

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
AT LEXINGTON
*Electronically Filed***

**VICTORY GLOBAL, LLC d/b/a
BROUGH BROTHERS DISTILLERY**

Plaintiff

v.

Case No. _____

**FRESH BOURBON, LLC, d/b/a FRESH
SPIRITS COMPANY,
EDWARDS SPIRIT COMPANY, FRESH
BOURBON DISTILLING
COMPANY, and FRESH SPIRITS**

Defendant.

SERVE: Sean Edwards
229 Ellerslie Park Blvd.
Lexington, KY 40515

**COMPLAINT AND PETITION FOR INJUNCTIVE RELIEF
AND DECLARATORY JUDGMENT**

Plaintiff Victory Global, LLC d/b/a Brough Brothers Distillery (“Victory Global”) for its Complaint against Fresh Bourbon, LLC d/b/a Fresh Spirits Company, Edwards Spirit Company, Fresh Bourbon Distilling Company, and Fresh Spirits (“Fresh Bourbon”) states as follows:

INTRODUCTION

1. This is an action for federal unfair competition for false advertising pursuant to the Lanham Act, common law unfair competition under Kentucky law, unfair and deceptive trade practices under Kentucky statutory law, tortious interference with contractual and business relationships and expectancies arising from Fresh Bourbon’s advertising, marketing, promotion as “first black-owned bourbon distillery in Kentucky,” “the first African Americans who were not

enslaved to make Kentucky bourbon,” “One of the first black-owned bourbon distilleries in Kentucky,” and similar claims.

2. Plaintiff Victory Global started Brough Brothers Distillery in 2018. Brough Brothers Distillery is an African American owned bourbon distillery operating in Louisville, Kentucky.

3. Brough Brothers Distillery is the first, and presently the only, African American owned bourbon distillery in the Commonwealth of Kentucky, having obtained the appropriate authorizations from the federal Alcohol and Tobacco Tax and Trade Bureau and Kentucky Alcohol Board Commission.

4. Fresh Bourbon’s false advertising and misrepresentations have caused and will continue to cause injury to Victory Global’s commercial interests.

PARTIES

5. Victory Global is a Kentucky Limited Liability Company with a principal place of business at 1460 Dixie Hwy, Louisville, KY 40210.

6. Fresh Bourbon is a Kentucky Limited Liability Company with a principal place of business at 229 Ellerslie Park Blvd, Lexington, KY 40515. Fresh Bourbon’s registered agent is D. Sean Edwards, 229 Ellerslie Park Blvd, Lexington, KY 40515.

JURISDICTION AND VENUE

7. This Court has federal questions subject matter jurisdiction under 15 U.S.C. 1121, 28 U.S.C. 1338, and the Lanham Act.

8. This Court has supplemental jurisdiction of the Kentucky statutory claims and Kentucky common law claims under 28 U.S.C. 1338(b) and 1367.

9. This Court has personal jurisdiction over Fresh Bourbon because it is incorporated in and has its principal place of business in the Eastern District of Kentucky.

10. Personal jurisdiction also exists over Fresh Bourbon because it markets its bourbon in competition with Victory Global throughout the Commonwealth of Kentucky.

11. Venue is proper in this Court under 28 U.S.C. 1391(b)(2), (b)(3) and (c) as Fresh Bourbon is subject to personal jurisdiction in this district and is, therefore, deemed to reside here.

FACTS

12. Brothers Victor Yarbrough, Chris Yarbrough, and Bryson Yarbrough (collectively the “Yarbrough Brothers”) organized Victory Global LLC through the Kentucky Secretary of State on October 28, 2013.

13. The Yarbrough Brothers established Victory Global LLC, d/b/a Brough Brothers Distillery, with the goal of being the first African American owners of a bourbon distillery in Kentucky.

14. To comply with legal requirements concerning the operation of a bourbon distillery, distillers like Victory Global must obtain appropriate authorizations from federal, state, and local governmental entities.

15. The Alcohol and Tobacco Tax and Trade Bureau (“TTB”) regulates various aspects of the distilled spirits industry in the United States.

16. To comply with TTB requirements, a distiller must apply with the TTB for a permit to operate.

17. Once a distiller has received a federal distillery permit, the TTB must approve the distiller’s spirit label.

18. Victory Global is authorized by the TTB as a distilled spirit producer and bottler under Permit Number KY-S-20062.

19. Once a distiller obtains its federal license, it is also required to obtain a license from the Kentucky Department of Alcoholic Beverage Control (“ABC”) to produce, sell, or distribute alcohol.

20. Victory Global is licensed by the Kentucky ABC as a Distiller Class B (056-DTB-169578).

21. On December 31, 2020, Brough Brothers Distillery filled its first bourbon barrel to begin the aging process.

22. As of the date of this filing, Fresh Bourbon does not have a distilled spirit producer permit from the TTB.

23. Without a permit from the TTB, Fresh Bourbon cannot legally distill bourbon in Kentucky.

24. As of the date of this filing, Fresh Bourbon is not licensed by the Kentucky ABC to distill or distribute bourbon in Kentucky.

25. Without a license from the Kentucky ABC, Fresh Bourbon cannot legally distill or distribute bourbon in Kentucky.

26. As of the date of this filing, Fresh Bourbon does not own or operate a bourbon distillery in Kentucky.

27. On its website, Fresh Bourbon advertises itself as “Recognized by the State of Kentucky as the First African Americans to make Kentucky bourbon that were not slaves.”

28. Fresh Bourbon has also advertised, represented, or held itself out as the “first black owned distillery in Kentucky.”

29. Fresh Bourbon further claims to have the “first African American Master Distiller in Kentucky since slavery.”

30. Fresh Bourbon falsely claims that it owns or operates a distillery in Kentucky.

COUNT I – UNFAIR COMPETITION – FALSE OR MISLEADING REPRESENTATIONS OF SECTION 43(A) OF THE LANHAM ACT, 15 U.S.C. § 1225(a)

31. Victory Global incorporates by reference the allegations in Paragraphs 1-30 as if fully set forth herein.

32. Fresh Bourbon has made and is continuing to make false and misleading statements in commercial advertising and promotion concerning its status as a distillery and its production of bourbon.

33. Fresh Bourbon caused the false and misleading statements to enter interstate commerce.

34. Fresh Bourbon's false or misleading statements include but are not limited to the following:

- a. Fresh Bourbon's principals are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Fresh Bourbon is the first black-owned/African American owned distillery in Kentucky.
- c. Fresh Bourbon is one of the first black-owned/African American owned distilleries in Kentucky.
- d. Fresh Bourbon employs the first African American Master Distiller in Kentucky since slavery.
- e. Fresh Bourbon owns or operates a registered distillery in Kentucky.

35. Fresh Bourbon's false and misleading representations actually deceived or are intended to deceive current and potential purchasers of Victory Global's Brough Brothers bourbon as well as causing other financial losses to Victory Global's Brough Brothers.

36. Fresh Bourbon's false and misleading representations are material and are likely to influence purchasing decisions.

37. Fresh Bourbon's false and misleading representations have injured and will continue to injure Victory Global.

38. Fresh Bourbon's statements and conduct described above constitute false or misleading descriptions or representations of fact, which misrepresent the nature of Fresh Bourbon's status as a distiller, its product, and its commercial activities.

39. Fresh Bourbon's statements and conduct, as described above, constitute unfair competition in violation of Section 43(a)(1)(B) of the Federal Lanham Act, 15 U.S.C. 1125(a)(1)(B).

40. Fresh Bourbon's ongoing violations of 15 U.S.C. 1125 were and are committed knowingly, willfully, intentionally, and in bad faith.

41. By reason of Fresh Bourbon's actions, Victory Global has suffered harm to its reputation, commercial interests, and the goodwill associated with its product. Unless Fresh Bourbon is restrained from its actions, Victory Global will continue to be irreparably harmed.

42. As a direct and proximate result of Fresh Bourbon's conduct, Victory Global has suffered and will continue to suffer damages in an amount to be proved at trial.

COUNT II – COMMON LAW UNFAIR COMPETITION

43. Victory Global incorporates by reference the allegations in Paragraphs 1-42 as if fully set forth herein.

44. Fresh Bourbon is unlawfully using, advertising, and promoting false, deceptive, and misleading materials concerning its bourbon, including the following:

- a. Fresh Bourbon's principals are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Fresh Bourbon is the first black-owned/African American owned distillery in Kentucky.

- c. Fresh Bourbon is one of the first black-owned/African American owned distilleries in Kentucky.
 - d. Fresh Bourbon employs the first African American Master Distiller in Kentucky since slavery.
 - e. Fresh Bourbon owns or operates a registered distillery in Kentucky.
45. Fresh Bourbon is in a competing business with Victory Global in that both are African American owned Kentucky bourbon companies.
46. Fresh Bourbon's wrongful acts have caused and will continue to cause confusion or mistake to deceive the public as to Victory Global's Brough Brothers Bourbon.
47. By reason of Fresh Bourbon's actions, Victory Global has suffered harm to its reputation, the commercial value of its product, and the goodwill associated therewith. Unless Fresh Bourbon is restrained from its actions, Victory Global will continue to be irreparably harmed.
48. Fresh Bourbon's actions constitute unfair competition under the common law of Kentucky.
49. As a direct and proximate result of Fresh Bourbon's conduct, Victory Global has suffered and will continue to suffer damages in an amount to be proved at trial.

COUNT III – UNFAIR AND DECEPTIVE TRADE PRACTICES

50. Victory Global incorporates by reference the allegations in Paragraphs 1-49 as if fully set forth herein.
51. Fresh Bourbon has made and is continuing to make false, deceptive, and misleading materials concerning its product, which is in a competing business with Victory Global.

52. Fresh Bourbon, in the course of its business has confused, misled, or deceived consumers, the public, and the trade as to the nature of their competing bourbon product, and has represented that its bourbon has a provenance that it does not have.

53. By reason of the acts set forth above, Fresh Bourbon has been and is engaged in deceptive acts or practices, which may be knowing and willful, in the conduct of a business, trade or commerce in violation of Kentucky Revised Statutes 365.100 and 365.990.

54. Fresh Bourbon has made and will continue to make substantial profits and gains to which they are not entitled.

55. Fresh Bourbon intends to continue its deceptive acts or practices, unless restrained by this Court.

56. Fresh Bourbon's acts have damaged and will continue to damage Victory Global, and Victory Global has no adequate remedy at law.

**COUNT IV – TORTIOUS INTERFERENCE WITH CONTRACTUAL OR BUSINESS
RELATIONSHIPS OR EXPECTANCIES**

57. Victory Global incorporates by reference the allegations in Paragraphs 1-56 as if fully set forth herein.

58. Victory Global had and has current, ongoing contractual and/or business relationships or expectancies with third parties, including actual and potential customers in connection with the sales of its bourbon.

59. Fresh Bourbon had knowledge of the contractual and/or business relationships or expectancies of Victory Global.

60. Fresh Bourbon intentionally and improperly interfered with Victory Global's business relationships or expectancies, causing a breach, disruption, or termination of contractual or business relationships or expectancies.

61. Victory Global has suffered damages in an amount to be proved at trial as a result of Fresh Bourbon's tortious interference with Victory Global's contractual and business relationships or expectancies.

COUNT V – INJUNCTIVE RELIEF

62. Victory Global incorporates by reference the allegations in Paragraphs 1-61 as if fully set forth herein.

63. Victory Global has a strong likelihood of success on the merits of this action.

64. Victory Global will otherwise suffer irreparable injury if Fresh Bourbon continues to make false and misleading statements about its product, as outlined above.

65. Pursuant to 28 U.S.C. 2201-2202 and Fed.R.Civ.P. 57 and 65, Victory Global seeks a declaration that:

- a. Victory Global's principals are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Victory Global is the first black-owned/African American owned distillery in Kentucky.
- c. Victory Global employs the first African American Master Distiller in Kentucky.
- d. Victory Global owned and operated a registered distillery in Kentucky before Fresh Bourbon did.

66. Further, pursuant to 28 U.S.C. 2201-2202 and Fed.R.Civ.P. 57 and 65, Victory Global seeks to enjoin Fresh Bourbon from making the following statements as well as other similarly misleading statements:

- a. Fresh Bourbon's principals are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Fresh Bourbon is the first black-owned/African American owned distillery in Kentucky.

- c. Fresh Bourbon is one of the first black-owned/African American owned distilleries in Kentucky.
- d. Fresh Bourbon employs the first African American Master Distiller in Kentucky since slavery.
- e. Fresh Bourbon owns or operates a registered distillery in Kentucky.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Victory Global, LLC d/b/a Brough Brothers Distillery, respectfully seeks:

1. Injunctive relief permanently enjoining Defendant Fresh Bourbon, LLC from advertising or promoting its product in such a way that causes confusion, mistake, or deception as to Fresh Bourbon's products, including, specifically, an injunction prohibiting Fresh Bourbon LLC from representing that:

- a. Fresh Bourbon's principals are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Fresh Bourbon is the first black-owned/African American owned distillery in Kentucky.
- c. Fresh Bourbon is one of the first black-owned/African American owned distilleries in Kentucky.
- d. Fresh Bourbon employs the first African American Master Distiller in Kentucky since slavery.
- e. Fresh Bourbon has a registered distillery in Kentucky.

2. Actual damages;

3. Treble damages;

4. Costs;

5. Declaratory judgment that:

- a. The principals of Victory Global d/b/a Brough Brothers Distillery are the first African Americans to make Kentucky bourbon that were not slaves.
- b. Victory Global d/b/a Brough Brothers Distillery is the first black-owned distillery in Kentucky.

- c. Victory Global d/b/a Brough Brothers Distillery employs the first African American Master Distiller in Kentucky.
 - d. Victory Global d/b/a Brough Brothers Distillery is the first African American owned distillery
 - e. Victory Global d/b/a Brough Brothers Distillery is the first African American owned distillery to produce (distill) Kentucky Bourbon.
 - f. Victory Global d/b/a Brough Brothers Distillery owned and operated a registered distillery in Kentucky before Fresh Bourbon did.
6. Reasonable attorneys' fees pursuant to 15 U.S.C. 117(a), Section 35(a) of the Lanham Act; and
 7. Any further relief to which Victory Global may be entitled under the law or in equity.

JURY DEMAND

Plaintiff Victory Global, LLC hereby requests a jury trial for all claims as provided for in Fed.R.Civ.P. 38.

Respectfully submitted,

FROST BROWN TODD LLC

/s/ D. Christopher Robinson

D. Christopher Robinson

Allison W. Weyand

400 West Market Street, 32nd Floor

Louisville, KY 40202

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Counsel for Plaintiff,

*Victory Global, LLC d/b/a Brough Brothers
Distillery*

4851-9938-0442

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

VICTORY GLOBAL LLC d/b/a BROUGH BROTHERS DISTILLERY

(b) County of Residence of First Listed Plaintiff Jefferson Co KY (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) D. Christopher Robinson, Allison W. Weyand, Frost Brown Todd LLC, 400 W Market St., 32nd Fl, Louisville KY 40202: 502/589-5400: crobinson@fbtlaw.com

DEFENDANTS

FRESH BOURBON LLC d/b/a FRESH SPIRITS CO et al

County of Residence of First Listed Defendant Fayette Co., KY (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 USC 1121; 28 USC 1338; 28 USC 1367; Lanham Act. Brief description of cause: Action for federal unfair competition for false advertising, Lanham Act, unfair & deceptive trade practices

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 3/1/2021 SIGNATURE OF ATTORNEY OF RECORD /s/ D. Christopher Robinson

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

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

UNITED STATES DISTRICT COURT

for the

Eastern District of Kentucky

VICTORY GLOBAL LLC d/b/a
BROUGH BROTHERS DISTILLERY

Plaintiff(s)

v.

FRESH BOURBON LLC d/b/a FRESH SPIRITS
COMPANY, EDWARDS SPIRIT COMPANY, FRESH
BOURBON DISTILLING COMPANY & FRESH
SPIRITS

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SEAN EDWARDS
229 ELLERSLIE PARK BLVD
LEXINGTON KY 40515

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:

D. Christopher Robinson
Allison W. Weyand
FROST BROWN TODD LLC
400 West Market St., 32nd Floor
Louisville, KY 40202

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:

Signature of Clerk or Deputy Clerk

Civil Action No. _____

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)* _____
was received by me on *(date)* _____ .

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)* _____ , 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 \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: