

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

FILED CLERK  
U.S. DISTRICT COURT  
2009 OCT 20 PH 2:39  
Texas  
TX EASTERN-MARSHALL

UNITED STATES DISTRICT COURT

Eastern District of

Eolas Technologies Inc.

~~SUMMONS IN A CIVIL ACTION~~

V.

Adobe Systems, Inc., et al

CASE NUMBER: 6:09-cv-446

TO: (Name and address of Defendant)

Frito-Lay, Inc.  
By and through its Registered Agent for Service:  
CT Corporation System  
350 N. St. Paul Street  
Dallas, Texas 75201

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

Mike McKool  
McKool Smith, PC  
300 Crescent Court, Suite 1500  
Dallas, TX 75201  
(214) 978-4000

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.

*David Malone*

CLERK OF COURT

MLL



10/6/09

DATE

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	October 8, 2009 at 11:55 a.m
NAME OF SERVER <i>(PRINT)</i> Darla Gray	TITLE	Private Process Server SCH-2010
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="radio"/> Served personally upon the defendant. Place where served:</p> <p><input type="radio"/> 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:</p> <p><input type="radio"/> Returned unexecuted:</p> <p><input checked="" type="radio"/> Other (specify):</p> <p>Serving Frito-Lay Inc through it's Registered Agent CT Corporation System by delivering to Sandy Galicia Authorized Agent at 350 N ST Paul Dallas TX</p>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<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> <p>Executed on <u>October 8, 2009</u> _____ Date Signature of Server</p> <p style="text-align: center;">3404 Corona Dr., Garland, TX 75044</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure