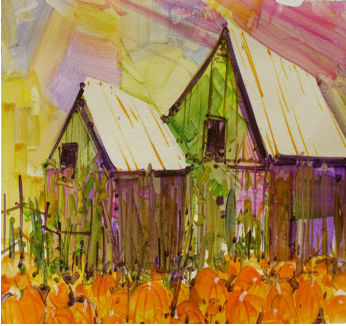


NOVEMBER 2009



EQUITY NEWS AND VIEWS

EQUITY NEWS & VIEWS IS PUBLISHED MONTHLY BY EQUITY MANAGEMENT, INC. ALL RIGHTS RESERVED. INFORMATION IS OBTAINED THROUGH VARIOUS SOURCES AND WHILE EVERY EFFORT IS MADE TO ENSURE ACCURACY, NO GUARANTEES AS TO ACCURACY IS IMPLIED OR GIVEN. NOTHING IN EQUITY NEWS & VIEWS SHOULD BE CONSTRUED AS LEGAL ADVICE.

MAKE IT YOUR BUSINESS...

...To know how to properly serve a business.

While process servers registered in the state of Montana must serve documents no matter what the defect, they must also serve according to Montana statutes. Normally, this is not a conflict. One type of service where Equity has encountered a serving dilemma is when we are asked to serve a business entity. The type of business, such as a corporation or an assumed business name, determines the requirements a server has to consider to complete a service.

Equity must adhere to Montana Code Annotated Rule 4D for serving process. Rule 4D spells out the procedure for serving entities of all types, including businesses and corporations. If a business is a corporation or a limited liability corporation, our goal is to locate the registered agent, or another registered principal of that business. If none are available, we attempt to find the person in charge at the place of business. We are often specifically instructed to

serve a registered agent, and while this may be preferable to a plaintiff, the service may be expedited by serving an officer or a person in charge at the place of business who is allowable under Montana law.

If the entity to be served is an assumed business name, Equity must serve the individual doing business as that entity. The proper captioning of an entity that is an assumed business name is key in getting a judgment on that entity. Doing some initial legwork on the business type will help Equity to effect a valid service, and allow Equity to levy on the accounts and other assets of that business or corporation once a judgment is granted.



One resource for determining the type of business you are trying to serve is the Secretary of State's website at www.mt.gov. A business entity search will show if a business is registered in Montana. Not only does this website indicate the type of business, but it also lists the registered agents for corporations. For an additional fee, you can also access the names and titles of the principals for the business in question. The information on assumed business names is limited, but with any luck, the individuals associated with that business name are already known to the plaintiff.

Once you have determined who can be served on behalf of a business, or which individual is associated with an assumed business name, the service of your legal documents is only a phone call away.

Contact EMI at 406-721-3337.

EQUITY MANAGEMENT INC

PO Box 4906, MISSOULA, MT 59806
1534 S AVE W, MISSOULA, MT 59801
406-721-3337 OR 888-721-3337
FAX: 406-721-0372

TO RECEIVE OUR NEWSLETTERS VIA E-MAIL

CONTACT US AT:

EQUITY@EQUITYPROCESS.COM



EQUITY COVERAGE AREAS

Equity Management Inc. is headquartered in Missoula, and a common misconception is that we only serve process in Missoula. While we network with a variety of servers and Sheriff's Departments to cover the entire state when needed, we also have satellite offices staffed with servers in Kalispell, Great Falls, and Livingston. These remote offices enhance the coverage area of service that Equity provides.

The following is a partial listing of cities and areas regularly covered by Equity servers on a routine basis: Missoula (county), Ravalli (county), Flathead (county), Lake (county), Great Falls, Livingston, Bozeman, Belgrade, Billings, Butte, Anaconda, Deer Lodge, Dillon, and Helena.



Equity's remote offices are all coordinated through the main Missoula branch. If a rush service is required, contact 406-721-3337 for server availability.