's counsel, Claudia Brett Goldin) via overnight carrier (proof of delivery attached) as evidenced by Acceptance of Service form executed by Attorney Goldin and dated July 2, 2010 (copy attached).

STATEMENT OF SERVICE OF FEES

TRAVEL	SERVICES	TOTAL
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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 is true and correct.

Executed on: July 20, 2010
Date

/s/ Matthew P. Schaefer
Signature of Server
Matthew P. Schaefer, Esq.

Address of Server Brann & Isaacson
184 Main St., PO Box 3070, Lewiston, ME 04243-3070



Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1ZF52F422210040817
Service: NEXT DAY AIR
Shipped/Billed On: 06/30/2010
Delivered On: 07/01/2010 9:50 A.M.
Delivered To: DENVER, CO, US
Signed By: LENLMS
Location: FRONT DESK

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 07/12/2010 1:32 P.M. ET

BRANN & ISAACSON

ATTORNEYS AND COUNSELORS AT LAW

IRVING ISAACSON
GEORGE S. ISAACSON
MARTIN I. EISENSTEIN
MARTHA E. GREENE
DAVID W. BERTONI
PETER D. LOWE
BENJAMIN W. LUND
DANIEL C. STOCKFORD
PETER J. BRANN
KEVIN R. HALEY

DANIEL A. NUZZI
MATTHEW P. SCHAEFER
DAVID SWETNAM-BURLAND
LYNN B. GELINAS
DAVID T. SLATERY
BARBARA J. SLOTE
STACY O. STITHAM
KENLEIGH A. NICOLETTA
ANNE M. TORREGROSSA

184 MAIN STREET
P.O. BOX 3070
LEWISTON, MAINE 04243-3070
(207) 786-3566
TELECOPIER (207) 783-9325
WEB PAGE: <http://www.brannlaw.com>

Portland Conference Office
148 MIDDLE STREET
SUITE 502
PORTLAND, MAINE

LOUIS J. BRANN 1948
PETER A. ISAACSON 1980

June 30, 2010

Via UPS Next Day Delivery

Claudia Brett Goldin, Esq.
Office of the Attorney General
1525 Sherman Street
Denver, CO 80203

Re: *The Direct Marketing Association v. Roxy Huber, in her capacity as
Executive Director, Colorado Department of Revenue*
Civil Action No. 10-cv-01546-REB-CBS

Dear Claudia:

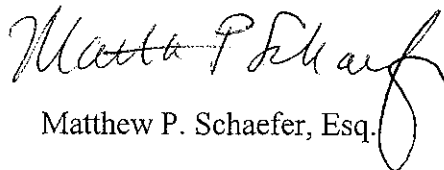
Enclosed for service upon the Defendant please find the Summons, Complaint and Civil Cover Sheet in the above-captioned matter.

Please sign, date, and return to me via overnight courier the enclosed Acceptance of Service of Process form.

Thank you for your cooperation.

Very truly yours,

BRANN & ISAACSON



Matthew P. Schaefer, Esq.

MPS/jlm

Enclosures

cc: George S. Isaacson, Esq.

UPS
UPS Next Day Air®
UPS Worldwide Express™
Shipping Document

See instructions on back. Visit UPS.com or call 1-800-PICKUPS® (800-742-5877) for additional information and UPS Tariff/Terms and Conditions.

TRACKING NUMBER JZ F52 F42 22 1004 0817

SHIPMENT FROM
 SHIPPER'S ACCOUNT NO. **F52F42**

REFERENCE NUMBER
M02S56.01

NAME
Matthew P. Schaefer, Esq.

TELEPHONE
207-786-3566

COMPANY
BRANN & ISAACSON

STREET ADDRESS
184 MAIN ST FLR 4

CITY AND STATE
LEWISTON ME 04240-7070

ZIP CODE
ME 04240-7070

EXTREMELY URGENT DELIVERY TO

NAME
Claudia Brett Goldin, Esq.

TELEPHONE
303-866-5463

COMPANY
Office of the Attorney General

STREET ADDRESS
1525 Sherman Street

DEPT./FLR.

CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL)
Denver, CO

ZIP CODE
80203



3 WEIGHT	Enter "LIR" if Letter LIR	4 DIMENSIONAL WEIGHT If Applicable	5 LARGE PACKAGE <input type="checkbox"/>	6 SHIPPER RELEASE <input type="checkbox"/>
7 TYPE OF SERVICE	<input checked="" type="checkbox"/> NEXT DAY AIR	<input type="checkbox"/> EXPRESS (INTL)	CHARGES	
8 FOR WORLDWIDE EXPRESS SHIPMENTS Mark an "X" in this box if shipment only contains documents of no commercial value.	<input type="checkbox"/> DOCUMENTS ONLY	<input type="checkbox"/> SATURDAY PICKUP See instructions.	<input type="checkbox"/> SATURDAY DELIVERY See instructions.	\$
9 DECLARED VALUE FOR CARRIAGE If C.O.D., enter amount to be insured up to \$100. For declared values over \$100, see instructions.	\$	<input type="checkbox"/> C.O.D.	<input type="checkbox"/> AMOUNT	\$
10 An Additional Handling Charge applies for certain items. See instructions.	<input type="checkbox"/>	<input type="checkbox"/> AMOUNT	<input type="checkbox"/>	\$
11 ADDITIONAL HANDLING CHARGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
12 TOTAL CHARGES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
13 METHOD OF PAYMENT	<input checked="" type="checkbox"/> BILL SHIPPER'S ACCOUNT NUMBER	<input type="checkbox"/> BILL THIRD PARTY	<input type="checkbox"/> CREDIT CARD	<input type="checkbox"/> CHECK
14 RECEIVERS/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO.	RECORD ACCOUNT NO. IN SECTION 11		<input type="checkbox"/>	<input type="checkbox"/>
15 THIRD PARTY'S COMPANY NAME	STREET ADDRESS			
16 CITY AND STATE	ZIP CODE			

17 SHIPPER'S SIGNATURE *X M Green*

18 DATE OF SHIPMENT *10/30/10*

19 UPS COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-CV-01546-REB-CBS

The Direct Marketing Association,

Plaintiff

v.

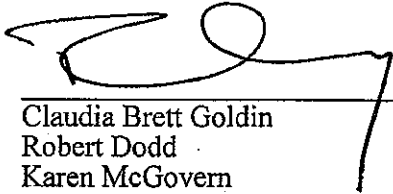
Roxy Huber, in her capacity as Executive Director,
Colorado Department of Revenue,

Defendant

ACCEPTANCE OF SERVICE OF PROCESS

The undersigned is authorized in this matter to receive service of process and hereby confirms receipt of service on behalf of the Defendant of a copy of the Summons and of the Complaint, as of the date set forth below.

Dated: July 2nd 2010



Claudia Brett Goldin
Robert Dodd
Karen McGovern
Office of the Colorado Attorney General
1525 Sherman Street
Denver, Colorado 80203
Tel. (303) 866-5463