## 13 CIV 2795 UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK Calendar No. Plaintiff(s) Petitioner(s) CDX DIAGNOSTICS, INC. *AFFIDAVIT* against -OF---SERVICE Defendant)s) Respondent(s) HISTOLOGICS, LLC STATE OF DELAWARE, COUNTY OF: NEW CASTLE The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides at Wilmington, DE P .M., at C/O NATIONAL REGISTERED AGENTS 160 GREENTREE DR. DOVER, DE at 2:00 On 5/24/13 deponent served the within CIVIL COVER SHEET, CERTIFICATION PURSUANT TO F.R.C.P. 7.1 & ELECTRONIC xummons and complaint CASE FILING RULES & INSTRUCTIONS & INDIVIDUAL PRACTICES OF JUDGE CATHY subpoena duces tecum ⊠ SEIBEL ☐ citation hereinafter called ✓ defendant ☐ witness therein on HISTOLOGICS, LLC the recipient lamed -espondent by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as INDIVIDUAL said recipient therein. corporation, by delivering thereat a true copy of each to FRANCES BURRIS (MANAGER) a DELAWARE CORPORATION personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said $_{2.}$ individual to be THE AUTHORIZED PERSON a person of suitable age and by delivering thereat a true copy of each to SHITABLE discretion. Said premises is recipient's $\square$ actual place of business $\boxtimes$ dwelling place $\square$ usual place of abode within the state. AGE PERSON by affixing a true copy of each to the door of said premises, which is recipient's $\square$ actual place of business $\square$ dwelling place з, usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age AFFIXING TO and discretion, thereat, having called there DOOR, ETC. at said premises who stated that recipient $\square$ lived $\square$ worked there. MAILING TO Deponent talked to RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient USE WITH 3 OR 4 and deposited at recipient's last known residence, at said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly MAILING TO BUSINESS addressed to recipient at recipient's actual place of business, at USE WITH 3 OR 4 in an official depository under the exclusive care and custody of the U.S. Postal Service 5B. L. within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient. ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs. ■ Black Hair ☐ White Hair DESCRIPTION ☐ Male ☐ White Skin 5'0"-5'3" 100-130 Lbs. ☐ 21-35 Yrs. ▼ Female ☐ Brown Hair ☐ Balding **⊠** 5'4"-5'8" 131-160 Lbs. **⋈** 36-50 Yrs. ☐ Blonde Hair Mustache Yellow Skin ☐ 5'9"-6'0" 161-200 Lbs. Beard ☐ 51-65 Yrs. ☐ Brown Skin ☐ Gray Hair Over 65 Yrs. [- I Over 6' Over 200 Lbs. Glasses ☐ Red Skin ☐ Red Hair Other identifying features: WITNESS was paid (tendered) to the recipient the authorizing traveling expenses FEES \$ was mailed to the witness with subpeona copy. and one days' witness fee: I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information MILITARY and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not



Sworn to before me on

5/24/13

SERVICE

Histologics, LLC Exhibit 1020

License No.

in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

GRANVILLE MORRIS

BRANDYWINE PROCESS SERVERS, LTD