

UNITED STATES DISTRICT COURT

for the

TAYLOR SWIFT

Plaintiff

v.

MALCOLM MATTHEWS, ET AL.

Defendant

Civil Action No. 3 09 0442

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Marsha Dyonne Tyler
103 Booker Street
Baytown, Texas

A lawsuit has been filed against you.

Within 20 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:

W. Michael Milom, David S. Crow, Natalya L. Rose
MILOM JOYCE HORSNELL CROW PLC
3310 West End Avenue, Suite 610
Nashville, Tennessee 37203

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 KEITH THROCKMORTON
Robbi Daul
Signature of Clerk or Deputy Clerk

Date: MAY 18 2009

RETURN COPY

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served:</p> <p><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.</p> <p style="padding-left: 40px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>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.</p> <p>Executed on _____ Date _____ <i>Signature of Server</i> _____</p> <p style="text-align: center;">_____ <i>Address of Server</i></p>   <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 20px;">             AFFIDAVIT              ATTACHED           </div>		

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

# AFFIDAVIT OF NON-SERVICE

## UNITED STATES DISTRICT COURT US District District of Tennessee

Case Number: 3 09 0442

Plaintiff:  
**Taylor Swift**

vs.

Defendant:  
**Malcolm Matthews, et al**

Received by Jack Daniel's Legal Support Service on the 26th day of May, 2009 at 9:32 am to be served on **Marsha Dyonne Tyler, 103 Booker Street, Baytown, TX.**

I, Jesse A. Spicer, being duly sworn, depose and say that on the **28th day of May, 2009 at 10:59 am, I:**

**NON-SERVED:** After due search, careful inquiry and diligent attempts I was unable to Deliver the **Summons In A Civil Action, Temporary Restraining Order And Order Of Seizure Of Counterfeit Goods, Notice of Setting Of Initial Case Management Conference, Verified Complaint** because of reasons stated in the comments below.

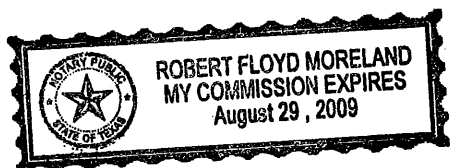
**Additional Information pertaining to this Service:**

5/26/2009 6:15 pm I attempted the address listed for the defendant. I knocked but no answered the door. I left my card.

5/27/2009 7:00 pm I attempted the address listed again. There was still no answer at the door. I spoke to a neighbor and they stated that a Clennis Nickerson lived at the address and wasnt sure about Marsha Dyonne Tyler.

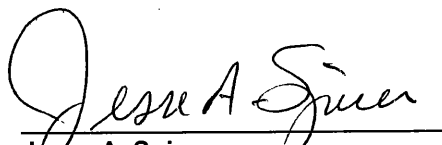
5/28/2009 11:02 am I did a search on the defendant. I found a couple of locations in different states. A copy of the search is attached.

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103 and 536(a) of the TRCP to serve citations and other notices from any District, County and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or crime of moral turpitude, and I am not interested in the outcome of the above-referenced cause.



Subscribed and Sworn to before me on the 28th day of May, 2009 by the affiant who is personally known to me.

  
NOTARY PUBLIC

  
Jesse A. Spicer  
SCH1166

Jack Daniel's Legal Support Service  
P O Box 256  
Conroe, TX 77305-0256  
(936) 446-2121

Our Job Serial Number: 2009000768