AO 440 (Rev. 10/93) Summons in a Civil Action

# United States District Court

**DISTRICT OF** DELAWARE

MOTIVATION INNOVATIONS, LLC,

Plaintiff(s),

V.

DSW, INC., VALUE CITY DEPARTMENT STORES, LLC, BED, BATH & BEYOND, INC., and HALLMARK CARDS, INC.

Defendant(s).

**SUMMONS IN A CIVIL CASE**

CASE NUMBER: 08-334

TO: (Name and address of defendant)

DSW, INC.
C/O Division of Corporations
John G. Townsend Bldg.
401 Federal Street - Suite 4
Dover, DE 19901

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

Karen L. Pascale (#2903)
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building
1000 West Street, 17th Floor
P. O. Box 391
Wilmington, DE 19899-0391

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon 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. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO — JUN 05 2008

CLERK — DATE

(BY) DEPUTY CLERK

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| RETURN OF SERVICE | |
|---|---|
| Service of the Summons and Complaint was made by me[1] | DATE June 6, 2008 |
| NAME OF SERVER (*PRINT*) Shelly miles | TITLE Process Server |

*Check one box below to indicate appropriate 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): Served upon DSW, Inc by serving the Delaware Secretary of State located at 401 Federal Street Dover DE 19901. Service accepted by Karen Charbonneau at 1:58 p.m.

**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 6/5/08 (Date) Shelly miles (Signature of Server)

15 East North Street Dover DE 19901
Address of Server

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