Securities and Exchange Commission

Plaintiff

United States District Court

for the

Eastern District of New York

CIVIL Action No. 1.10-cv-00848(DLI/VIVIS)
ICE OF SUMMONS
nons in this action along with a copy of the complaint, g one signed copy of the form to you.
serving a summons and complaint in this case.
ep all defenses or objections to the lawsuit, the court's jections to the absence of a summons or of service.
tle and serve an answer or a motion under Rule 12 within his request was sent (or 90 days if it was sent outside the ered against me or the entity I represent.
Signature of the attorney or unrepresented party
Michael Sommer, Esq.
Printed name
Wilson Sonsini Goodrich Rosati 1301 Avenue of the Americas, 40th FL. New York, N.Y. 10019
Address
msommer.wsgr.com
E-mail address
(212) 497-7728
Telephone number
ises of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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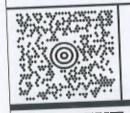
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