

UNITED STATES DISTRICT COURT

for the

Northern District of California

E-filing

Timothy Downs,

Plaintiff

v.

Check Recovery Services, Inc.; and DOES 1-10,
inclusive,

Defendant

EV 09

4546

Civil Action No.

SBA

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Check Recovery Services, Inc.
167 Ashland Avenue
Buffalo, NY 14222

A lawsuit has been filed against you.

Within 20 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:

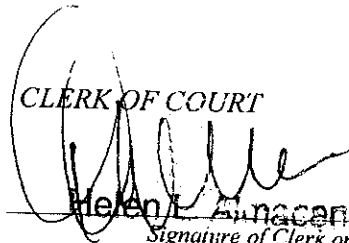
Sergei Lemberg, Esq.
Lemberg & Associates, L.L.C.
1100 Summer Street, 3rd Floor
Stamford, CT 06905

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.

SEP 25 2009

Date: _____

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Civil Action No. _____

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)* Check Recovery Services, Inc.
was received by me on *(date)* 10/11/09

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)* Leslie Pierce, who is
designated by law to accept service of process on behalf of *(name of organization)* Check Recovery
Services, Inc. on *(date)* 10/13/09 ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

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: 10/19/09



Server's signature

Ted Kwiatkowski Process Server

Printed name and title

1312 French Rd, Ste D, Depew NY 14043

Server's address

Additional information regarding attempted service, etc: