

JUDGE CHIN

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MAJOR LEAGUE BASEBALL
PROPERTIES, INC.,

Plaintiff,

v.

SUMMONS IN A CIVIL ACTION

DONRUSS PLAYOFF, L.P. AND
DONRUSS LLC,

Defendants,

CASE NUMBER:

09 CIV 00593

TO: DONRUSS LLC

1517 W. North Carrier Parkway

Suite 155

Grand Prairie, Texas 75050

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard S. Mandel, Esq.

Cowan, Liebowitz & Latman, P.C.

1133 Avenue of the Americas

New York, NY 10036

Phone: (212) 790-9200

Fax: (212) 575-0671

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. Michael McMahon

JAN 21 2009

CLERK

DATE

Maria Davino

(By) DEPUTY CLERK

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 10%;"> Date Signature of Server </div> <div style="text-align: center; margin-left: 20%;"> _____ Address of Server </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Handwritten signature and initials

**IN THE
U.S. DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK**

Major League Baseball Properties, Inc.
Plaintiff / Petitioner

vs.
Donruss Playoff, LP and Donruss LLC
Defendant / Respondent

CAUSE NO: 09 CIV 00593

AFFIDAVIT OF SERVICE OF:
**Summons in a Civil Case; Rule 7.1 Statement;
Complaint; Individual Practices of Judge Denny
Chin; Individual Practices of Magistrate Judge
Ronald L. Ellis**

Came to hand on the 22nd day of January 2009 A.D. at 1:00 pm to be executed on: **Donruss LLC at 2300 East Randol Mill Rd, Arlington, Texas 76011**

I, Blake Nichols, being duly sworn, depose and say that on January 23rd, 2009 at 12:30 pm, I:

Corporate Service, by serving the Registered Agent or Managing Agent, **Scarlett Sizer**, with a true copy of this **Summons in a Civil Case; Rule 7.1 Statement; Complaint; Individual Practices of Judge Denny Chin; Individual Practices of Magistrate Judge Ronald L. Ellis** with the date and hour endorsed thereon by me, pursuant to State Statutes.

Additionally I had to attempt the service 1 time(s) previous and they are as follows:

01/23/09 @ 11:35 am at location 1517 W. North Carrier Parkway, Suite 155, Grand Prairie, Texas 75050

Address is Valspar Refinishing, spoke with an employee, he said that they have been at this located for approx. 6 years and he does not know of Donruss LLC.

I certify that I am over the age of eighteen, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served.

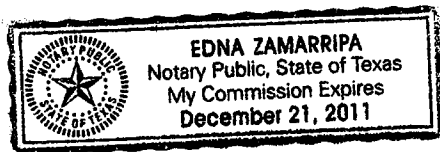
Subscribed and Sworn to be on the 26 day
of JANUARY, 2009 by the affiant who
is personally known to me.

EDNA ZAMARRIPA
Notary Public (Printed Name)

Blake Nichols
Blake Nichols (Printed Name)

[Signature]
Notary Public (Signature)

[Signature]
Blake Nichols (Signature)



All American Civil Process
835 E. Lamar Blvd., Suite 405
Arlington, Texas 76011

Reference ID: 09A22-220151-01NTX