

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

FILED CLERK  
U.S. DISTRICT COURT  
2009 OCT 20 PM 2:39  
Texas

Eastern

District of

Eolas Technologies Inc

IX EASTERN-MARSHALL

SUMMONS IN A CIVIL ACTION

V.

Adobe Systems, Inc., et al

CASE NUMBER: 6:09-cv-446

TO: (Name and address of Defendant)

New Frontier JPMorgan Chase & Company  
By and through its Registered Agent for Service:  
Marc Callipari  
7007 Winchester Circle, Suite 200  
Boulder, Colorado 80301-3517

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

Mike McKool  
McKool Smith, PC  
300 Crescent Court, Suite 1500  
Dallas, TX 75201  
(214) 978-4000

an answer to the complaint which is served on you with this summons, within 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 Malone*

CLERK OF COURT

MLL



DATE

10/6/09

RETURN OF SERVICE

Service of the Summons and complaint was made by me<sup>(1)</sup> DATE 10/8/09 @ 11:07 AM

NAME OF SERVER (PRINT) John Chely TITLE Process Server

Check one box below to indicate appropriate method of service

[X] Served personally upon the defendant Place where served: New Frontier JP Morgan Chase+CO. 7007 Winchester Cir. Ste 200 Boulder CO 80301-3517

[ ] 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: Served Helen Patton Executive Assistant who is authorized to accept service for Marc Callipari

[ ] Returned unexecuted:

[ ] Other (specify):

STATEMENT OF SERVICE FEES

Table with 3 columns: TRAVEL, SERVICES, TOTAL \$0.00

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 10/8/09 Date

Signature of Server [Handwritten Signature]

1043 Terrace Ln S. Boulder CO 80304 Address of Server

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