

1 Nicholas J. DiCarlo (Bar No. 016457)
Email: ndicarlo@thedcpfirm.com
2 Christopher A. Caserta (Bar No. 018755)
Email: ccaserta@thedcpfirm.com
3 **DiCARLO CASERTA & PHELPS PLLC**
ATTORNEYS AT LAW
4 8171 East Indian Bend Rd., Suite 100
Scottsdale, AZ 85250
5 TELEPHONE (480) 222-0914
FAX (480) 222-0955
6 *Attorneys for Plaintiff ML Liquidating Trust*

ORIGINAL

7 **IN THE SUPERIOR COURT STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 ML LIQUIDATING TRUST, as successor-in-
10 interest to Mortgages, Ltd.

11 Plaintiff,

12 vs.

13 MAYER HOFFMAN MCCANN, P.C., a
Missouri professional corporation; CBIZ, Inc., a
14 Delaware corporation; CBIZ MHM, LLC, a
Delaware limited liability company,

15 Defendants.

Case No. CV2010-053947

SUMMONS

If you would like legal advice from a lawyer,
contact the Lawyer Referral Service at

602-257-4434

OR

www.lawyerfinders.org

Sponsored by the
Maricopa County Bar Association

16
17 **TO: CBIZ, Inc.**
c/o The Corporation Trust Company, Statutory Agent
18 **Corporation Trust Center**
1209 Orange Street.
19 **Wilmington, Delaware 19801**

20 YOU ARE HEREBY SUMMONED and required to appear and defend, within the time
21 applicable, in this action in this Court. If served within Arizona, you shall appear and defend within
22 20 days after the service of the Summons and Complaint upon you, exclusive of the day of service.
If served out of the State Arizona -- whether by direct service, by registered or certified mail, or by
23 publication -- you shall appear and defend within 30 days after the service of the Summons and
24 Complaint upon you is complete, exclusive of the day of service. Where process is served upon the
25 Arizona Director of Insurance as an insurer's attorney to receive service of legal process against it in
this state, the insurer shall not be required to appear, answer or plead until expiration of 40 days after
date of such service upon the Director. Service by registered or certified mail without the State of
Arizona is complete 30 days after the date of filing the receipt and affidavit of service with the
Court. Service by publication is complete 30 days after the date of first publication. Direct service

1 is complete when made. Service upon the Arizona Motor Vehicle Superintendent is complete 30
2 days after filing the Affidavit of Compliance and return receipt or Officer's Return. A.R.C.P. 4;
A.R.S. §§ 20-222, 28-502, 28-503.

3 YOU ARE HEREBY NOTIFIED that in case of your failure to appear and defend within the
4 time applicable, judgment by default may be rendered against you for the relief demanded in the
Complaint.

5 YOU ARE CAUTIONED that in order to appear and defend, you must file an Answer or
6 proper response in writing with the Clerk of this court, accompanied by the necessary filing fee,
7 within the time required, and you are required to serve a copy of any Answer or response upon the
8 Plaintiff's attorney. A.R.C.P. 10(d); A.R.S. §12-311; A.R.C.P. 5.

9 Requests for reasonable accommodation for persons with disabilities must be made to the
10 court by parties at least three (3) working days in advance of a scheduled court proceeding.
11 A.R.C.P. 4.

12 The name and address of plaintiffs' attorneys is:

13 Nicholas J. DiCarlo
14 Christopher A. Caserta
15 DiCarlo Caserta & Phelps PLLC
16 8171 E. Indian Bend Rd., Ste. 100
17 Scottsdale, AZ 85250
18 480.222.0914

AUG 28 2010

19 SIGNED AND SEALED this date:

20 MICHAEL K. JEANES, CLERK

21 Clerk

22 By S. Donks
23 Deputy Clerk

