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

United States District Court

DISTRICT OF Massachusetts

Flexi-Mat Corporation

V.

Dallas Manufacturing Company, Inc. and
BJ's Wholesale Club, Inc.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 04 10162 DPW

TO: (Name and address of defendant)

BJ's Wholesale Club, Inc.
1 Mercer Road
Natick, MA 01760

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

John Cotter
Testa, Hurwitz & Thibeault LLP
125 High Street
Boston, MA 02110

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.

TONY ANASTAS
CLERK

(BY) DEPUTY CLERK

JAN 23 2004
DATE

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RETURN OF SERVICE

Service of the Summons and Complaint was made by me[1]	DATE 2/18/04
NAME OF SERVER (PRINT) B. Keith Wheeler	TITLE Process Server

Check one box below to indicate appropriate method of service

XXXXX ☐ Served personally upon the defendant. Place where served: In hand to Mary Slattery, Legal Depr, BJ's Wholesale Club, Inc. 1 Mercer Road, Natick, Ma

☐ 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)*:

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 2/18/04
Date

Signature of Server

6 Beacon street, suite 825
Address of Server
Boston, Ma. 02108

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