AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Delaware

FOREST LABORATORIES, LLC, et al.,

Plaintiff(s)

v.

INVAGEN PHARMACEUTICALS INC.,

Defendant(s)

Civil Action No. 15-1078

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* InvaGen Pharmaceuticals Inc.
7 Oser Avenue
Hauppauge, NY 11788

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Jack B. Blumenfeld
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 11/24/2015

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No. 15-1078

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* InvaGen Pharmaceuticals Inc.
was received by me on *(date)* 11/24/2015 .

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____ , a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

☑ I served the summons on *(name of individual)* Touhey Myer, Esquire , who is
~~designated by law~~ authorized to accept service of process on behalf of *(name of organization)* _____
InvaGen Pharmaceuticals Inc. on *(date)* 11/24/2015 ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 11/24/2015

/s/ Maryellen Noreika
Server's signature

Maryellen Noreika, Esquire
Printed name and title

Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
Wilmington, DE 19801
Server's address

Additional information regarding attempted service, etc: