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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

JOE HAND PROMOTIONS, INC.,

Plaintiff,

vs.

**DARLENE VICARS, INDIVIDUALLY AND
D/B/A THE WING COMPANY, LEANN
RICHARDSON, INDIVIDUALLY AND
D/B/A THE WING COMPANY AND THE
WING COMPANY LLC, AN UNKNOWN
BUSINESS ENTITY, D/B/A THE WING
COMPANY**

Defendants.

Case No.: 4:15-cv-185

COMPLAINT

PLAINTIFF ALLEGES:

JURISDICTION

1. Jurisdiction is founded on the existence of a question arising under particular statutes. This action is brought pursuant to several federal statutes, including the Communications Act of 1934, as amended, Title 47 U.S.C. 605, *et seq.*, and The Cable & Television Consumer Protection and Competition Act of 1992, as amended, Title 47 U.S. Section 553, *et seq.*

2. This Court has jurisdiction of the subject matter of this action pursuant to 28 U.S.C. Section 1331, which states that the District Courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties, of the United States. This Court has subject matter jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367 (supplemental jurisdiction).

3. This Court has personal jurisdiction over the parties in this action as a result of the Defendants' wrongful acts hereinafter complained of which violated the Plaintiff's rights as the exclusive commercial domestic distributor of the televised fight *Program* hereinafter set forth at

1 length. The Defendants' wrongful acts consisted of the interception, reception, publication,
2 divulgence, display, exhibition, and tortious conversion of said property of Plaintiff within the
3 control of the Plaintiff in the State of Indiana.

4
5 VENUE

6 4. Pursuant to Title 47 U.S.C. Section 605, venue is proper in the Southern District of
7 Indiana, because a substantial part of the events or omissions giving rise to the claim occurred in
8 this District.

9
10 INTRADISTRICT ASSIGNMENT

11 5. Assignment to the New Albany Division of the Southern District of Indiana is proper
12 because a substantial part of the events or omissions giving rise to the claim occurred in Ripley
13 County and/or the United States District Court for the Southern District of Indiana has decided
14 that suits of this nature, and each of them, are to be heard by the Courts in this particular
15 Division.

16 THE PARTIES

17 6. Plaintiff, Joe Hand Promotions, Inc. is, and at all relevant times mentioned was, a
18 Pennsylvania corporation with its principal place of business located at 407 E. Pennsylvania Blvd.,
19 Feasterville, Pennsylvania 19053.

20 7. Defendant Leann Richardson is a managing member of **The Wing Company, LLC**,
21 which owns and operates the commercial establishment doing business as **The Wing Company**.
22 **The Wing Company** operates at 104 S Meridian Street, Sunman IN 47041.

23 8. Defendant Darlene Vicars is an individual specifically identified on the Indiana Alcohol &
24 Tobacco Commission license issued for **the establishment that operates at 104 S Meridian**
25 **Street, Sunman IN 47041 (License No. RR6919415).**

26
27 9. Plaintiff is informed and believes, and alleges thereon that on December 28, 2013 (the
28 night of the *Program* at issue herein, as more specifically defined in paragraph 16), Defendants

1 Darlene Vicars and Leann Richardson had the right and ability to supervise the activities of **The**
2 **Wing Company**, which included the unlawful interception of Plaintiff's *Program*.

3 10. Plaintiff is informed and believes, and alleges thereon that on December 28, 2013 (the
4 night of the *Program* at issue herein, as more specifically defined in paragraph 16), Defendant
5 Darlene Vicars, as an individual specifically identified on the liquor license for **The Wing**
6 **Company**, had the obligation to supervise the activities of **The Wing Company**, which included
7 the unlawful interception of Plaintiff's *Program*, and, among other responsibilities, had the
8 obligation to ensure that the liquor license was not used in violation of law.

9 11. Plaintiff is informed and believes, and alleges thereon that on December 28, 2013 (the
10 night of the *Program* at issue herein, as more specifically defined in paragraph 16), Defendants
11 Darlene Vicars and Leann Richardson specifically directed the employees of **The Wing**
12 **Company** to unlawfully intercept and broadcast Plaintiff's *Program* at **The Wing Company** or
13 that the actions of the employees of **The Wing Company** are directly imputable to Defendants by
14 virtue of his acknowledged responsibility for the actions of **The Wing Company**.

15 12. Plaintiff is informed and believes, and alleges thereon that on December 28, 2013,
16 Defendants, Darlene Vicars and Leann Richardson, as managing members of **The Wing**
17 **Company** and Defendant, Darlene Vicars, as an individual specifically identified on the liquor
18 license for **The Wing Company**, had an obvious and direct financial interest in the activities of
19 **The Wing Company**, which included the unlawful interception of Plaintiff's *Program*.

20 13. Plaintiff is informed and believes, and alleges thereon that the unlawful broadcast of
21 Plaintiff's *Program*, as supervised and/or authorized by Defendants Darlene Vicars and Leann
22 Richardson resulted in increased profits for **The Wing Company**.

23
24 14. Plaintiff is informed and believes, and alleges thereon that Defendants, Darlene Vicars and
25 Leann Richardson are an owner, and/or operator, and/or licensee, and/or permittee, and/or person
26 in charge, and/or an individual with dominion, control, oversight and management of the
27 commercial establishment doing business as **The Wing Company** operating at 104 S Meridian
28 Street, Sunman IN 47041.

COUNT I

(Violation of Title 47 U.S.C. Section 605)

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15. Plaintiff Joe Hand Promotions, Inc., hereby incorporates by reference all of the allegations contained in paragraphs 1-14, inclusive, as though set forth herein at length.

16. Pursuant to contract, Plaintiff Joe Hand Promotions, Inc., was granted the exclusive nationwide commercial distribution (closed-circuit) rights to “Ultimate Fighting Championship 168: Chris Weidman v. Anderson Silva”, telecast nationwide on Saturday, December 28, 2013 (this included all under-card bouts and fight commentary encompassed in the television broadcast of the event, hereinafter referred to as the "*Program*").

17. Pursuant to contract, Plaintiff, Joe Hand Promotions, Inc., entered into subsequent sublicensing agreements with various commercial entities throughout North America, including entities within the State of Indiana, by which it granted these entities limited sublicensing rights, specifically the rights to publicly exhibit the *Program* within their respective commercial establishments in the hospitality industry (i.e., hotels, racetracks, casinos, bars, taverns, restaurants, social clubs, etc.).

18. As a commercial distributor and licensor of sporting events, including the *Program*, Plaintiff Joe Hand Promotions, Inc., expended substantial monies marketing, advertising, promoting, administering, and transmitting the *Program* to its customers, the aforementioned commercial entities.

19. With full knowledge that the *Program* was not to be intercepted, received, published, divulged, displayed, and/or exhibited by commercial entities unauthorized to do so, each and every one of the above named Defendants, either through direct action or through actions of employees or agents directly imputable to Defendants (as outlined in paragraphs 7-14 above), did unlawfully intercept, receive, publish, divulge, display, and/or exhibit the *Program* at the time of its transmission at their commercial establishment in Indiana located at 104 S Meridian St, Sunman IN 47041.

1 20. Said unauthorized interception, reception, publication, exhibition, divulgence, display,
2 and/or exhibition by each of the Defendants was done willfully and for purposes of direct and/or
3 indirect commercial advantage and/or private financial gain.

4 21. Title 47 U.S.C. Section 605, *et seq.*, prohibits the unauthorized publication or use of
5 communications (such as the transmission of the *Program* for which Plaintiff Joe Hand
6 Promotions, Inc., had the distribution rights thereto).

7 22. By reason of the aforesaid mentioned conduct, the aforementioned Defendants, and each of
8 them, violated Title 47 U.S.C. Section 605, *et seq.*

9
10 23. By reason of the Defendants' violation of Title 47 U.S.C. Section 605, *et seq.*, Plaintiff Joe
11 Hand Promotions, Inc, has the private right of action pursuant to Title 47 U.S.C. Section 605.

12
13 24. As the result of the aforementioned Defendants' violation of Title 47 U.S.C. Section 605,
14 and pursuant to said Section 605, Plaintiff Joe Hand Promotions, Inc, is entitled to the following
15 from each Defendant:

- 16 (a) Statutory damages for each willful violation in an amount to
17 \$100,000.00 pursuant to Title 47 U.S.C. 605(e)(3)(C)(ii), and also
18
19 (b) the recovery of full costs, including reasonable attorneys' fees,
20 pursuant to Title 47 U.S.C. Section 605(e)(3)(B)(iii).

21 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

22 **COUNT II**

23 **(Violation of Title 47 U.S.C. Section 553)**

24
25 25. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-
26 24, inclusive, as though set forth herein at length.

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1 26. The unauthorized interceptions, reception, publication, divulgence, display, and/or
2 exhibition of the *Program* by the above named Defendants was prohibited by Title 47 U.S.C.
3 Section 553, *et seq.*

4 27. By reason of the aforesaid mentioned conduct, the aforementioned Defendants, and each of
5 them, violated Title 47 U.S.C. Section 553, *et seq.*

6 28. By reason of the Defendants' violation of Title 47 U.S.C. Section 553, *et seq.*, Plaintiff J &
7 J Sports Productions, Inc., has the private right of action pursuant to Title 47 U.S.C. Section 553.
8

9 29. As the result of the aforementioned Defendants' violation of Title 47 U.S.C. Section 553,
10 Plaintiff J & J Sports Productions, Inc., is entitled to the following from each Defendant:

- 11 (a) Statutory damages for each violation in an amount to
12 \$10,000.00 pursuant to Title 47 U.S.C. § 553(c)(3)(A)(ii); and also
13
14 (b) Statutory damages for each willful violation in an amount to
15 \$50,000.00 pursuant to Title 47 U.S.C. § 553(c)(3)(B); and also
16
17 (c) the recovery of full costs pursuant to Title 47 U.S.C. Section 553
18 (c)(2)(C); and also
19
20 (d) and in the discretion of this Honorable Court, reasonable attorneys' fees,
21 pursuant to Title 47 U.S.C. Section 553 (c)(2)(C).

22 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

23
24 **COUNT III**
25 **(Conversion)**

26 30. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-
27 29, inclusive, as though set forth herein at length.
28

1 31. By their aforesaid acts of interception, reception, publication, divulgence, display, and/or
2 exhibition of the *Program* at their commercial establishment at the above-captioned address, the
3 aforementioned Defendants, and each of them, tortuously obtained possession of the *Program* and
4 wrongfully converted same for their own use and benefit.

5 32. The aforesaid acts of the Defendants were willful, malicious, egregious, and intentionally
6 designed to harm Plaintiff Joe Hand Promotions, Inc., by depriving Plaintiff of the commercial
7 license fee to which Plaintiff was rightfully entitled to receive from them, and in doing so, the
8 Defendants subjected the Plaintiff to severe economic distress and great financial loss.

9 33. Accordingly, Plaintiff Joe Hand Promotions, Inc., is entitled to both compensatory, as well
10 as punitive and exemplary damages, from aforementioned Defendants as the result of the
11 Defendants' egregious conduct, theft, and conversion of the *Program* and deliberate injury to the
12 Plaintiff.

13
14 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

15 **As to the First Count:**

- 16
17 1. For statutory damages in the amount of \$110,000.00 against the Defendants,
18 and each of them, and
19 2. For reasonable attorneys' fees as mandated by statute, and
20 3. For all costs of suit, including but not limited to filing fees, service of
21 process fees, investigative costs, and
22 4. For such other and further relief as this Honorable Court may deem just
23 and proper;

24 **As to the Second Count:**

- 25
26 1. For statutory damages in the amount of \$60,000.00 against the Defendants,
27 and each of them, and;
28 2. For reasonable attorneys' fees as may be awarded in the Court's

1 discretion pursuant to statute, and;

- 2 3. For all costs of suit, including but not limited to filing fees, service
3 of process fees, investigative costs, and;
4 4. For such other and further relief as this Honorable Court may deem just
5 and proper.

6 **As to the Third Count:**

- 7 1. For compensatory damages in an amount according to proof against the
8 Defendants, and each of them, and;
9 2. For exemplary damages against the Defendants, and each of them, and;
10 3. For punitive damages against the Defendants, and each of them, and;
11 4. For reasonable attorneys' fees as may be awarded in the Court's discretion pursuant
12 to statute, and;
13 5. For all costs of suit, including but not limited to filing fees, service of process fee,
14 investigative costs, and;
15 6. For such other and further relief as this Honorable Court may deem just and proper.

16
17 Respectfully submitted,

18
19 Date: December 23, 2015

20 /s/ Charlie W. Gordon
21 **GREENE & COOPER LLP**
22 By: Charlie W. Gordon
23 Attorneys for Plaintiff
24 Joe Hand Promotions, Inc.
25
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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 THE REVERSE OF THE FORM.)

(a) PLAINTIFFS
JOE HAND PROMOTIONS, INC.
(b) County of Residence of First Listed Plaintiff Outside Jurisdiction
(c) Attorney (Firm Name, Full Name, Address, Telephone Number)
Greene & Cooper, LLP, 2210 Greene Way, PO Box 20067, Louisville KY 40250; 502/495-6500

DEFENDANTS
DARLENE VICARS, INDIVIDUALLY AND D/B/A THE WING COMPANY, LEANN RICHARDSON, INDIVIDUALLY AND D/B/A THE WING COMPANY AND THE WING COMPANY LLC, AN UNKN
County of Residence of First Listed Defendant Ripley County IN
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE 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)
PTF DEF
Citizen of This State 1 X 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State X 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT
110 Insurance
120 Marine
130 Miller Act
140 Negotiable Instrument
150 Recovery of Overpayment & Enforcement of Judgment
151 Medicare Act
152 Recovery of Defaulted Student Loans (Excl. Veterans)
153 Recovery of Overpayment of Veteran's Benefits
160 Stockholders' Suits
190 Other Contract
195 Contract Product Liability
196 Franchise
TORTS
PERSONAL INJURY
310 Airplane
315 Airplane Product Liability
320 Assault, Libel & Slander
330 Federal Employers' Liability
340 Marine
345 Marine Product Liability
350 Motor Vehicle
355 Motor Vehicle Product Liability
360 Other Personal Injury
PERSONAL INJURY
362 Personal Injury - Med. Malpractice
365 Personal Injury - Product Liability
368 Asbestos Personal Injury Product Liability
PERSONAL PROPERTY
370 Other Fraud
371 Truth in Lending
380 Other Personal Property Damage
385 Property Damage Product Liability
FORFEITURE/PENALTY
610 Agriculture
620 Other Food & Drug
625 Drug Related Seizure of Property 21 USC 881
630 Liquor Laws
640 R.R. & Truck
650 Airline Regs.
660 Occupational Safety/Health
690 Other
LABOR
710 Fair Labor Standards Act
720 Labor/Mgmt. Relations
730 Labor/Mgmt. Reporting & Disclosure Act
740 Railway Labor Act
790 Other Labor Litigation
791 Empl. Ret. Inc. Security Act
IMMIGRATION
462 Naturalization Application
463 Habeas Corpus - Alien Detainee
465 Other Immigration Actions
BANKRUPTCY
422 Appeal 28 USC 158
423 Withdrawal 28 USC 157
PROPERTY RIGHTS
820 Copyrights
830 Patent
840 Trademark
SOCIAL SECURITY
861 HIA (1395ff)
862 Black Lung (923)
863 DIWC/DIWW (405(g))
864 SSID Title XVI
865 RSI (405(g))
FEDERAL TAX SUITS
870 Taxes (U.S. Plaintiff or Defendant)
871 IRS—Third Party 26 USC 7609
OTHER STATUTES
400 State Reapportionment
410 Antitrust
430 Banks and Banking
450 Commerce
460 Deportation
470 Racketeer Influenced and Corrupt Organizations
480 Consumer Credit
X 490 Cable/Sat TV
810 Selective Service
850 Securities/Commodities/Exchange
875 Customer Challenge 12 USC 3410
890 Other Statutory Actions
891 Agricultural Acts
892 Economic Stabilization Act
893 Environmental Matters
894 Energy Allocation Act
895 Freedom of Information Act
900 Appeal of Fee Determination Under Equal Access to Justice
950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
X 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
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
47 U.S.C. Section 605; 47 U.S.C. Section 553
Brief description of cause:
Unauthorized interceptions, etc., to exhibit Program that Plaintiff had exclusive right to sublicense for exhibition

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY
(See instructions): JUDGE DOCKET NUMBER

DATE 12/23/2015 SIGNATURE OF ATTORNEY OF RECORD /s/ Charlie W. Gordon

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.C.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; 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 the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

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. When the petition for removal is granted, check this box.

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. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

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 dollar amount (in thousands of dollars) 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

Southern District of Indiana

Joe Hand Promotions, Inc.

Plaintiff(s)

v.

DARLENE VICARS, INDIVIDUALLY AND D/B/A THE WING COMPANY, LEANN RICHARDSON, INDIVIDUALLY AND D/B/A THE WING COMPANY AND THE WING COMPANY LLC, AN UNKNOWN B

Defendant(s)

Civil Action No. 4:15-cv-185

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Leann Richardson, Registered Agent The Wing Company LLC d/b/a The Wing Company 7336 N State Road Milan IN 47031

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:

Charlie W. Gordon Greene & Cooper, LLP 2210 Greene Way PO Box 20067 Louisville KY 40250-0067

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. 4:15-cv-185

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 _____ .

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:

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

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

Joe Hand Promotions, Inc.

Plaintiff(s)

v.

DARLENE VICARS, INDIVIDUALLY AND D/B/A THE WING COMPANY, LEANN RICHARDSON, INDIVIDUALLY AND D/B/A THE WING COMPANY AND THE WING COMPANY LLC, AN UNKNOWN B

Defendant(s)

Civil Action No. 4:15-cv-185

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Leann Richardson, Individually and d/b/a The Wing Company 7336 N State Road 101 Milan IN 47031

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:

Charlie W. Gordon
Greene & Cooper, LLP
2210 Greene Way
PO Box 20067
Louisville KY 40250-0067

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

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 4:15-cv-185

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 _____ .

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:

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

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

Joe Hand Promotions, Inc.

Plaintiff(s)

v.

DARLENE VICARS, INDIVIDUALLY AND D/B/A THE WING COMPANY, LEANN RICHARDSON, INDIVIDUALLY AND D/B/A THE WING COMPANY AND THE WING COMPANY LLC, AN UNKNOWN B

Defendant(s)

Civil Action No. 4:15-cv-185

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Darlene Vicars, Individually and d/b/a The Wing Company 7336 N State Road Milan IN 47031

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:

Charlie W. Gordon Greene & Cooper, LLP 2210 Greene Way PO Box 20067 Louisville KY 40250-0067

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. 4:15-cv-185

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 _____ .

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: