AO 440 (Rev. 12/09) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

| Yeshai Michael Kutoff, Individually, and on behalf of all others similarly situated  Plaintiff  v.  KABA ILCO CORP., KABA CORPORATION, KABA FINANCE CORPORATION, KABA BENZING AMERI  Defendant  | ) ) Civil Action No. ) )           |  |  |  |  |
|---|------------------------------------|--|--|--|--|
| SUMMONS IN A CIVIL ACTION   |                                    |  |  |  |  |
| To: (Defendant's name and address) KABA CORPORATION, 400 Jeffreys Road, Rocky Mount, North Carolina 27804   |                                    |  |  |  |  |
| A lawsuit has been filed against you.  Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:  Mark Schlachet  3637 South Green Road, 2d Floor Cleveland, Ohio 44122 |                                    |  |  |  |  |
| If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.  |                                    |  |  |  |  |
|   | CLERK OF COURT                     |  |  |  |  |
| Date:   | Signature of Clerk or Deputy Clerk |  |  |  |  |

Civil Action No.

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| was re  | This summons for (no ceived by me on (date)  | ame of individual and title, if any) |                                 |      |  |
|---------|--|--------------------------------------|---------------------------------|------|--|
| was ici | •  | d the summons on the individua       | al at (place)                   |      |  |
|         |  |                                      | on (date)                       | ; or |  |
|         | ☐ I left the summons at the individual's residence or usual place of abode with (name), a person of suitable age and discretion who resides there, |                                      |                                 |      |  |
|         | on (date), and mailed a copy to the individual's last known address; or  |                                      |                                 |      |  |
|         | ☐ I served the summons on (name of individual) , who designated by law to accept service of process on behalf of (name of organization) ,          |                                      |                                 |      |  |
|         |  |                                      | on (date)                       | ; or |  |
|         | ☐ I returned the sum   | mons unexecuted because              |                                 | ; or |  |
|         | ☐ Other (specify):   |                                      |                                 |      |  |
|         | My fees are \$   | for travel and \$                    | for services, for a total of \$ | 0.00 |  |
|         | I declare under penalty of perjury that this information is true.  |                                      |                                 |      |  |
| Date:   |  |                                      |                                 |      |  |
| Bate.   |  | Server's signature                   |                                 |      |  |
|         |  | Printed name and title               |                                 |      |  |
|         |  |                                      | Server's address                |      |  |

Additional information regarding attempted service, etc: