

State of: District of Columbia  
Court: U.S. District

County of:  
Index #: 1:05CV0972  
Date Purchased: 5/16/2005

Plaintiff/Petitioner:

**International Painters And Allied Trades Industry Pension Fund**

Defendant/Respondent:

vs:

**Ortega Construction Methods, Inc.**

State of: NY  
County of: Niagara

Thomas J Richau II, being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides at: Niagara Falls , NY that on: **5/31/2005** at: **1:45 pm** at: 23 Palmer Place, Lancaster, NY 14086 deponent served the within:

**Summons In A Civil Case & Complaint**

\* **PAPERS SERVED WITH INDEX # & DATE PURCHASED**  
\* Return Date if any:

ON: **Ortega Construction Methods, Inc.**

CORPORATION  A corporation, by delivering thereat a true copy of each to: Michelle R. Graap personally, deponent knew said corporation so served to be the corporation, described in same as Defendant and knew said individual to be: Managing Agent ,thereof an authorized person to accept service of process.

DESCRIPTION  SEX: Female, SKIN COLOR: White, AGE: 36 - 50 Yrs., HEIGHT: 5'4" - 5'8", HAIR COLOR: Brown, WEIGHT: 131 - 160 Lbs., Other identifying features: Glasses

WITNESS FEE  \$ the authorizing traveling expenses and one day's witness fee was paid(tendered) to the Defendant.

Sworn to before me on this: 6/1/2005

Nancy R Adams  
Notary Public

Thomas J Richau II SS  
Print name below signature  
Thomas J Richau II

**NANCY R. ADAMS**  
Notary Public, State of NY  
Qualified in Niagara County  
My Commission Expires  
March 27, 2006

Action#: 200510507

Client File#:

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

UNITED STATES DISTRICT COURT  
District of Columbia

INTERNATIONAL PAINTERS AND ALLIED  
TRADES INDUSTRY PENSION FUND

SUMMONS IN A CIVIL CASE

V.

Ortega Construction Methods, Inc.

CASE NUMBER: 1:05CV0972

JUDGE: REGGIS B. WALTON

DECK TYPE: LABOR/ERISA (NON-EMPLYMNT)

DATE STAMP: 05/16/05

TO: (Name and address of Defendant)

Ortega Construction Methods, Inc.  
23 Palmer Place  
Lancaster, New York 14086

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

SHELLEY R. GOLDNER, ESQUIRE  
JENNINGS SIGMOND, PC  
THE PENN MUTUAL TOWERS, 16TH FLOOR  
510 WALNUT STREET  
PHILADELPHIA, PA 19106

an answer to the complaint which is served on you with this summons, within twenty (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.

NANCY M. MAYER-WHITTINGTON

CLERK

MAY 16 2005

DATE

*Nancy Mayer-Whittington*  
(By) DEPUTY CLERK