AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CASSANDRA GREENE and ELIZABETH GOFF, individually and on behalf of all other persons similarly situated who were employed by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC.

Plaintiffs,

- against -

C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and SAMUEL BORGESE,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 10 1094

WEINSTEIN, J. POLLAK, M.J.

TO: (Name and address of Defendant)

C.B. HOLDING CORP. - 1450 Route 22 West, Mountainside, New Jersey 07092
CHARLIE BROWN'S ACQUISITION CORP. - 1450 Route 22 West, Mountainside, New Jersey 07092
CHARLIE BROWN'S OF COMMACK, LLC. - 1450 Route 22 West, Mountainside, New Jersey 07092
CHARLIE BROWN'S OF HOLTSVILLE, LLC. - 1450 Route 22 West, Mountainside, New Jersey 07092
SAMUEL BORGES- 1450 Route 22 West, Mountainside, New Jersey 07092

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Virginia & Ambinder, LLP
111 Broadway, Suite 1403
New York, NY 10006
(212) 943-9080

an answer to the complaint which is served on you with this summons, within 21 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

ROBERT C. HEINEMANN

CLERK

(By) DEPUTY CLERK

MAR 10 2010

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me[1]	DATE 3/16/10
NAME OF SERVER (PRINT) Leonard Depiano	TITLE Process Server

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: Samuel Borges 1450 Route 22 West, Mountainside, NJ

Accepted by: Cindy Ferraro, authorized to accept for Samuel Borges

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3.16.10
Date

Signature of Server

1359 Littleton Rd, Morris Plains, NJ
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Docket No. 10 1094

CASSANDRA GREENE, ET AL.,

,Plaintiff(s)

- against -

C.B. HOLDING CORP., ET AL.,

,Defendant(s)

PROOF OF DILIGENCE WITH SERVICE

I, THE UNDERSIGNED AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION, ATTEMPTED TO SERVE THE FOLLOWING:

SUMMONS, CLASS ACTION COMPLAINT

AND THAT AFTER DUE SEARCH, CAREFUL INQUIRY AND DILIGENT ATTEMPTS AT THE

RESIDENCE: UNKNOWN

ALTERNATE ADDRESS: 1450 ROUTE 22 WEST
MOUNTAINSIDE NJ 07092

AND IN ADDITION TO SERVING THE SUBJECT:

SAMUEL BORGES

FURTHER ATTEMPTS AND DILIGENCE WERE MADE AND ARE DETAILED BELOW:

03/15/10	THE SUBJECT WAS NOT IN TODAY. ATTEMPTING TO SERVE THIS ON HIM PERSONALLY
03/16/10 2:11PM	THE SUBJECT, SAMUEL BORGES, WAS NOT IN AGAIN. HIS PERSONAL ASSISTANT, CINDY FERRARO SAID THAT HE IS NOT HERE A LOT. SHE SAID THAT HE AUTHORIZED HERE TO ACCEPT ON HIS BEHALF. SHE ACCEPTED THIS SERVICE FOR HIM AT THIS TIME.

PERSON SERVING: LEONARD DEPIANO

DGR - THE SOURCE FOR LEGAL SUPPORT
1359 Littleton Road, Morris Plains, NJ 07950-300
(973) 403-1700 FAX (973)403-9222

File No.GREENE VS. C.B. HOLDING

WORK ORDER No. 683083

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CASSANDRA GREENE and ELIZABETH GOFF, individually and on behalf of all other persons similarly situated who were employed by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC,

Plaintiffs,

- against -

C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and/or any other entities affiliated with or controlled by C.B. HOLDING CORP. d/b/a CHARLIE BROWN'S STEAKHOUSE; CHARLIE BROWN'S ACQUISITION CORP.; CHARLIE BROWN'S OF COMMACK, LLC; CHARLIE BROWN'S OF HOLTSVILLE, LLC; and SAMUEL BORGESE,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 10 1094

WEINSTEIN, J. POLLAK, M.J.

TO: (Name and address of Defendant)

C.B. HOLDING CORP. - 1450 Route 22 West, Mountainside, New Jersey 07092
CHARLIE BROWN'S ACQUISITION CORP. - 1450 Route 22 West, Mountainside, New Jersey 07092
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SAMUEL BORGES- 1450 Route 22 West, Mountainside, New Jersey 07092

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New York, NY 10006
(212) 943-9080

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ROBERT C. HEINEMANN

CLERK

(By) DEPUTY CLERK

MAR 10 2010

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me[1]	DATE 3.15.10
NAME OF SERVER (PRINT) Leonard DePiano	TITLE Process Server

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: Charlie Brown's Acquisition Corp, 1450 Route 22 West, Mountainside, NJ., Accepted By Michelle Zavolta

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3.15.10
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Signature of Server

1359 Littleton Rd
Morris Plains, NJ 07950
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

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Plaintiffs,

- against -

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Defendants.

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WEINSTEIN, J. POLLAK, M.J.

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☒ Served personally upon the defendant. Place where served: Charlie Brown's of Holtsville LLC, 1450 Route 22 west, mountainside, NJ, Accepted By michelle Zavolta

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

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STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL $0.00

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☒ Served personally upon the defendant. Place where served: C.B. Holding Corp. d/b/a Charlie Brown's Steakhouse, 1450 Route 22 West, Mountainside, NJ; Accepted By Michiello Zawolta

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- against -

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SAMUEL BORGES- 1450 Route 22 West, Mountainside, New Jersey 07092

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NAME OF SERVER (PRINT) Leonard DePiano	TITLE Process Server

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☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

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