

Form 02 - SUITABLE WITH MILITARY

TUCKNER, SIPSER, WEINSTOCK & SIPSER, ESQS
ATTN: BILL SIPSER

U.S.EASTERN DIST. COURT NEW YORK COUNTY

SHEZ JACKSON

plaintiff

Index No. CV 04 5407

- against -

STERLING METS, L.P., ETAL

defendant

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:
HOWARD HERTZFIELD being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 3rd day of January, 2005 12:50 PM at
%STERLING METS, LP.SHEA STADIUM
123-01 ROOSEVELT AVE FLUSHING, NY 11368-1699

I served the SUMMONS AND COMPLAINT
CONSENT PURSUANT TO 29 USC 216(B)

upon DAVID COHEN

the DEFENDANT therein named by delivering and leaving a true copy or copies of the aforementioned documents with

HELENE WEINTRAUB, LEGAL CLERK AUTHORIZED TO ACCEPT SERVICE
AS PER COMPANY POLICY a person of suitable age and discretion.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows:

SEX: FEMALE COLOR: WHITE HAIR: BROWN AGE: 43 HEIGHT: 5:5 WEIGHT: 135

OTHER IDENTIFYING FEATURES:

On 01/06/2005 I deposited in the United States mail a true copy of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to the said DEFENDANT at the above address. That address being
actual place of employment of the DEFENDANT.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns action against the person to be served.

AS EVIDENCED BY CERTIFICATE OF MAILING HEREWITHE ATTACHED.

That at the time of service as aforesaid, I asked person spoken to whether DEFENDANT was in the military service of the State of New York or United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the DEFENDANT is not in the military service, and is not dependent on anyone in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
6th day of January, 2005

TERRY GOLUB
Notary Public, State of New York
No. 01GO5041250
Qualified in KINGS COUNTY
Commission Expires 03/27/2007

HOWARD HERTZFIELD 778037
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 3TSWS810950

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR AIR MAIL. INQUIRIES SHOULD BE MADE OF THE LOCAL POSTMASTER.		
Re	OO /AJS SUITE 1802 — 225 BROADWAY — NEW YORK NY 10007	Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.
One piece of ordinary mail addressed to:		
72	TSWS DAVID COHEN MASTERLING METS, LP. SHEA STADIUM 123-01 ROOSEVELT AVE FLUSHING, NY 11368-1699	JAN-5 2005

