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ATTORNEY FOR: PLAINTFF

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICHARD L. CHANG,

Plaintiff(s)

v.

BIOSUCCESS BIOTECH, CO., LTD.

Defendant(s)

CASE NUMBER:

CV13-01340 JAK (ANx)

PROOF OF SERVICE SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and **I served** copies of the *(specify documents)*:
   a. ☒ summons ☒ complaint ☐ alias summons ☐ first amended complaint ☐ second amended complaint ☐ third amended complaint
   ☒ other *(specify)*: see attachment for additional documents
2. **Person served:**
   a. ☒ Defendant *(name)*: BIOSUCCESS BIOTECH, CO., LTD.
   b. ☒ Other *(specify name and title or relationship to the party/business named)*: HOWARD CHUENG, MANAGER AUTHORIZED TO ACCEPT SERVICE OF PROCESS
   c. ☒ Address where papers were served: 3333 BOWERS AVE., SUITE 201 SANTA CLARA, CA. 95054
3. **Manner of Service** in compliance with *(the appropriate box **must** be checked)*:
   a. ☒ Federal Rules of Civil Procedure
   b. ☐ California Code of Civil Procedure
4. **I served** the person named in Item 2:
   a. ☒ By **Personal service.** By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
      1. ☒ **Papers were served on** *(date)*: MARCH 1ST, 2013 at *(time)*: 10:16 A.M.
   b. ☐ By **Substituted service.** By leaving copies:
      1. ☐ **(home)** at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
      2. ☐ **(business)** or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
      3. ☐ **Papers were served on** *(date)*: _____ at *(time)*: _____
      4. ☐ **by mailing** *(by first-class mail, postage prepaid)* copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
      5. ☐ **papers were mailed** on (date): _____
      6. ☐ **due diligence.** I made at least three (3) attempts to personally serve the defendant.

c. ☐ **Mail and acknowledgment of service.** By mailing *(by first-class mail or airmail, postage prepaid)* copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. **(Attach completed Waiver of Service of Summons and Complaint).**

d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.

e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing *(by first-class mail, postage prepaid)* copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service).**

f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).

g. ☐ **Certified or registered mail service.** By mailing to an address outside California *(by first-class mail, postage prepaid, requiring a return receipt)* copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**

h. ☐ **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: *(date)*: _____ at *(time)*: _____

b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**

c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving *(name, address and telephone number)*:

ELLENOR RIOS
FIRST LEGAL SUPPORT SERVICES
1138 HOWARD STREET
SAN FRANCISCO, CA. 94103
415-626-3111

a. Fee for service: $

b. ☐ Not a registered California process server

c. ☐ Exempt from registration under B&P 22350(b)

d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: MARCH 7, 2013

_____
(Signature)

Attachments to Proof of Service – Summons and Complaint

1. Attachment for Additional Documents:

Civil Cover Sheet; Notice of Assignment to United States Magistrate Judge for Discovery; Certification and Notice of Interested Parties (Local Rule 7.1-1); Notice to Parties of Court-Directed ADR Program; Notice to Parties: Court Policy on Settlement and Use of Alternative Dispute Resolution (ADR); Attention: New Civil Actions; Report on Filing or Determination of an Action Regarding a Patent or Trademark; Notice to Counsel Re: Copyright, Patent, and Trademark Reporting Requirements; Initial Standing Order for Cases Assigned to Judge John A. Kronstadt; Pacer: Public Access to Court Electronic Records.