AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

U.S. PHILIPS CORPORATION,

Plaintiff,

V.

EASTMAN KODAK COMPANY,

Defendant.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 06-251-GMS

TO: (Name and address of Defendant)

Eastman Kodak Company
c/o Sean C. Cunningham, Esquire (by consent)
DLA Piper Rudnick Gray Cary US LLP
401 B Street, Suite 1700
San Diego, CA 92101

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven J. Balick
Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on 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. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

August 10, 2006

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me[1]	DATE August 10, 2006 (see note 1, below)
NAME OF SERVER (PRINT) Steven J. Balick	TITLE Delaware counsel to plaintiff

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 a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☒ Other (specify): See note 2, below.

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 8-10-06 (Date)

Steven J. Balick (*Signature of Server*)

Address of Server

Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, DE 19899 (courier, 19801)

1. By agreement between the parties, the effective date of service is August 16, 2006.

2. Served defendant's counsel, Sean C. Cunningham, Esquire, at the address on the front of this summons, with consent. Service was via Federal Express and electronic mail.

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.