

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, LLC,

Plaintiff,

No. 2:10-cv-00664-BAT

v.

KENNETH R. LAY, in his official capacity as
Secretary of the North Carolina Department of
Revenue,

WAIVER OF SUMMONS and
ACCEPTANCE OF SERVICE

Defendant.

To: Steven P. Caplow
Davis Wright Tremaine, LLP
Counsel for Plaintiff, Amazon.com, LLC

I, Tiare B. Smiley, am a Special Deputy Attorney General with the North Carolina Department of Justice. On behalf of Defendant Kenneth Lay and pursuant to Rule 4(d), I am authorized to and do waive service of the Summons and Complaint in this action filed by plaintiff Amazon.com, LLC, in the United States District Court for the Western District of Washington at Seattle. I hereby acknowledge acceptance of service as of 20 April 2010.

I understand Defendant Lay will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but waives any objections to process or service.

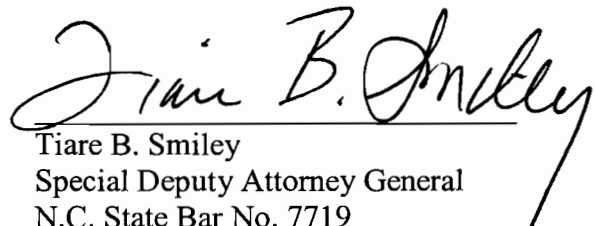
1 I also understand that Defendant Lay must file and serve answer or motion under Rule 12
2 within 60 days, or by 21 June 2010.

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4 Dated May 7, 2010.

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