

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

George Crisler and Matthew Martin, Individually and on behalf of all Others similarly situated,

Plaintiff

v.

Capital One Financial Corporation and Capital One Bank (USA), N.A., f/k/a Capital One Bank

Defendant

Civil Action No. 10-678-MJR

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Capital One Financial Corporation
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — 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 or plaintiff's attorney, whose name and address are:

Tiffany M. Yiatras
Carey, Danis & Lowe
8235 Forsyth Blvd, Suite 1100
Saint Louis, Missouri 63105

If you fail to respond, 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:

9/2/10

CLERK OF COURT

Risa Tidwell

Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois [v]

George Crisler and Matthew Martin, Individually and on behalf of all Others similarly situated,

Plaintiff

v.

Capital One Financial Corporation and Capital One Bank (USA), N.A., f/k/a Capital One Bank,

Defendant

Civil Action No. 10-678-MJR

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Capital One Bank (USA), N.A.
c/o Corporation Service Company
11 S. 12th Street
Richmond, VA 23218

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — 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 or plaintiff's attorney, whose name and address are:

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8235 Forsyth Boulevard, Suite 1100
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Date: 9/2/10

CLERK OF COURT
[Signature]
Signature of Clerk or Deputy Clerk