

AO 440 (Rev. 06/12) Summons in a Civil Action

FILED-CLERK  
U.S. DISTRICT COURT

2016 SEP 12 AM 11:19  
UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

TX EASTERN-MARSHALL

MacroPoint, LLC

Plaintiff(s)

v.

Ruiz Food Products, Inc.

Defendant(s)

Civil Action No. 6:16-cv-1133

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Ruiz Food Products, Inc.  
2410 Texoma Drive  
Denison, Texas 75020

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:

MICHAEL C. SMITH  
SIEBMAN, BURG, PHILLIPS & SMITH, LLP  
P.O. BOX 1556  
Marshall, Texas 75671

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

Date: 08/30/2016

Signature of Clerk or Deputy Clerk

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**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)* Ruiz Food Products, Inc.  
was received by me on *(date)* 8-31-16

I personally served the summons on the individual at *(place)* Ruiz Food Products, Inc  
2410 Teroma Dr. Denison, TX 75020 on *(date)* 8-31-16 ; 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)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

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

Other *(specify)*:

My fees are \$ N/A for travel and \$ 50.00 for services, for a total of \$ 50.00

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

Date: 8-31-16

Steve Atkins  
\_\_\_\_\_  
*Server's signature*

Steve Atkins - Process Server  
\_\_\_\_\_  
*Printed name and title*

128 S. Macedonia Dr, Pottsboro, TX 75076  
\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: