

AO 440 (Rev. 10/93) Summons in a Civil Action

FILED CLERK
U.S. DISTRICT COURT

2006 MAR 28 PM 4: 02

TEXAS EASTERN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BY _____

ADVANCEME, INC.

v.

1. RAPIDPAY LLC
2. BUSINESS CAPITAL CORPORATION
3. FIRST FUNDS LLC
4. MERCHANT MONEY TREE, INC.
5. REACH FINANCIAL, LLC
6. FAST TRANSACT, INC., D/B/A SIMPLE CASH

SUMMONS IN A CIVIL CASE

Case Number: 6:05-CV-424

TO: Merchant Money Tree, Inc., 2855 Magnum Road, Suite 303, Houston, Texas 77092

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

Otis W. Carroll
IRELAND CARROLL & KELLEY, P.C.
6101 South Broadway, Suite 500
Tyler, TX 75703

an answer to the complaint which is served on you with this summons, within twenty (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.

DAVID J. MALAND

Clerk

2/27/06

Date



(By) Deputy Clerk

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RETURN OF SERVICE	
Service of the Summons and Complaint was made by me ¹	DATE: <u>3/13/06</u>
NAME OF SERVER (PRINT) <u>Don R Gray</u>	TITLE: <u>Process Server</u>
<i>Check one box below to indicate appropriate method of service</i>	
<input checked="" 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 who the summons and complaint were left: <u>Terrett Jackson</u>	
<input type="checkbox"/> Return unexecuted:	
<input type="checkbox"/> Other (specify):	

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 of Service Fees is true and correct.

Executed on: 3/13/06
Date

Don R Gray
Signature of Server

2777 Allen Pkwy #600.
Address of Server Houston TX

¹ As to who may serve a summons, see Rule 4 of the Federal Rules of Civil Procedures.