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T. EASTERN-MARSHALL

# United States District Court

EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

BY \_\_\_\_\_

## SUMMONS IN A CIVIL ACTION

DATA TREASURY CORPORATION

VS.

CIVIL ACTION NO. 2:06CV72 (DF)  
JURY DEMAND

WELLS FARGO & COMPANY ET AL

TO: Defendant, **KeyBank National Association**, by serving its registered agent for service, Key Bank USA, National Association, 127 Public Square, Cleveland, Ohio 44114

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

PLAINTIFFS' ATTORNEY:

Edward L. von Hohn  
Nix, Patterson & Roach, LLP  
205 Linda Drive  
Daingerfield, Texas 75638  
903-645-7333

an answer to the complaint which is herewith served upon you, within **20** days after service of this summons upon 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.

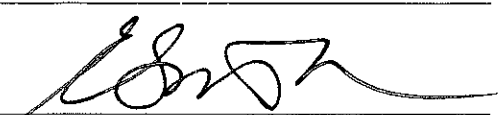
DAVID MALAND, CLERK

MAR 24 2006

Clerk

Date

By Deputy



AO 440 (Rev. 5/85) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE <b>3-28-06</b>
NAME OF SERVER <b>Moni King</b>	TITLE <b>Sr. Paralegal</b>

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- 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: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): **CM RRR 7003 1680 0007 3529 2971**

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**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 **4-4-06** *[Signature]*  
Date Signature of Server

MONI CELESTIE KING  
SR. PARALEGAL  
NIX PATTERSON & ROACH LLP

**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:  
  
KeyBank National Assn.  
Key Bank USA, Nat. Assn  
127 Public Square  
Cleveland OH 44114

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature **CROWELL**  Agent  Addressee
- B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery **MAR 28 2006**
- 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

MAIL™ RECEIPT  
No Insurance Coverage Provided

visit our website at www.usps.com

**OFFICIAL REGISTERED MAIL**

**MAR 28 2006**  
Postmark Here

2. Article Number (Transfer from service label) **7003 1680 0007 3529 2971**

ational Assn.  
USA, Nat. Assn  
Square  
OH 44114

<sup>1)</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.