

Alan P. Petrofsky  
3618 Alameda Apt 5  
Menlo Park CA 94025

September 6, 2005

BY CERTIFIED MAIL, ARTICLE NUMBER 7004 0750 0000 9136 9935

Jeffrey Vernon Merkey  
1058 E 50 S  
Lindon UT 84042

Re: Waiver request for Merkey v. Jones et al.

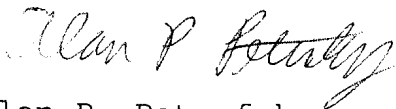
Dear Mr. Merkey:

I have received your request, dated August 25, 2005, for a waiver of service pursuant to Rule 4(d) of the Federal Rules of Civil Procedure.

Your request did not include the required "prepaid means of compliance" (Rule 4(d)(2)(G)), despite that requirement being clearly noted right on the waiver request form, where it calls for "a stamped and addressed envelope (or other means of cost-free return)".

If you actually desire to prosecute this frivolous case (and face the court sanctions and civil liability for doing so), then please send me a stamped and addressed envelope for the waiver's return.

Yours truly,



Alan P. Petrofsky