

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

MVL Rights, LLC,	}	Civil Action No. 3:10-cv-00382
<i>Plaintiff</i>		
v.		
Airbase Industries, LLC, et al.		
	<i>Defendant</i>	

WAIVER OF THE SERVICE OF SUMMONS

To: James D. Liles, Esq.
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

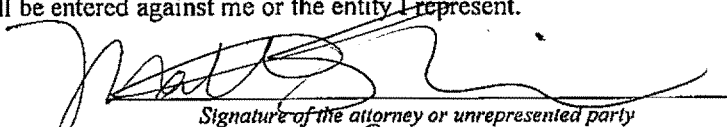
I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 10/15/2010, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 11/17/10

Emax Compressor
Printed name of party waiving service of summons


Signature of the attorney or unrepresented party
Matt S. Cain
Printed name

1000 Cass Dr. Clayton, OH 45315
Address

m.cain@emaxcompressor.com
E-mail address

937-540-1141
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

MVL Rights, LLC,
Plaintiff
v.
Airbase Industries, LLC, et al.
Defendant

Civil Action No. 3:10-cv-00382

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(Name of the plaintiff's attorney or unrepresented plaintiff)

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Date: 11/17/10

[Handwritten Signature]

Signature of the attorney or unrepresented party

Matt S. Cain

Printed name

Hulk Tools and Equipment
Printed name of party waiving service of summons

1000 Cass Dr. Clayton, OH 45315
Address

mcain@umaxcompressor.com
E-mail address

937-540-1141

Telephone number

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UNITED STATES DISTRICT COURT
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Plaintiff
v.
Airbase Industries, LLC, et al.
Defendant
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Date: 11/17/10

Airbase Industries, LLC
Printed name of party waiving service of summons

Signature of the attorney or unrepresented party
Matt S. Cain
Printed name

1000 Cass Dr. Clayton OH 45315
Address
mcain@claytoncompressor.com
E-mail address
937-540-1140
Telephone number

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for the Southern District of Ohio

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Plaintiff

v.

Airbase Industries, LLC, et al.

Defendant

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Date: 11/17/10

Handwritten signature of Matt S. Cain

Signature of the attorney or unrepresented party

Matt S. Cain

Printed name

Eaton Air Compressor and Fabrication

Printed name of party waiving service of summons

1000 Cass Dr. Clayton, OH 45315

Address

mcain@eatoncompressor.com

E-mail address

937-540-1140

Telephone number

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UNITED STATES DISTRICT COURT

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Defendant

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Date: 11/17/10

Handwritten signature of Matt S. Cain

Signature of the attorney or unrepresented party

Matt S. Cain

Printed name

Emax Air Force Technology

Printed name of party waiving service of summons

1000 Cass Dr. Clayton OH 45315

Address

mccain@emaxcompressor.com

E-mail address

937-510-1141

Telephone number

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Date: 11/17/10

Signature of the attorney or unrepresented party

Airbase Industries, LLC Printed name of party waiving service of summons

Printed name

1000 Cass Dr. Clayton, OH 45315 Address

mccain@latoncompressor.com E-mail address

937-540-1140 Telephone number

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Date: 11/17/2010

John Rowland Brown, Jr.
Printed name of party waiving service of summons

Clayton L. Kuhnell (Attorney)
Signature of the attorney or unrepresented party
Clayton L. Kuhnell
Printed name

600 Vine St, Suite 2800, Cincinnati, OH 45202
Address

ckuhnell@ulmer.com
E-mail address

(513) 698-5000
Telephone number

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