

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

UNITED STATES DISTRICT COURT **FILED**

NORTHERN

District of

CALIFORNIA

2008 MAY 19 A 10:34

John Gabor and Kay Gabor
Plaintiffs

ADR

SUMMONS IN A CIVIL ACTION

RICHARD W. WIEKING
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

v.
USA; MUCASEY; AOUSDC; SCHARF;
BERKMAN; BURTON VOLKMANN &
SCHMAL, LLP; SCHMAL; SABIN;
SOLOMON; MIYASHIRO; GARCIA;
and DOES1-100

Defendants

CASE NUMBER:

C07 06091

**RMW
PVT**

TO: (Name and address of Defendant)

Marcy Berkman
70 West Hedding Street, 9th Floor, East Wing
San Jose, CA. 95110

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

John Gabor and Kay Gabor
590 Smokey Court
Campbell, CA. 95008-3717

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.

RICHARD W. WIEKING

DEC 03 2007

CLERK

DATE

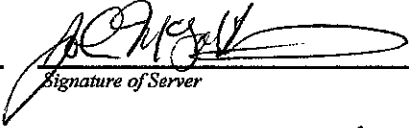
(By) DEPUTY CLERK

Tiffany Salinas-Marwell

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

RETURN OF SERVICE	
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>March 17, 2008</u>
NAME OF SERVER (PRINT) <u>John McGoldrick</u>	TITLE <u>SERVER</u>
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: <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 checked="" type="checkbox"/> Other (specify): <u>Defendant Marcy Berkman served at 70 West Hedding St 9th floor East Wing, San Jose, Ca. 95110 by Certified mail # 7007 1490 0004 6530 2976</u>	

STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <u>\$100.00</u>

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>March 17, 2008</u> Date	 Signature of Server <u>7737 Fin Oaks Blvd #242</u> <u>Cimarron, Ca. 95608-1705</u> Address of Server

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to: <u>Marcy Berkman</u> <u>70 West Hedding, 9th floor</u> <u>East Wing</u> <u>San Jose, CA 95110</u></p> <p>2. Article Number (Transfer from service label) <u>7007 1490 0004 6530 2976</u></p>	<p>A. Signature</p> <p style="text-align: right;"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </p> <p>Received by the County of Santa Clara MAR 17 2008 G.S.A. Mail.com</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>