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**FILED**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA

JAN 27 2010

In re:  
  
ANDREW C BAILEY  
*Debtor(s)*

Case No.: 2:09-bk-06979-RTBP  
  
Chapter: 11

UNITED STATES  
BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

ANDREW C. BAILEY  
*Plaintiff(s)*

Adversary No.: 2:09-ap-01728-RTBP

v.

THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK  
et al.  
*Defendant(s)*

**CERTIFICATE OF SERVICE**

I, ANDREW C BAILEY certify that I am, and at all times during the service of process, was not less than 18 years of age. I further certify that the service of the summons and a copy of the complaint was made on 1/25/2010 by:

- Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to: *(certified)*  
*Kyle Hirsch Esq.*  
*Bryan Cave LLP*  
*2 N. Central Ave, Suite 2200, Phoenix AZ 85004*
- Personal Service: By leaving the process with the defendant or with an officer or agent of defendant at:
- Residence Service: By leaving the process with the following adult at:
- Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

Publication: The defendant was served as follows: (Describe briefly)

State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_ as follows: (Describe briefly)

If service of process was made by personal service, residential service, or pursuant to state law, I further certify that I am not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date: 1/25/2010 Andrew C. Bailey  
(Signature)

ANDREW C. BAILEY  
(Print Name)  
2500 N. Page Springs Rd  
(Business Address)  
Cornville, AZ 86325  
(City, State, Zip Code)

9902 4E01 2000 0J10 6007

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PS Form 3800, August 2006 See Reverse for Instructions

SUMALIAS

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA

In re: Case No.: 2:09-bk-06979-RTBP  
ANDREW C BAILEY Chapter: 11  
Debtor(s)

ANDREW C. BAILEY Adversary No.: 2:09-ap-01728-RTBP  
Plaintiff(s)  
v.  
THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK  
et al.  
Defendant(s)

**ALIAS SUMMONS IN AN ADVERSARY PROCEEDING**

**YOU ARE SUMMONED** and required to submit a motion or answer to the complaint which is attached to this summons to the Clerk of the Bankruptcy Court within 30 days from the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days of issuance.

Address of the Bankruptcy Clerk's Office

U.S. Bankruptcy Court, Arizona  
230 North First Avenue, Suite 101  
Phoenix, AZ 85003-1727

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney, or the plaintiff, if not represented by an attorney.

Name and Address of Plaintiff's Attorney

ANDREW C. BAILEY 2500 N PAGE SPRINGS RD  
CORNVILLE, AZ 86325

( Summons continued on next page )

If you make a motion, your time to answer is governed by Federal Rule of Bankruptcy Procedure 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

**Date: January 21, 2010**

**Address of the Bankruptcy Clerk's Office:**

U.S. Bankruptcy Court, Arizona  
230 North First Avenue, Suite 101  
Phoenix, AZ 85003-1727  
Telephone number: (602) 682-4000  
www.azb.uscourts.gov

Clerk of the Bankruptcy Court:

**Brian D. Karth**

