UNITED STATES DISTRICT COURT

District of Delaware

ÉLAN PHARMACEUTICAL INTERNATIONAL LIMITED,

Plaintiff,

v.

ABRAXIS BIOSCIENCE, INC.,

Defendant.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 06 - 438

TO: (Name and address of Defendant)

ABRAXIS BIOSCIENCE, INC.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

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

Richard L. Horwitz, Esq. (#2246)
Kenneth L. Dorsney, Esq. (#3726)
Potter Anderson & Corroon LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19899
(302) 984-6000

an answer to the complaint which is served on you with this summons, within twenty (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

7/19/06
DATE

Monica Mosley
(By) DEPUTY CLERK

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

RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE 7-19-06 @ 2:35p
NAME OF SERVER (PRINT) MARSHAL MANLOVE	TITLE Process Server

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): served registered agent Corporation Service Company 2711 Centerville Rd Wilmington DE 19808 Person served Mary T. Drummond

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 7-19-06
Date

Signature of Server

230 N Market St Wilmington DE 19801
Address of Server

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