

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**DIGERATI TECHNOLOGIES,
INC.**

DEBTOR.

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CASE NO. 13-33264-H4-11

(Chapter 11)

**NOTICE OF ATTEMPTED SERVICE ON HUNTER CARR AND WILLIAM
MCILWAIN BY CDI INVESTIGATIONS, LLC**

Attached are the affidavits of attempted service of Trial Subpoenas on Hunter Carr and William McIlwain by Clark Dickenscheidt, agent of CDI Investigations, LLC.

DATED: December 12, 2013

Respectfully submitted,

HOOVER SLOVACEK LLP

/s/ Deirdre Carey Brown

By: _____

EDWARD L. ROTHBERG
State Bar No. 17313990
MELISSA A. HASELDEN
State Bar No. 00794778
DEIRDRE CAREY BROWN
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5847 San Felipe, Suite 2200
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ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2013, a true and correct copy of the foregoing Notice of Attempted Service on Hunter Carr and William McIlwain by CDI Investigations, LLC was forwarded by the Court's ECF notification system to the parties listed below.

/s/ Deirdre Carey Brown

DEIRDRE CAREY BROWN

By ECF Notification:

Roderick Glen Ayers, Jr on behalf of Creditor MCI Partners, Inc.
gayers@langleybanack.com, adebard@langleybanack.com; ggonzalez@langleybanack.com

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Roderick Glen Ayers, Jr on behalf of Defendant Bert Terry Dunken, Jr
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George William Gore on behalf of Plaintiff William McIlwain
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Stephen Ray Smith on behalf of Defendant Bert Terry Dunken, Jr
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Stephen Ray Smith on behalf of Defendant David L Gorham
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Spencer D. Solomon on behalf of Creditor Robert C Rhodes
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Jolene M Wise on behalf of Debtor Digerati Technologies, Inc.
wisej@sec.gov

CASE NO. 13-33264-H4-11

In re Digerati Technologies, Inc.
Debtor

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§

United States
Bankruptcy Court
Southern District of Texas

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared CLARK DICKENSCHIEDT, who swore on oath that the following facts are true and correct:

"My name is CLARK DICKENSCHIEDT.

I am an agent of: CDI Investigations, LLC

My business address is: 22503 Katy Freeway
Katy, Texas 77450

My business phone is (713) 201-7045

"I am not a party to this case, nor am I related to, employed by, or otherwise connected to (other than having been retained to serve process in this case) any party or any party's attorney in this case; and I have no interest in the outcome of this case.

"I am over the age of 18 years. I am of sound mind and have never been convicted of a felony or misdemeanor involving moral turpitude.

"I am a Certified Process Server in the State of Texas Certified by the Supreme Court of Texas under ID # SCH 2996 and listed on the Supreme Court's Master List. My Certification will expire on August 31, 2016.

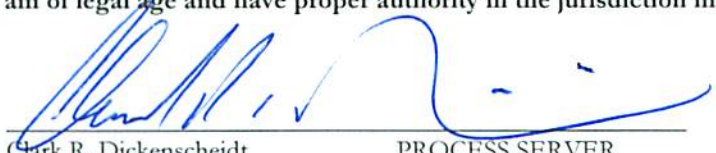
"Received by CDI Investigations on the November 26, 2013 at 12:55 pm to be served on Hunter M.A. Carr at 11615 Noblewood Crest Ln, Houston, TX 77082. I, Clark R. Dickenscheidt, declare that the Subpoena to Serve was NON-SERVED for the reasons below:

"The witness resides in a gated community known as "Royal Oaks". This community is security gate controlled with a guard shack at the main entrance. The community policy is that Process Servers are not allowed to enter the community unless authorized by the resident. Numerous attempts were made to deliver the subpoena to Mr. Carr with no success. The attempts were as follows:

<u>Date</u>	<u>Time</u>	<u>Comments</u>
Wednesday, November 27, 2013	5:45 p.m.	The guard on duty called Mr. Carr and indicated that he refused to authorize access to me. The guard did tell Mr. Carr the reason for the visit but would not accept a business card to give to Mr. Carr and denied access to the community.
Monday December 2, 2013	8:30 a.m.	Access to the community was denied by the guards on duty. They did call Mr. Carr's home and received voice mail. They did not leave a message and refused to accept a business card to pass along to Mr. Carr.
Monday December 2, 2013	7:30 p.m.	Access to the community was again denied by the guards on duty. No other access point is available to the community. They did call Mr. Carr and he again denied to authorize access.
Wednesday December 4, 2013	7:15 p.m.	Access to the community was again denied by the guards on duty. The guard informed me that Mr. Carr left a message with them that they were to deny access to any process servers and not to even bother calling him.
Thursday December 5, 2013	11:34 a.m.	A copy of the subpoena was sent to Hunter M.A. Carr by email at hunter@huntercarr.com . This address was provided by attorney Dierdre Brown. The email requested that Mr. Carr contact me to schedule a time to deliver the documents to him personally.

As of the date of this Affidavit, no contact has been received from Hunter M.A. Carr.

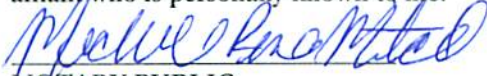
I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.



Clark R. Dickenscheidt
**Appointed in accordance
with State Statutes**

PROCESS SERVER
TX # SCH 2996
Expires 8/31/16

Subscribed and Sworn to before me on the
10th day of December 2013 by the
affiant who is personally known to me.


NOTARY PUBLIC

CDI Investigations, LLC
22503 Katy Freeway
Katy, Texas 77450
(713) 201-7045



CASE NO. 13-33264-H4-11

In re Digerati Technologies, Inc.
Debtor

§

§

United States
Bankruptcy Court
Southern District of Texas

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared CLARK DICKENSCHIEDT, who swore on oath that the following facts are true and correct:

"My name is CLARK DICKENSCHIEDT.

I am an agent of: CDI Investigations, LLC

My business address is: 22503 Katy Freeway
Katy, Texas 77450

My business phone is (713) 201-7045

"I am not a party to this case, nor am I related to, employed by, or otherwise connected to (other than having been retained to serve process in this case) any party or any party's attorney in this case; and I have no interest in the outcome of this case.

"I am over the age of 18 years. I am of sound mind and have never been convicted of a felony or misdemeanor involving moral turpitude.

"I am a Certified Process Server in the State of Texas Certified by the Supreme Court of Texas under ID # SCH 2996 and listed on the Supreme Court's Master List. My Certification will expire on August 31, 2016.

"Received by CDI Investigations on the November 26, 2013 at 12:55 pm to be served on **William McIlwain at 3111 Rosemary Park Lane, Houston, TX 77082**. I, Clark R. Dickenscheidt, declare that the Subpoena to Serve was NON-SERVED for the reasons below:

"The witness resides in a gated community known as "Royal Oaks". This community is security gate controlled with a guard shack at the main entrance. The community policy is that Process Servers are not allowed to enter the community unless authorized by the resident. Numerous attempts were made to deliver the subpoena to Mr. McIlwain with no success. The attempts were as follows:

<u>Date</u>	<u>Time</u>	<u>Comments</u>
Wednesday, November 27, 2013	5:45 p.m.	The guard on duty called his home # and got voice mail. He called his cell phone and Mr. McIlwain told him he was in Mississippi for the holidays.
Monday December 2, 2013	8:30 a.m.	Access to the community was denied by the guards on duty. They did call Mr. McIlwain's home and cell #s and received voice mail on both. They did not leave messages and refused to accept a business card to pass along to Mr. McIlwain.
Monday December 2, 2013	7:30 p.m.	Access to the community was again denied by the guards on duty. No other access point is available to the community. They did call Mr. McIlwain's home and cell #s and received voice mail on both. They did not leave messages and refused to accept a business card to pass along to Mr. McIlwain.
Wednesday December 4, 2013	7:15 p.m.	Access to the community was again denied by the guards on duty. No other access point is available to the community. They did call Mr. McIlwain's home and cell #s and received voice mail on both. They did not leave messages and refused to accept a business card to pass along to Mr. McIlwain.
Thursday December 5, 2013	11:34 a.m.	A copy of the subpoena was sent to William McIlwain by email at billmc281@gmail.com . This address was provided by attorney Dierdre Brown. The email requested that Mr. McIlwain contact me to schedule a time to deliver the documents to him personally.

As of the date of this Affidavit, no contact has been received from William McIlwain.

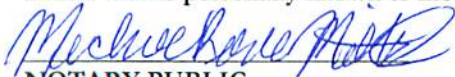
I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.



Clark R. Dickenscheidt
Appointed in accordance
with State Statutes

PROCESS SERVER
TX # SCH 2996
Expires 8/31/16

Subscribed and Sworn to before me on the
10th day of December, 2013 by the
affiant who is personally known to me.


NOTARY PUBLIC

CDI Investigations, LLC
22503 Katy Freeway
Katy, Texas 77450
(713) 201-7045

