

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED  
FEB - 6 1967  
RINES AND RINES  
NO. TEN POST OFFICE SQUARE, BOSTON

THE UNIVERSITY OF ILLINOIS FOUNDATION,

Plaintiff and  
Counterclaim Defendant,

- v -

BLONDER-TONGUE LABORATORIES, INC.,

Defendant and  
Counterclaimant,

- v -

JFD ELECTRONICS CORPORATION,

Counterclaim Defendant.

Civil Action

No. 66 C 567

NOTICE OF MOTION

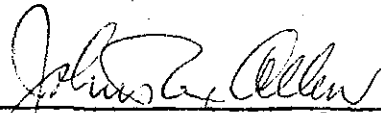
- TO: (1) Attorneys for Plaintiff and Counterclaim Defendant  
MERRIAM, MARSHALL, SHAPIRO & KLOSE  
30 West Monroe Street  
Chicago, Illinois 60603
- and (2) Attorneys for Counterclaim Defendant  
SILVERMAN & CASS  
105 West Adams Street  
Chicago, Illinois 60603

PLEASE TAKE NOTICE that defendant and counter-  
claimant will appear before the Honorable Julius J. Hoffman,  
United States District Judge, or before any other Judge who  
may be sitting in his stead, on Friday, February 3, 1967, at

10:00 A.M., to present the attached "Motion to Postpone Depositions".

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

By

  
Attorneys for Defendant  
and Counterclaimant  
20 North Wacker Drive  
Chicago, Illinois 60606

February  7 , 1967.

ACKNOWLEDGMENT OF SERVICE

Receipt of a copy of the foregoing "Notice of Motion" and the attached "Motion to Postpone Depositions" and "Affidavit In Support of Motion to Postpone Depositions" is hereby acknowledged this \_\_\_\_\_ day of February, 1967.

MERRIAM, MARSHALL, SHAPIRO & KLOSE

Time of Service:

\_\_\_\_\_ P.M.

By

\_\_\_\_\_  
Attorneys for Plaintiff and  
Counterclaim Defendant

ACKNOWLEDGMENT OF SERVICE

Receipt of a copy of the foregoing "Notice of Motion" and the attached "Motion to Postpone Depositions" and "Affidavit In Support of Motion to Postpone Depositions" is hereby acknowledged this \_\_\_\_\_ day of February, 1967.

SILVERMAN & CASS

Time of Service:

\_\_\_\_\_ P.M.

By

\_\_\_\_\_  
Attorneys for Counterclaim Defendant

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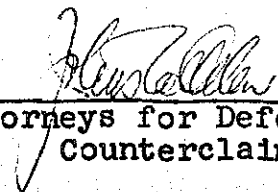
MOTION TO POSTPONE DEPOSITIONS

Defendant and counterclaimant, Blonder-Tongue Laboratories, Inc., by its attorneys, moves that the depositions on February 6, 1967, of Harry Gilbert, Dick Helhowski and Jerry Cohn, for which notice has been given by counterclaim defendant, JFD Electronics Corporation, be re-scheduled for a date no earlier than February 20, 1967.

An affidavit of facts in support of this motion is attached hereto.

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

By

  
Attorneys for Defendant and  
Counterclaimant

February 7, 1967.

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AFFIDAVIT IN SUPPORT OF MOTION  
TO POSTPONE DEPOSITIONS

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STATE OF ILLINOIS )

COUNTY OF COOK )

ss.

Richard S. Phillips, being sworn, says:

1. Defendant and counterclaimant, Blonder-Tongue Laboratories, Inc., has its principal place of business in New Jersey and patent counsel conducting this lawsuit is Robert H. Rines of Boston. Counterclaim defendant, JFD Electronics Corporation, has its principal place of business in New York and its principal patent counsel are Ostrolenk, Faber, Gerb and Sofen of New York City.

2. On Monday, January 30, 1967, Myron C. Cass, local counsel for JFD Electronics Corporation, called me with a request that Harry Gilbert, Dick Helhowski and Jerry Cohn be produced for depositions at the offices of Ostrolenk, Faber, Gerb and Sofen in New York on February 6, 1967. I contacted Robert H. Rines by telephone in Boston. He told me that February 6 was an impossible date for him as he will be in London, England, that day. He also told me that he was not sure whether Helhowski or Cohn were still with Blonder-Tongue. He had plans to be at the Blonder-Tongue plant on February 1 and 2 and was to check on the availability of the three men and advise me.

3. I reported to Mr. Cass and suggested that principal counsel for JFD might contact Mr. Rines directly. This they did not do but rather served notice for the depositions on February 6, 1967.

4. I again contacted Mr. Rines and received the following detailed information regarding his present commitments:

February 3	In Albany and Rochester, New York;
February 5	Leave for London, England;
February 8	Return from London to New York for previously scheduled depositions of Jerry Balash and Edward Finkle in this suit;


February 9  
& 10

Previously scheduled depositions  
in New York, in another lawsuit;

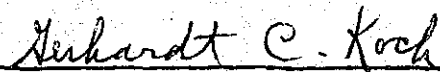
February 13  
through 18

In St. Louis for the trial of a  
lawsuit tentatively scheduled to  
start on the 13th and anticipated  
to last for one week.

5. I received the following information from Mr. Rines by telephone regarding the availability of the three witnesses. Harry Gilbert and Jerry Cohn are still associated with Blonder-Tongue Laboratories and can be produced for deposition during the week of February 20. Dick Helowski has been offered a new position with the company and he has not yet decided whether he will take it. If he is still with the company, he also can be produced for deposition during the week of February 20. If he has left the company, arrangements can be made to produce him as a witness, but the time will be subject to his commitments in any new position he may assume.

  
Richard S. Phillips

SUBSCRIBED and sworn to before me this 2<sup>nd</sup> day of  
February 1967.

  
Notary Public

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ORDER

It is hereby ordered that the depositions of Harry Gilbert, Dick Helhowski and Jerry Cohn, scheduled for February 6, 1967, be postponed until February 20, 1967, or a date subsequent thereto, agreeable to counsel.

\_\_\_\_\_  
District Judge

February \_\_\_\_\_, 1967.