

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

UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

2011 NOV 10 PM 4:57

TX EASTERN DISTRICT

VIRNETX, INC.

Plaintiff

v.

APPLE, INC

Defendant

BY

Civil Action No. 6:11CV563

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) APPLE, INC.  
1 Infinite Loop  
Cupertino, CA 95014

c/o CT Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, TX  
75201-4234

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:

Douglas A. Cawley  
McKool Smith P.C.  
300 Crescent Court, Suite 1500  
Dallas, TX 75201  
(214) 978-4000

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.

Date: 11/1/11



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

Civil Action No. 6:11CV563

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* APPLE, INC  
was received by me on *(date)* 11/02/2011

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)* AMBER CARROUTH, who is  
designated by law to accept service of process on behalf of *(name of organization)* CT CORPORATION SYSTEM  
AT 350 N. ST. PAUL STE. 2900, DALLAS TX 75201 on *(date)* 11/02/2011 ; or

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

Other *(specify)* \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

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

Date: 11/03/2011

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

ADAM BRIDGEWATER SCH237  
*Printed name and title*

444 QUAIL CHASE  
DECATUR, TX 76234

*Server's address*

Additional information regarding attempted service, etc: