

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

FILED-CLERK
U.S. DISTRICT COURT
2009 OCT 23 PM 3:56
TX EASTERN-MARSHALL

UNITED STATES DISTRICT COURT

Eastern

District of

Texas

Eolas Technologies Inc.

BY
SUMMONS IN A CIVIL ACTION

V.

Adobe Systems, Inc., et al

CASE NUMBER: 6:09-cv-446

TO: (Name and address of Defendant)

Argosy Publishing, Inc.
By and through its Registered Agent for Service:
Andrew Bowditch
109 Oak Street
Newton, MA 02464

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

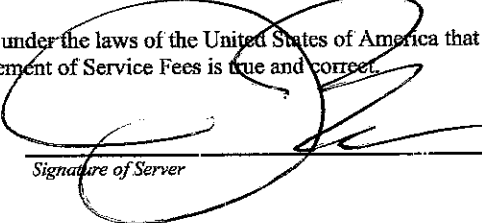
CLERK OF COURT



10/6/09

DATE

MLL

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	10/8/09
NAME OF SERVER (PRINT) <i>James Burke</i>	TITLE	<i>Constable, Boston, MA</i>
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <i>by giving in hand to Alex Bilsky, Vice. Pres. of Argosy, 109 Oak St Newton, MA</i> <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 whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL <i>10</i>	SERVICES <i>50</i>	TOTAL <i>60.00</i>
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 <u>10/13/09</u> Date	 Signature of Server	
<u>P.O. Box 51576</u> Address of Server <i>Boston MA 02205</i>		

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