

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

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

Ricky B. Perritt, et al

Plaintiff

v.

Pamela Jenkins and The Cupcakery, A Nevada Limited Liability Company

Defendant

Civil Action No. 4:11cv23

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The Cupcakery LLC, A Nevada Limited Liability Company by serving Pamela Jenkins its Sole Member 9680 South Eastern Avenue, Suite 100 Las Vegas, Nevada 89123.

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:

Michael J. Whitten
Michael J. Whitten & Associates
218 N. Elm Street
Denton, Texas 76201

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: 1/18/11



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**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)* The Cupcakery LLC by serving  
was received by me on *(date)* 1-18-2011 Pamela Jenkins

I personally served the summons on the individual at *(place)* Jacksboro 74  
on *(date)* 1-19-2011 ; 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 \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ -0- for travel and \$ 75<sup>00</sup> for services, for a total of \$ 75<sup>00</sup> ~~0.00~~

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

Date: 1-19-2011

Ellen McAnear, Private Process  
Server's signature Server

ELLEN McANEAR, PRIVATE PROCESS  
Printed name and title SERVER

146 So. 2nd, Jacksboro, TX 76458  
Server's address

Additional information regarding attempted service, etc: