

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

CENTRAL LABORERS' PENSION FUND BOARD OF TRUSTEES,  
CENTRAL LABORERS' WELFARE FUND BOARD OF TRUSTEES,  
CENTRAL LABORERS' ANNUITY FUND BOARD OF TRUSTEES, and  
BARRY McANARNEY

V.

ERA - VALDIVIA CONTRACTORS, INC. and  
JOSE GUADALUPE VALDIVIA

CASE NUMBER: 08 C 1867

ASSIGNED JUDGE: Lefkow

DESIGNATED  
MAGISTRATE JUDGE: Mason

TO: (Name and address of Defendant)

ERA - VALDIVIA CONTRACTORS, INC.  
c/o Jose Guadalupe Valdivia, President & Registered Agent  
2918 E. 95th St.  
Chicago, IL 60617  
or  
11909 South Avenue O  
Chicago, IL 60617

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

Richard A. Toth  
DALEY AND GEORGE LLP  
20 S. Clark St., Suite 400  
Chicago, IL 60603

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon 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. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL W. DOBBINS, CLERK

(By) DEPUTY CLERK

APR 04 2008

DATE

**Affidavit of Process Server**

Central Laborers, et al. vs Era-Valdivia, et al. 08C1867  
 PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE #

Being duly sworn, on my oath, I Barry A. Savage Sr.  
 declare that I am a citizen of the United States, over the age of eighteen and not a party to this action.

**Service:** I served Era-Valdivia Contractors, Inc.  
 with the (documents) ☐ Subpoena with \$ \_\_\_\_\_ witness fee and mileage  
☒ Summons and Complaint

by serving (NAME) \_\_\_\_\_  
 at ☒ Home 11909 S. Ave. O Chicago, IL  
☒ Business 2918 E 95th St Chicago, IL  
☐ on (DATE) \_\_\_\_\_ at (TIME) \_\_\_\_\_

Thereafter copies of the documents were mailed by prepaid, first class mail on (DATE) \_\_\_\_\_  
 from (CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_

**Manner of Service:**

- ☐ By Personal Service.  
☐ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof,  
 namely \_\_\_\_\_  
☐ By leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the general nature of the papers,  
 namely \_\_\_\_\_  
☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- ☐ Unknown at Address ☐ Evading ☐ Other: \_\_\_\_\_  
☐ Address Does Not Exist ☐ Service Cancelled by Litigant  
☒ Moved, Left no Forwarding ☐ Unable to Serve in a Timely Fashion

**Service Attempts:** Service was attempted on: (95) 4-15-08 2:02 pm, ( ) \_\_\_\_\_, ( ) \_\_\_\_\_  
 (AVE) 4-8-08 2:11 pm, ( ) \_\_\_\_\_, ( ) \_\_\_\_\_  
 DATE TIME DATE TIME DATE TIME

**Description:** ☐ Male ☐ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☐ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blond Hair ☐ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Glasses ☐ Red Skin ☐ Red Hair ☐ Mustache ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.  
☐ Beard

OTHER IDENTIFYING FEATURES: \_\_\_\_\_

State of Illinois County of Cook

Subscribed and sworn to before me,  
 a notary public, this 22 day of April, 2008

B. A. Savage Sr.  
 SERVED BY  
 LASALLE PROCESS SERVERS

NOTARY PUBLIC



CHARTER MEMBER NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS.