

FILED
DISTRICT OF WYOMING
CHEYENNE

2001 FEB 12 AM 11:29

CLERK
U.S. DISTRICT COURT

ORIGINAL

Joseph F. Moore, Jr.
Glenn W. Myers
R. Scott Garland
MOORE & MYERS
P. O. Box 8498
Jackson, WY 83002
(307) 733-8668 - Telephone
(307) 733-3220 - Facsimile

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

RICHARD D. COLLARD and MOUNTAIN)
STATES CONSULTING, LLC, a)
Wyoming Limited Liability Co.)
)
Plaintiffs,)

vs.)

RONALD KAILEY, and TRIBAL)
SOFTWARE, INC., a Wyoming)
Corporation; and John Does 1 through 3,)
)
Defendants.)

DOCKETED

Case No. 2:01-cv-00008

WAIVER OF SERVICE OF SUMMONS

TO: Ronald Kailey

I acknowledge receipt of your request that I waive service of a summons in the action of Collard v. Kailey, et al., which is case number 2:01-cv-0008 in the United States District Court for the District of Wyoming. I have also received a copy of the

FEB 6 2001

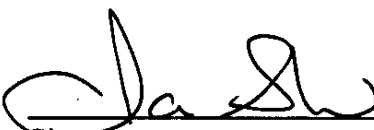
complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) can be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after _____ or within 90 days after that date if the request was sent outside the United States.

2/2/01
Date


Signature

Ian D. Shaw
Printed/Typed Name

As: Attorneys for Defendant Ronald Kailey
Title

Of: Hathaway, Speight & Kunz, LLC
~~Corporate Defendant~~