

FILED IN
4TH DISTRICT COURT
STATE OF UTAH
UTAH COUNTY

2005 FEB 14 P 3: 52

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IN THE FOURTH JUDICIAL DISTRICT COURT
UTAH COUNTY, STATE OF UTAH

RALPH J. YARRO III, an individual,
DARCY G. MOTT, an individual, and
BRENT D. CHRISTENSEN, an individual,

Plaintiffs,

SUMMONS

vs.

VAL NOORDA KREIDEL, an individual,
TERRY PETERSON, an individual,
WILLIAM MUSTARD, an individual, THE
NOORDA FAMILY TRUST, a Trust,
RAYMOND J. NOORDA, an individual
and a trustee of the Noorda Family Trust,
LEWENA NOORDA, an individual and a
trustee of the Noorda Family Trust, and
JOHN DOES 1 THROUGH 10,

Civil No. 050400205

Honorable Anthony W. Schofield, Div. 8

Defendants.

THE STATE OF UTAH TO THE ABOVE-NAMED DEFENDANT:

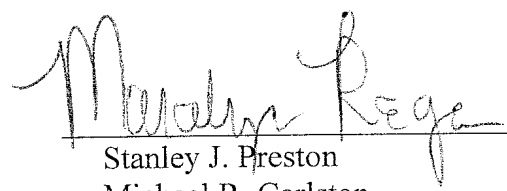
Val Noorda Kreidel
6932 Via Carona
Huntington Beach, CA 92647-6650

You are hereby summoned and required to file an Answer in writing to the attached Complaint with the Clerk of the above-referenced Court at 125 North 100 West, Provo, UT 84601 and to serve upon or mail to Stanley Preston, Michael Carlston, or Maralyn Reger, Snow, Christensen & Martineau, Plaintiffs' attorneys, 10 Exchange Place, Eleventh Floor, P.O. Box 45000, Salt Lake City, Utah 84145, a copy of said Answer within thirty (30) days after service of this Summons upon you.

If you fail to do so, a judgment by default will be taken against you for the relief demanded in said Complaint which has been filed with the Clerk of this Court, a copy of which is hereto annexed and served upon you.

DATED this 1st day of February, 2005.

SNOW, CHRISTENSEN & MARTINEAU



Stanley J. Preston
Michael R. Carlston
Maralyn M. Reger
Attorneys for Plaintiffs

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Stanley J. Preston (4119) Snow, Christensen & Martineau 10 Exchange Place, Eleventh Floor Salt Lake City, Utah 84145 TELEPHONE NO.: 801-521-9000 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
STREET ADDRESS: Fourth Judicial District Court MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: Utah County, State of Utah	
PLAINTIFF/PETITIONER: Ralph J. Yarro, III, an individual, et al. DEFENDANT/RESPONDENT: Val Noorda Kreidel, an individual, et al.	CASE NUMBER: 050400205
<p style="text-align: center;">PROOF OF SERVICE OF SUMMONS</p>	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): Jury Demand
3. a. Party served (specify name of party as shown on documents served):
Val Noorda Kreidel
- b. Person served: party in item 3a other (specify name and relationship to the party named in item 3a):
4. Address where the party was served: 6932 Via Carona
Huntington Beach, California 92647
5. I served the party (check proper box)
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): February 4, 2005 (2) at (time): 6:00 p.m.
 - b. **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
 - (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or a declaration of mailing is attached.
 - (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: Ralph J. Yarro, III, an individual, et al.	CASE NUMBER: 050400205
DEFENDANT/RESPONDENT: Val Noorda Kreidel, an individual, et al.	

- c. **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
- (1) on (date): _____ (2) from (city): _____
- (3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. **by other means** (specify means of service and authorizing code section):

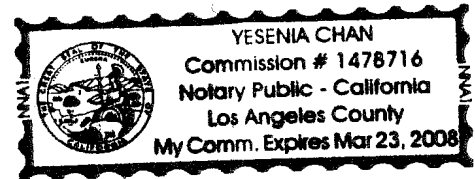
Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (specify): _____
- c. as occupant.
- d. On behalf of (specify): _____

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |



7. **Person who served papers**

- a. Name: John A. DeMarr P.I. #13351
- b. Address: 16787 Beach Blvd., Suite 340, Huntington Beach, California 92647
- c. Telephone number: 714-546-7373
- d. The fee for service was: \$ 0.00
- e. I am:

- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.: _____
- (iii) County: _____

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

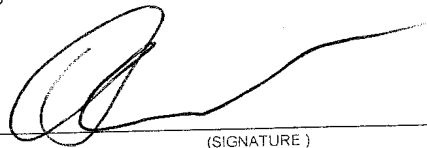
or

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: February 4, 2005

John A. DeMarr

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)