

United States District Court Eastern District of Michigan

Summons in a Civil Action and Return of Service Form

Civil Action No. 07-CV-12731
Hon. Avern Cohn
Case Number and Judge Assignment (to be supplied by the Court)

Plaintiff(s) Name

Blackwell Publishing, Inc., Elsevier Inc., Oxford University Press, Inc., Sage Publication, Inc. and John Wiley & Sons, Inc.

Defendant(s) Name

Excel Research Group, LLC d/b/a Excel Test Preparation, Course - packs & Copies

vs.

Plaintiffs attorney, address and telephone:

Karl V. Fink (P13429)
Pear Sperling Egan & Daniels, PC
24 Frank Lloyd Wright Drive
Ann Arbor, Michigan 48105
734-665-4441

Name and address of defendant being served:

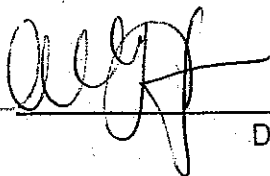
c/o Susan Kornfield, Esquire
Counsel for Excel Research Group LLC
Bodman LLP
Suite 400
201 South Division Street
Ann Arbor, Michigan 48104

To the defendant

This summons is notification that YOU ARE BEING SUED by the above named plaintiff(s).

1. You are required to serve upon the plaintiff's attorney, name and address above, an answer to the complaint within 20 days after receiving this summons, or take other actions that are permitted by the Federal Rules of Civil Procedure.
2. You must file the original and one copy of your answer within the time limits specified above with the Clerk of Court.
3. Failure to answer or take other action permitted by the Federal Rules of Civil Procedure may result in the issuance of a judgment by default against you for the relief demanded in the complaint.

David J. Weaver
Clerk of the Court

By: 
Deputy Clerk

7/20/07
Date of issuance

RETURN OF SERVICE

A copy of the summons and complaint has been served upon the defendant in the manner indicated below:

Name of Defendant served: Excel Research Group, LLC

Date of service: 07/24/07

Method of Service

Personally served at this address: _____

Left copies at the defendant's usual place of abode with (name of person): _____

At this address: _____

Other (please specify): Served on Counsel for Defendant
through agreement to accept service.

Service fees: Travel \$ _____ Service \$ _____ Total \$ _____

I declare under the penalty of perjury that the information contained in this Return of Service is true.

07/25/07
Date

Cynthia M. York, Counsel for Ps
Signature of server

Cynthia M. York (P39722)
Server's printed name

24 Frank Lloyd Wright Dr.
Server's address

Ann Arbor, MI 48105

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>S McCarrren</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>Susan M. Korntfield, Esq.</i> <i>Bodman LLP</i> <i>201 South Division</i> <i>Suite 400</i> <i>Ann Arbor MI 48104</i>	B. Received by (Printed Name) <i>SMCCARRREN</i>	C. Date of Delivery <i>7/24/07</i>
2. Article Number (transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7002 3150 0000 8975 8047		
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE

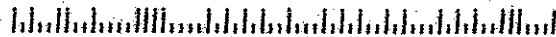
24 JUL 2007 PM 4:7



First-Class Mail
 Postage & Fees Paid
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 Permit No. G-1

• Sender: Please print your name, address, and ZIP+4 in this box •

PEAR SPERLING EGGAN & DANIELS, P.C.
ATTORNEYS AT LAW
DOMINO'S FARMS
24 FRANK LLOYD WRIGHT DRIVE
ANN ARBOR, MICHIGAN 48105



LAW OFFICES
PEAR SPERLING EGGAN & DANIELS, P.C.

DOMINO'S FARMS
24 FRANK LLOYD WRIGHT DRIVE
ANN ARBOR, MICHIGAN 48105

EDWIN L. PEAR
LAWRENCE W. SPERLING¹
ANDREW M. EGGAN
THOMAS E. DANIELS
PAUL R. FRANSWAY²
FRANCYNE STACEY
KARL V. FINK
DAVID E. KEMPNER
CLAUDIA RAST
JAMES C. PARTRIDGE³
KEVIN N. SUMMERS
BRUCE G. DAVIS
CYNTHIA M. YORK
JOSHUA R. FINK¹
TAMMIE J. TISCHLER⁴

(734) 665-4441 TEL
(734) 665-8788 FAX
www.psedlaw.com

1349 S. HURON ST., SUITE 1
YPSILANTI, MICHIGAN 48197
(734) 483-3626

LAWRENCE W. SPERLING OFFICE
2164 BELLEVUE
YPSILANTI, MICHIGAN 48197
(734) 483-7177

¹ LICENSED IN FLORIDA
² LICENSED IN TEXAS
³ LICENSED IN NEW YORK
⁴ LICENSED IN MAINE

July 23, 2007

Susan M. Kornfield, Esquire
Bodman LLP
201 South Division, Suite 400
Ann Arbor, Michigan 48104

Re: Summons and Amended Complaint in Civil Action No. 07-CV-12731
Blackwell Publishing, Inc. et al. v. Excel Research Group, LLC d/b/a Excel Test
Preparation, Coursepacks & Copies et al.

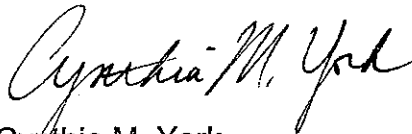
Dear Susan:

Per your July 18, 2007 e-mail agreement to accept service of the Amended Complaint on behalf of Excel Research Group, LLC, enclosed please find an original summons for this party, as well as a copy of the Amended Complaint and exhibits.

Thank you very much for the assistance extended in this regard.

Sincerely

PEAR SPERLING EGGAN & DANIELS, P.C.



Cynthia M. York

CMY/ms

cc: Karl V. Fink, Esquire

Cynthia York

From: Kornfield, Susan [SKORNFIELD@BODMANLLP.COM]
Sent: Wednesday, July 18, 2007 4:56 PM
To: Cynthia York
Cc: Claudia Rast; Karl Fink
Subject: RE: Blackwell Publishing et al v Norman Miller

We will accept service.

From: Cynthia York [mailto:CYork@psedlaw.com]
Sent: Wednesday, July 18, 2007 3:33 PM
To: Kornfield, Susan
Cc: Claudia Rast; Karl Fink
Subject: RE: Blackwell Publishing et al v Norman Miller

Hello Susan –

We will be filing an amended complaint that adds the LLC. I'm assuming that you will accept service of the amended complaint on behalf of the added party, the LLC; if I am incorrect in that assumption, please advise and I will make other arrangements for service.

Cindy.

Cynthia M. York

Pear Sperling Eggen & Daniels, PC
24 Frank Lloyd Wright Drive
Ann Arbor, Michigan 48105

www.psedlaw.com <<http://www.psedlaw.com>>

734.665.4441 main
734.665.8788 fax
734.930.5443 direct
cyork@psedlaw.com

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From: Kornfield, Susan [mailto:SKORNFIELD@BODMANLLP.COM]
Sent: Wednesday, July 18, 2007 9:37 AM
To: Cynthia York
Cc: Claudia Rast; Karl Fink
Subject: RE: Blackwell Publishing et al v Norman Miller

I think, however, it is better to answer a complaint that names the correct party, so as to avoid needless motion practice before Judge Cohn. Will you be filing an amended complaint?

Thanks.
Susan

7/23/2007