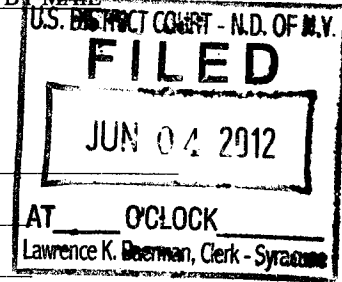


U.S. Department of Justice
United States Marshals Service
Northern District of New York
PO Box 7260
Syracuse, NY 13261



NOTICE AND ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT BY MAIL

United States District Court
for the
Northern District of New York



To: Beth A. Bivona
Damon Morey LLP
200 Delaware Ave
Suite 200
Buffalo, NY 14202

Case No.: 1:12-cv-252
O'Hara
v.
Albany County et al

The enclosed summons and complaint are served pursuant to Fed. R. Civ. P. 4(e)(1) and section 312-a of the New York Civil Practice Law and Rules.

To avoid being charged with the expense of service upon you, you must sign, date and complete the acknowledgment part of this form and mail or deliver one copy of the completed form to the sender within thirty (30) days from the date you receive it. You should keep a copy for your records or for your attorney. If you wish to consult an attorney, you should do so as soon as possible.

If you do not complete and return the form to the sender within thirty (30) days, you (or the party on whose behalf you are being served) will be required to pay expenses incurred in serving the summons and complaint in any other manner permitted by law, and the cost of such service as permitted by law will be entered as a judgment against you.

The return of this statement and acknowledgment does not relieve you of the necessity to answer the complaint. The time to answer expires twenty (20) days after the day you mail or deliver this form to the sender.

If you are served on behalf of a corporation, unincorporated association, partnership or other entity, you must indicate under your signature your relationship to the entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Complaint by Mail was mailed on April 30, 2012.

Signature (USMS Official)

ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT

CHECK ONE OF THE FOLLOWING:

- 1. I am not in military service of the United States.
- 2. I am in military service of the United States, and my rank, serial number and branch of service are as follows:
Rank: _____
Serial Number: _____
Branch of Service: _____

I declare, under penalty of perjury, that I received a copy of the summons and of the complaint in the above captioned manner at:

Signature
Beth Ann Bivona
Print Name
June 1, 2012
Date of Signature
Beth Ann Bivona
Name of Defendant for which acting
SELF
Relationship to defendant/Authority to Receive

It is a crime to forge a signature or to make a false entry on this statement or on the acknowledgment.