

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

FILED-01176
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

2011 AUG -2 AM 10:09

12 EASTERN DISTRICT OF TEXAS

Lodsys, LLC

Plaintiff

v.

Combay, Inc, et al.

Defendant

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Civil Action No. 2:11-cv-272

BY _____

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Combay, Inc.
325 Wenrick Drive
Roanoke, Texas 76262

Registered Agent: Marshall F. Trotter
325 Wenrick Drive
Roanoke, Texas 76262

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:

William Ellsworth Davis, III
The Davis Firm, PC
111 West Tyler Street
Longview, Texas 75601

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.

Date: 6/17/11



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

Civil Action No. 2:11-cv-272

PROOF OF SERVICE

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

This summons for *(name of individual and title, if any)* Combay, Inc.
was received by me on *(date)* 06/27/2011

I personally served the summons on the individual 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 is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

I returned the summons unexecuted because see below ; or

Other *(specify)* _____

My fees are \$ _____ for travel and \$ 40.00 for services, for a total of \$ 40.00

I declare under penalty of perjury that this information is true.

Date: 07/21/2011



Todd L. Parish Process Server
Printed name and title

606 W. Tyler Street, Ste. C
Gilmer, TX 75644

Server's address

Additional information regarding attempted service, etc:

Service of summons, complaint and civil coversheet upon Combay, Inc. % Registered Agent, Marshall F. Trotter, 325 Wenrick Drive, Roanoke, TX 76262 by CMRR #7009 3410 0001 7644 6484 was unsuccessful. Summons, complaint and civil coversheet unclaimed and returned to sender on 07/21/2011.

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:

**Combay, Inc.
Registered Agent:
Marshall F. Trotter
325 Wenrick Drive
Roanoke, Texas 76262**

2. Article Number
(Transfer from service label)

7009 3410 0001 7644 6484

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

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