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

UNITED STATES DISTRICT COURT

District of Delaware

Endo Pharmaceuticals Inc. and
Penwest Pharmaceuticals Co.,
Plaintiffs,

V.

Impax Laboratories, Inc.,
Defendant.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-57

TO: (Name and address of Defendant)
Impax Laboratories, Inc.
c/o The Prentice-Hall Corporation System, Inc.
2711 Centerville Road
Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
Jack B. Blumenfeld
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

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

JAN 25 2008

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE January 29, 2008
NAME OF SERVER (PRINT) - Clark Running	TITLE Messenger

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): by hand delivering a copy of the summons and complaint to Mary Matterer, Esquire, Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801

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 1/29/08
Date

Signature of Server

1201 North Market Street
Wilmington, DE 19801

Address of Server

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