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

UNITED STATES DISTRICT COURT

District of Delaware

LIVEPERSON, INC.

Plaintiff,

v.

NEXTCARD, LLC and MARSHALL CREDIT STRATEGIES, LLC,

Defendants.

SUMMONS IN A CIVIL CASE
Pursuant to 10 Del. C. § 3104

CASE NUMBER: 08-062 (GMS)

TO: NextCard, LLC
c/o Secretary of State
Division of Corporations
John G. Townsend Bldg.
401 Federal Street, Suite 4
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Melanie K. Sharp, Esquire
Andrew A. Lundgren, Esquire
Young Conaway Stargatt & Taylor LLP
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801

an answer to the amended complaint which is served on you with this summons, within 10 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 the Court within a reasonable period of time after service.

PETER T. DALLEO
CLERK

Rouce
(By) DEPUTY CLERK

3/19/08
DATE

RETURN OF SERVICE

Service of the summons and complaint was made by me (1)	DATE 3/24/08
NAME OF SERVER *(PRINT)* ROBERT BOWER	TITLE PROCESS SERVER

Check one box below to indicate approximate method of service

☐ Served Personally upon the defendant. Place where served: _____

☐ 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: _____

☐ Returned unexecuted: _____

☒ Other (specify) PERSONALLY SERVED NEXTCARD LLC by SERVING DAVID L FINGER AT 1201 ORANGE St, Suite 725, WILM DE 19801 AT 4:05 PM PERSON ACCEPTING: DAVID FINGER

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

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.

Executed on 3/24/08
Date

Signature of Server

230 N MARKET St, WILM DE 19801
Address of Server

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