

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

RICHARD W. WIEKING  
SUMMONS IN A CIVIL ACTION  
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:

RMW

C07 06091 PVT

TO: (Name and address of Defendant)

D. Miyashiro  
USDC Clerk's Office  
280 S. First Street  
San Jose, CA. 94113

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 60 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-Harwell

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


RETURN OF SERVICE	
Service of the Summons and complaint was made by me <sup>(1)</sup>	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

- Served personally upon the defendant. Place where served:
  
- 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:
  
- Returned unexecuted:

Other (specify): Defendant D. Miyashiro served at 280 S. First Street, San Jose, Ca. 95113 by Certified mail # 7007 0220 0001 9000 7876

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

DECLARATION OF SERVER	
<p>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.</p>	
Executed on <u>March 17, 2008</u> <small>Date</small>	 <small>Signature of Server</small>
	<u>7737 Fair Oaks Blvd. #212</u> <u>Camden Ca. 95608-1705</u> <small>Address of Server</small>

SENDER: COMPLETE THIS SECTION	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	
1. Article Addressed to: <u>Office of USOC Clerk</u> <u>Clerk D Miyashiro</u> <u>280 S. First Street</u> <u>San Jose CA 95113</u>	
2. Article Number <small>(Transfer from service label)</small> <div style="border: 1px solid black; padding: 2px; display: inline-block;">7007 0220 0001 9000 7876</div>	

COMPLETE THIS SECTION ON DELIVERY	
A. Signature <input checked="" type="checkbox"/>  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	C. Date of Delivery <u>3/17/08</u>
B. Received by (Printed Name) <u>P. Crowell</u>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
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.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	