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

UNITED STATES DISTRICT COURT

for the

Western District of Texas

Deliverance Poker, LLC

Plaintiff

v.

Michael Mizrachi, et al

Defendant

Civil Action No. 10-cv-664-jrn

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Tiltware, LLC by and through
Texas Secretary of State
1019 Brazos Street
Austin, Texas 78701

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:

Douglas M. Becker
Gray & Becker, P.C.
900 West Avenue
Austin, TX 78701

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.

William G. Putnicki
CLERK OF COURT

Katherine Wallace

Signature of Clerk or Deputy Clerk

Date: 12/08/2010



AFFIDAVIT
ATTACHED

Civil Action No. 10-cv-664-jrn

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)* TILTWARE, LLC
was received by me on *(date)* 12-8-2010.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; 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):*

**AFFIDAVIT
ATTACHED**

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AFFIDAVIT OF SERVICE

Came to hand on the 8th day of December, 2010, at 2:00 o'clock pm.
Cause No. 10-CV-664-JRN

Executed at 1019 Brazos Street, Suite B05 Austin, Texas 78701
within the County of Travis at 2:53 o'clock pm on the 8th day
of December, 2010, by delivering to the within named:

TILTWARE, LLC,
by delivering to THE TEXAS SECRETARY OF STATE, by delivering to her designated
agent, ELIZABETH GARCIA, in person, true duplicate copies of this Summons in a
Civil Action together with Plaintiff's Second Amended Complaint attached,
having first endorsed upon both copies of such Summons the date of delivery,
and tendering the \$55 Statutory Fee.

I am not a party to or interested in the outcome of the suit referenced above.
I am authorized by written order to serve citation and other notices. I am not
less than eighteen (18) years of age.

Service Fee \$75.00

DELIVERANCE POKER, LLC

Plaintiff

V.
MICHAEL MIZRACHI, ET AL

Defendant

By: Barbara C. Stinnett
Barbara C. Stinnett ID# SCH-1181
(Authorized Person)

THOMAS PROCESS
809 Rio Grande Street
Suite 103
Austin, Texas 78701
(512) 320-8330

VERIFICATION

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared
Barbara C. Stinnett, known to me to be the person whose name
is subscribed to the foregoing document and, being by me first duly sworn,
declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 9th day of
December, A.D., 2010.

Scott L. Thomas
NOTARY PUBLIC, STATE OF TEXAS
