

Form 3A. Notice of Lawsuit and Request for Waiver of Service of Summons

[Caption and signature block as in Form 1]

TO: _____

Defendant (or name of officer or agent of corporate defendant)

As: _____

Title, or other relationship of individual to corporate defendant

Of: _____

Corporate defendant

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the District Court for the County of for the State of Utah and has been assigned case number. The courthouse address is _____.

This is not a formal summons or a notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 20 days after the date designated below as the date on which this Notice and Request is sent (30 days if your address is outside the United States). I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. You must answer the complaint within 45 days from the date below (or within 60 days from that date if your address is outside of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Utah Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth on the reverse side (or at the foot) of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this _____ day of _____, 20____