

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

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Thomas L. Taylor III, solely in his capacity as
Court-appointed Receiver for Kaleta Capital
Management, Inc., et al.

Plaintiff(s)

v.

David G. Wallace, Costa Bajjali, Laffer Frishberg
Wallace Economic Opportunity Fund, L.P. d/b/a LFW
Economic Opportunity Fund, and West Houston WB
Realty Fund, L.P.

Defendant(s)

Civil Action No. 4:15-cv-272

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Houston WB Realty Fund, L.P.

1634 Brookstone Lane
Sugarland Texas
77479

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:

Andrew M. Goforth
THE TAYLOR LAW OFFICES, P.C.
4550 Post Oak Place Drive, Suite 241
Houston, Texas 77027

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.

DAVID J. BRADLEY

CLERK OF COURT

[Handwritten Signature]
Signature of Clerk or Deputy Clerk

JAN 30 2015

Date: _____

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Civil Action No. 4:15-cv-272

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:

CAUSE NO. 4:15-CV-272

| | | |
|-------------------------------------|---|--------------------------------------|
| THOMAS L. TAYLOR III, SOLELY IN HIS | § | |
| CAPACITY AS COURT-APPOINTED | § | |
| RECEIVER FOR KALETA CAPITAL | § | IN THE UNITED STATES DISTRICT COURT, |
| MANAGEMENT, INC, ET AL, | § | SOUTHERN DISTRICT OF TEXAS |
| PLAINTIFF | § | |
| | § | |
| VS. | § | |
| | § | |
| DAVID G. WALLACE, ET AL, | | |
| DEFENDANT | | |

RETURN OF SERVICE

ON Friday, January 30, 2015 AT 10:42 AM - SUMMONS IN A CIVIL ACTION, RECEIVER'S ORIGINAL COMPLAINT, EXHIBIT A-R, CIVIL COVER SHEET **CAME TO HAND.**

ON Monday, February 02, 2015 AT 12:15 PM, I, EMMITT WARREN, PERSONALLY DELIVERED THE ABOVE-NAMED DOCUMENTS TO: WEST HOUSTON WB REALTY FUND, LP, C/O REGISTERED AGENT DAVID WALLACE, 2511 S POST OAK, HOUSTON, HARRIS COUNTY, TX 77056.

My name is EMMITT WARREN. My address is 1201 Louisiana, Suite 210, Houston, Texas 77002, USA. I am a private process server authorized by and through the Supreme Court of Texas (SCH 01287, Expires Thursday, August 31, 2017). My date of birth is January 8, 1960. I am in all ways competent to make this statement, and this statement is based on personal knowledge. I am not a party to this case, and have no interest in its outcome. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, Texas on Monday, February 02, 2015.

/S/ EMMITT WARREN

DocID: P226825_4

KCM