

AO 440 (Rev. 12/09) Summons in a Civil Action

FILED CLERK

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

2012 NOV -2 PM 1:50

TEXAS EASTERN

EVOLUTIONARY INTELLIGENCE, LLC

Plaintiff

v.

Twitter, Inc.,

Defendant

BY \_\_\_\_\_

Civil Action No. 6:12-cv-00792

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Twitter, Inc., with its principal place of business at 1355 Market Street, Suite 900, San Francisco, CA 94103.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Charles Ainsworth  
Parker, Bunt & Ainsworth, P.C.  
100 E. Ferguson, Suite 1114  
Tyler, TX 75702

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

Date: 10/18/12



AO 440 (Rev. 01/09) Summons in a Civil Action (Page 2)

Civil Action No. 6:12-cv-00792

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This summons for *(name of individual and title, if any)* TWITTER, INC.  
was received by me on *(date)* 10/23/12

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_, or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* JEAN COOPER (PROCESS AGENT), who is  
designated by law to accept service of process on behalf of *(name of organization)* TWITTER, INC.

C/O INCORPORATING SERVICES, LTD 3500 S. DUPONT HWY. DOVER, DE 19901 on *(date)* 10/23/12 AT 2:15 PM


I returned the summons unexecuted because \_\_\_\_\_, or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: 10/23/12

  
\_\_\_\_\_  
*Server's signature*

GRANVILLE MORRIS  
\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

\_\_\_\_\_