

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

EMG TECHNOLOGY, LLC.

Plaintiff

v.

APPLE, INC., ET AL.

Defendant

Civil Action No. 6:08cv447

Summons in a Civil Action

To: (Defendant's name and address)

CONTINENTAL AIRLINES, INC.
c/o C T CORPORATION SYSTEM
350 N. ST. PAUL STREET
Dallas, TX 75201 USAFILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JAN 14 2009
DAVID J. MALAND, CLERK
BY
DEPUTY

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), 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's attorney, whose name and address are:

CHARLES AINSWORTH
PARKER BUNT & AINSWORTH PC
100 E FERGUSON SUITE 1114
TYLER TX 75702

If you fail to do so, 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: 1/7/09

David Maland

Name of clerk of court

MLL

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by:

(1) personally delivering a copy of each to the individual at this place, _____;
_____ ; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____ ; or

(4) returning the summons unexecuted to the court clerk on _____ ; or

(5) other (specify) _____

SEE ATTACHED *
AFFIDAVIT**

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

Date: _____

Server's signature

Printed name and title

Server's address

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 01/08/09
NAME OF SERVER (PRINT) BREIHAN A. BRIDGEWATER	TITLE TEXAS PROCESS SERVER

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): CONTINENTAL AIRLINES INC. BY DELIVERING TO C T CORPORATION SYSTEM BY LEAVING WITH AUTHORIZED AGENT VINCENT CASTILLO 350 N. ST. PAUL, STE 2900, DALLAS TX 75201

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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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 01/09/09
Date

Breihan A. Bridgewater SLH232
Signature of Server

5470 LBJ FREEWAY, DALLAS, TEXAS 75240

Address of Server

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