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Date: November 3, 2000
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COMMENTS:

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
CIVIL ACTION NO.

COMMONWEALTH OF MASSACHUSETTS, BY
AND THROUGH WILLIAM F. GALVIN,
SECRETARY OF THE COMMONWEALTH,
Plaintiffs,

v.

HANS BERNHARD, LUZIUS A. BERNHARD,
SILVERSERVER AND OSKAR OBEREDER,
Defendants.

COMMONWEALTH'S MOTION FOR
THE APPROVAL OF SERVICE BY
FACSIMILE TRANSMISSION

The Commonwealth of Massachusetts requests that this Court enter an order allowing
service of process by electronic mail for the following reasons:

1. Mass.R.Civ.P.4(e) provides for personal service outside of the Commonwealth when any statute or law of the Commonwealth authorizes such service.
2. Mass. Gen.L. c. 223A, §3(a) provides that a Massachusetts court may exercise personal jurisdiction over a person, who acts directly or by an agent, in a cause of action in law or equity arising from the person's transacting any business in this Commonwealth.
3. Mass.Gen.L. c. 223A §6 and Mass.R.Civ.P. 4(c)(4) allow for personal service outside the Commonwealth as directed by order of the court.

00-4893

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
CIVIL ACTION NO.

00-4893

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COMMONWEALTH OF MASSACHUSETTS, BY
AND THROUGH WILLIAM F. GALVIN,
SECRETARY OF THE COMMONWEALTH,
Plaintiffs,

v.

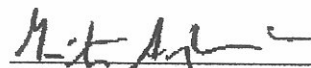
HANS BERNHARD, LUZIUS A. BERNHARD,
SILVERSERVER AND OSKAR OBEREDER,
Defendants.

COMMONWEALTH'S MOTION
FOR THE APPROVAL OF A
SPECIAL PROCESS SERVER

In accordance with Mass. R. Civ. P. 4(c), the Commonwealth of Massachusetts requests that this Court appoint Karen Ortolino, Chief Investigator, Office of the Attorney General, or her designees, as process server in the above-captioned action for the purpose of serving the summons, complaint, and other court orders and papers in this action.

Respectfully Submitted,
COMMONWEALTH OF MASSACHUSETTS
By its Attorney,

THOMAS F. REILLY
ATTORNEY GENERAL


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11/3/2020
all
(m. J. J.)
Att. (A. J. J.)
Att. Ch.
Date: 11/3/00

PROOF OF SERVICE OF PROCESS

I hereby certify and return that on _____, 200____, I served a copy of the within summons and order of notice, together with a copy of the complaint in this action, upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5):

Dated: _____, 200____.

N.B. TO PROCESS SERVER:—

PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN
THIS BOX ON THE ORIGINAL, AND ON COPY SERVED ON DEFENDANT.

_____, 200 .

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION

No. _____

_____, Plff(s).

v.

_____, Defft(s).

SUMMONS

(Mass. R. Civ. P. 4)

AND

ORDER OF NOTICE

ON

APPLICATION FOR PRELIMINARY

INJUNCTION