

UNITED STATES COURT
NORTHERN DISTRICT OF NEW YORK

JAMES L. ALEXANDER

Plaintiff (s)/Petitioner(s)

against

Index No. 5:07-CV-117 (FJS/GHL)
Date Filed:

THOMAS J. CAHILL

Defendant(s)/Respondent(s)

NEW YORK STATE, COUNTY OF ONONDAGA § FREDERICK J. DAVID

The undersigned, being duly sworn, deposes and says; that deponent is not a party herein, is over 18 years of age and served a SUMMONS AND COMPLAINT WITH CIVIL COVER SHEET, PRO HAC VICE MOTION OF GREG BECK, PRO HAC VICE MOTION OF BRIAN WOLFMAN, ORDER in the above titled action or proceeding upon ATTORNEY'S GENERAL'S OFFICE (herein called the recipient) at 615 ERIE BLVD. W., SYRACUSE, NY 13204 On the 15TH day of FEBRUARY 2007 at 11:04 A.M

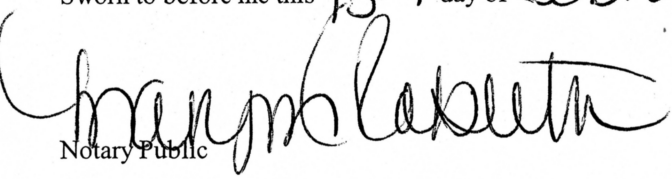
- Individual by delivering a true copy of each to said recipient personally. Deponent knew the person served to be the person described as said person therein .
- Corporation by delivering thereat a true copy of each to ROGER B. WILLIAMS personally. Deponent knew said corporation so served to be the corporation described therein, and knew said individual to be ASSISTANT ATTORNEY GENERAL thereof.
- Suitable Age by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's/respondent's actual within the State.
- Affixing by affixing a true copy of each to the door of said premises, which is defendant's/respondent's actual within the State. Deponent was unable with due diligence to find defendant/respondent or a person of suitable age and discretion, thereat, having called there on
- Mailing On deponent enclosed a copy in a postpaid envelope properly addressed to defendant/respondent at and Deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within the State of New York. The envelope bore the legend " Personal & Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant/respondent.

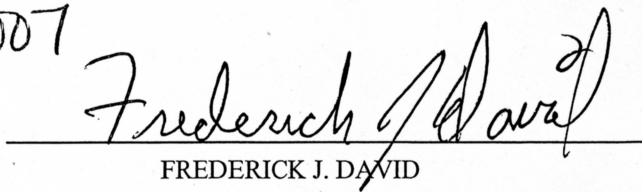
A description of the defendant/respondent OR the person served on behalf of the defendant/respondent is as follows:

Sex: MALE Skin Color: WHITE Hair Color: BALD Approximate Age: 55 Approximate Height: 6'3"
Approximate Weight: 210 Other Identifying Features:

I asked the person spoken to whether the defendant/respondent was in active military service of the United States of the State of New York and received a negative reply. The person spoken with wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations defendant/respondent defendant/respondent narrated above. Upon information and belief, I aver that the recipient is not in military service of the State of New York or the United States.

Sworn to before me this 15th day of February 2007


Notary Public


FREDERICK J. DAVID

Mary M. Robertson
Notary Public, State of New York
Qualified in Onondaga County No. 01R05011156
My Commission Expires 4/12/07

D & M Litigation Services, Inc 201 South Main St North Syracuse NY 13212