

4/19/01

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

JAMES A. KNAUER as the Court Appointed)
Receiver for HEARTLAND)
FINANCIAL SERVICES, INC., and JMS)
INVESTMENT GROUP, LLC,)

IP00-1862-C-D/F

Plaintiff,)

v.)

VALERIE CORK, RICHARD M. PAYNE,)
DANIEL G. DANKER, KENNETH R. PAYNE)
A/K/A DORIS PAYNE, WAYNE GAINEZ)
BENJAMIN STEINBERG, GARY MAY,)
BRADLEY BYTHEWAY,)
JOHN DOE # 1, JANE DOE # 1,)
JOHN DOE # 2, JANE DOE # 2,)
JOHN DOE # 3, and JANE DOE # 3,)

Defendants.)

S U M M O N S

TO DEFENDANT: Wayne A. Gainey
636 W. Shel Lyn Ct.
Greenfield, IN 46140

You are hereby notified that you have been sued by the person named as plaintiff and in the Court indicated above.

The nature of the suit against you is stated in the Complaint which is attached to this Summons. It also states the relief sought or the demand made against you by the plaintiff.

An answer or other appropriate response in writing to the Complaint must be filed either by you or your attorney within twenty (20) days, commencing the date after you receive this Summons, (or twenty-three (23) days if this Summons was received by mail), or a judgment by default may be rendered against you for the relief demanded by plaintiff.

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

Date: _____

_____(Seal)
Clerk, United States District Court

13

(The following manner of service of summons is hereby designated.)

- Registered or certified mail.
- Service at place of employment, to-wit:
- Service on individual -- (personal or copy) at above address.

Samuel D. Hodson, Attorney No. 10842-41
KROGER, GARDIS & REGAS, LLP
111 Monument Circle, Suite 900
Indianapolis, Indiana 46204-5125
(317) 692-9000
Attorneys for Plaintiff

SHERIFF'S RETURN ON SERVICE OF SUMMONS

I hereby certify that I have served this summons on the _____ day of _____, 2001:

(1) By delivering a copy of the Summons and a copy of the Complaint to the Defendant,

(2) By leaving a copy of the Summons and a copy of the Complaint at

(3) Other service or remarks:

Sheriff's Costs: _____

By: _____

Deputy

CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 2001, I mailed a copy of this Summons and a copy of the Complaint to the Defendant, Brent J. Hall d/b/a Hall Builders, by certified mail, requesting a return receipt at the address furnished by the Plaintiff.

Clerk, Marion County District Court

Date: _____

By: _____

Deputy

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Complaint mailed to the Defendant, Brent J. Hall d/b/a Hall Builders, was accepted by the Defendant on the _____ day of _____, 2001.

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Complaint were returned not accepted on the _____ day of _____, 2001.

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Complaint mailed to the Defendant, Brent J. Hall d/b/a Hall Builders, on behalf of said Defendant on the _____ day of _____, 2001.

Clerk, United States District Court

Date: _____

By: _____

Deputy