

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

MARK MONSOUR, SHEILA MONSOUR,) and MONSOUR'S INC.)

Plaintiffs,)

vs.)

Case No. 05-1204-MLB

MENU MAKER FOODS, INC.)

Defendants)

RETURN ON SERVICE OF SUBPOENA

COMES NOW the Defendant, Menu Maker Foods, Inc., by and through its attorney of record, John Val Wachtel of Klenda, Mitchell, Austerman & Zuercher, L.L.C., and hereby notifies the Court that on the 14th day of February, 2006, Defendant served, via the United States Postal Service, Certified Mail, Return Receipt Requested, a "Subpoena In A Civil Case" upon Bank of America, N.A., Attn: Records Custodian, 1425 NW 62nd St., Ft. Lauderdale, FL 33309. The Subpoena was delivered on February 24, 2006, as evidenced by the Return Receipt Card attached below. The Subpoena In A Civil Case is attached herewith as Exhibit 1.

Form with sections: SENDER: COMPLETE THIS SECTION, COMPLETE THIS SECTION ON DELIVERY, 1. Article Addressed to, 2. Article Number, 3. Service Type, 4. Restricted Delivery? (Extra Fee)

Respectfully submitted,

KLEND, MITCHELL, AUSTERMAN &
ZUERCHER, L.L.C.

s/John Val Wachtel

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of March, 2006, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send electronic notice of this filing to:

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s/John Val Wachtel
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