

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

UNITED STATES DISTRICT COURT

MIDDLE

District of

TENNESSEE

ENERGY AUTOMATION SYSTEMS, INC.

SUMMONS IN A CIVIL ACTION

V.

XCENTRIC VENTURES, LLC and EDWARD MAGEDSON

CASE NUMBER: 3 - 06 - 1079

JUDGE TRAUGER

TO: (Name and address of Defendant)

Xcentric Ventures, LLC
c/o G. Peter Busnack, Registered Agent
8833 S. JB Road
Reevis Mountain, AZ 85545

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

John R. Jacobson
William L. Campbell, Jr.
W. Russell Taber
Bowen Riley Warnock & Jacobson, PLC
1906 West End Avenue
Nashville, TN 37203

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.

NOV - 6 2006

KEITH THROCKMORTON

CLERK

[Handwritten signature]

DATE

(By) DEPUTY CLERK

RETURN COPY

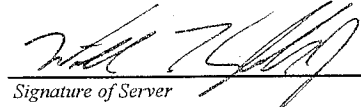
RETURN OF SERVICE	
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 11/17/06
NAME OF SERVER (PRINT) William L. Campbell, Jr.	TITLE Attorney
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where 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 checked="" type="checkbox"/> Other (specify): Served by Certified Mail upon G. Peter Busnack, Registered Agent for Defendant Xcentric Ventures, LLC at the address listed below.	

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 12/27/06 Date

  
Signature of Server

1906 West End Avenue  
Nashville, TN 37203  
Address of Server

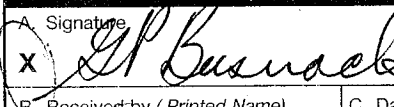
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Xcentric Ventures, LLC  
c/o G. Peter Busnack  
8833 S JB Road  
Reevis Mountain, AZ 85545

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
   Agent  
 Addressee

B. Received by (Printed Name)  
G. Busnack

C. Date of Delivery  
11/17/06

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7002 2410 0002 3886 8742