

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

FEDERAL TRADE COMMISSION

Case Number: 07CV5597

V.

SPEAR SYSTEMS, INC.; BRUCE PARKER; LISA
KIMSEY; and XAVIER RATELLE, individually and
doing business as EHEALTHYLIFE.COM

RETURN OF SERVICE UNDER OATH OF OFFICE
AFFIDAVIT OF ATTEMPTED SERVICE

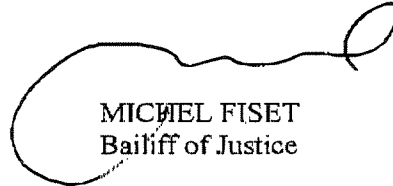
I, MICHEL FISLET, a sworn Bailiff practicing my profession in the Province of Quebec, a member in due course of the Chambre des huissiers de justice du Québec, having my office at 511, Place d'Armes, suite 800, in the City of Montreal, Province of Quebec, Canada, being under my oath of office, DO DECLARE:

- 1- THAT I am over twenty-one years old and not party of this action.
- 2- THAT I am a court bailiff, being an Officer of justice duly qualified and authorized by the laws of the Province of Quebec to effect service of legal process in and within the limits of the said Province.
- 3- THAT on Friday, the 5th day of October, 2007 at 03:29 p.m., before I started going up the stairs to go to 8554, Saint-Denis Street, in the City of Montreal, Province of Quebec, Canada, in order to serve XAVIER RATELLE, a lady smoking in front of the building confirmed to me not to go upstairs ("don't go there, there's nobody there"). When I asked for XAVIER RATELLE, she told to go to 8552 instead.
- 4- THAT I did on Friday, the 5th day of October, 2007 at 03:30 p.m., go to 8552, Saint-Denis Street, in the City of Montreal, Province of Quebec, Canada, in order to serve XAVIER RATELLE, with a copy of the **SUMMONS; PLAINTIFF'S EX PARTE MOTION TO TEMPORARILY SEAL FILE; TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE; PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; MEMORANDUM SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; EXHIBIT SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; VOLUME I AND VOLUME II**, in this cause.

5- THAT I was unable to effect the said service because I was credibly informed by the brother of XAVIER RATELLE that XAVIER RATELLE is not present at this time.

6- THAT under the above circumstances I was unable to effect prompt personal service upon XAVIER RATELLE.

AND I HAVE SIGNED,



MICHEL Fiset
Bailiff of Justice

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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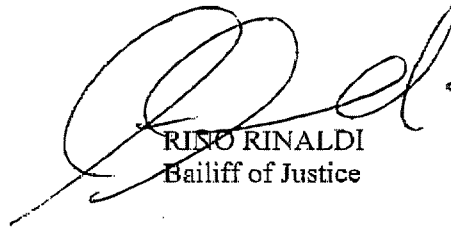
I, RINO RINALDI, a sworn Bailiff practicing my profession in the Province of Quebec, a member in due course of the Chambre des huissiers de justice du Québec, having my office at 511, Place d'Armes, suite 800, in the City of Montreal, Province of Quebec, Canada, being under my oath of office, DO DECLARE:

- 1- THAT I am over twenty-one years old and not party of this action.
- 2- THAT I am a court bailiff, being an Officer of justice duly qualified and authorized by the laws of the Province of Quebec to effect service of legal process in and within the limits of the said Province.
- 3- THAT I did on Tuesday, the 9th day of October, 2007 at 01:40 p.m., go to 8552, Saint-Denis Street, in the City of Montreal, Province of Quebec, Canada, in order to serve XAVIER RATELLE, with a copy of the **SUMMONS; PLAINTIFF'S EX PARTE MOTION TO TEMPORARILY SEAL FILE; TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE; PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; MEMORANDUM SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; EXHIBIT SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; VOLUME I AND VOLUME II**, in this cause.
- 4- THAT I was unable to effect the said service because I was credibly informed by BERNARD RATELLE, the father of XAVIER RATELLE that XAVIER RATELLE is not working at this business place.

5- THAT BERNARD RATELLE informed me that he does not know the home address or the phone number to reach his son, XAVIER RATELLE.

6- THAT under the above circumstances I was unable to effect prompt personal service upon XAVIER RATELLE.

AND I HAVE SIGNED,

A handwritten signature in black ink, appearing to read 'Rino Rinaldi', is written over the typed name and title. The signature is fluid and cursive, with a large initial 'R' and a long, sweeping tail.

RINO RINALDI
Bailiff of Justice

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

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V.

SPEAR SYSTEMS, INC.; BRUCE PARKER; LISA
KIMSEY; and XAVIER RATELLE, individually and
doing business as EHEAL.THYLIFE.COM

**RETURN OF SERVICE UNDER OATH OF OFFICE
AFFIDAVIT OF ATTEMPTED SERVICE**

I, ALAIN LAROSE, a sworn Bailiff practicing my profession in the Province of Quebec, a member in due course of the Chambre des huissiers de justice du Québec, having my office at 511, Place d'Armes, suite 800, in the City of Montreal, Province of Quebec, Canada, being under my oath of office, DO DECLARE:

- 1- THAT I am over twenty-one years old and not party of this action.
- 2- THAT I am a court bailiff, being an Officer of justice duly qualified and authorized by the laws of the Province of Quebec to effect service of legal process in and within the limits of the said Province.
- 3- THAT I did on Tuesday, the 16th day of October, 2007 at 12:50 p.m., go to 735, Industriel blvd., suite 104, in the City of Blainville, Province of Quebec, Canada, in order to serve XAVIER RATELLE, with a copy of the **SUMMONS; PLAINTIFF'S EX PARTE MOTION TO TEMPORARILY SEAL FILE; TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE; PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; MEMORANDUM SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; EXHIBIT SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; VOLUME I AND VOLUME II**, in this cause.
- 4- THAT I was unable to effect such service because having attempted on numerous occasions, on different days and at different times of the day I diligently attempted to serve the defendant in this cause, XAVIER RATELLE, but when I arrived at the address above-noted, I was credibly informed that XAVIER RATELLE is rarely at the business place.

- 5- THAT I diligently attempted to served XAVIER RATELLE on the following dates and times; October 11, 2007 at 01:00 p.m. and October 12, 2007 at 11:50 a.m.
- 6- THAT I left my business card to XAVIER RATELLE'S Secretary.
- 7- THAT I noticed that the same car was parked at the business place and at the home address on some of my attempts, but I am unable to confirm if the car belongs to XAVIER RATELLE.
- 8- THAT under the above circumstances I was unable to effect prompt personal service upon XAVIER RATELLE.

AND I HAVE SIGNED,



ALAIN LAROSE
Bailiff of Justice

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AFFIDAVIT OF ATTEMPTED SERVICE

I, ALAIN LAROSE, a sworn Bailiff practicing my profession in the Province of Quebec, a member in due course of the Chambre des huissiers de justice du Québec, having my office at 511, Place d'Armes, suite 800, in the City of Montreal, Province of Quebec, Canada, being under my oath of office, DO DECLARE:

- 1- THAT I am over twenty-one years old and not party of this action.
- 2- THAT I am a court bailiff, being an Officer of justice duly qualified and authorized by the laws of the Province of Quebec to effect service of legal process in and within the limits of the said Province.
- 3- THAT I did on Wednesday, the 17th day of October, 2007 at 08:30 a.m., go to 1193, Celoron blvd., in the City of Blainville, Province of Quebec, Canada, in order to serve XAVIER RATELLE, with a copy of the **SUMMONS; PLAINTIFF'S EX PARTE MOTION TO TEMPORARILY SEAL FILE; TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE; PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; MEMORANDUM SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; EXHIBIT SUPPORTING PLAINTIFF'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER, OTHER EQUITABLE RELIEF, AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUE; VOLUME I AND VOLUME II**, in this cause.
- 4- THAT I was unable to effect such service because having attempted on three occasions, on different days and at different times of the day I diligently attempted to serve the defendant in this cause, XAVIER RATELLE, but when I arrived at the address above-noted, I found XAVIER RATELLE absent during each attempt for service..

5- THAT I diligently attempted to served XAVIER RATELLE on the following dates and times; October 13, 2007 at 11:45 a.m. and October 15, 2007 at 07:15 p.m.

6- THAT I noticed that the same car was parked at the home address and at the business place on some of my attempts, but I am unable to confirm if the car belongs to XAVIER RATELLE.

7- THAT on Wednesday, October 17, 2007 at 08:30 a.m., I confirmed with a neighbour that the said address is the home of XAVIER RATELLE.

8- THAT under the above circumstances I was unable to effect prompt personal service upon XAVIER RATELLE.

AND I HAVE SIGNED,



ALAIN LAROSE
Bailiff of Justice