UNITED STATES DISTRICT COURT

for the

_____ Plaintiff	)	
v.	)	Civil Action No.
_____ Defendant, Third-party plaintiff	)	
v.	)	
_____ Third-party defendant	)	

Summons on a Third-Party Complaint

To: *(Third-party defendant's name and address)*

A lawsuit has been filed against defendant _____, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff _____.

Within ___ days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff and on the defendant an answer to the attached third-party complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant's attorney, whose name and address are:

It must also be served on the plaintiff's attorney, whose name and address are:

If you fail to do so, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: _____

_____
Name of clerk of court

_____
Deputy clerk's signature

(*Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)*

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____, by:

(1) personally delivering a copy of each to the individual at this place, _____ _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____ who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is _____; or

(4) returning the summons unexecuted to the court clerk on _____; or

(5) other *(specify)* _____ _____ _____.

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 _____.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

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