AO 440 (Rev. 10/93) Summons in a Civil Action

CLERK COPY

United States District Court

DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY,

Plaintiff,

v.

NOVA CHEMICALS CORPORATION, and NOVA CHEMICALS INC. ,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-737

RECEIVED
2006 JUN 20 AM 9:55
CORPORATIONS

TO: NOVA Chemicals Corporation
c/o Secretary of State
John G. Townsend Building
Federal and Duke of York Streets
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY:

Rodger D. Smith II, Esquire
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street, P.O. Box 1347
Wilmington, DE 19899-1347

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO
CLERK

10-21-05
DATE

Bet Durso
BY DEPUTY CLERK

AO 440 (REV. 10/93) Summons In a Civil Action

RETURN OF SERVICE	
Service of the Summons and complaint was made by me[1]	DATE June 20, 2006
NAME OF SERVER (PRINT) Andrew Smith	TITLE Courier

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein.
Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): Service was made upon defendant NOVA Chemicals Corporation under the provisions of 10 Del. C. § 3104(d) to the Delaware Secretary of State on June 20, 2006 at 9:56 a.m.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 20, 2006
Date

Signature of Server

Andrew Smith
Blue Marble
800 North King Street
Wilmington, DE 19801

Address of Server