

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

THE UNIVERSITY OF ILLINOIS FOUNDATION)

Plaintiff, and)
Counterclaim Defendant,)

v.)

BLONDER-TONGUE LABORATORIES, INC.,)

Defendant, and)
Counterclaimant,)

v.)

JFD ELECTRONICS CORP.,)

Counterclaim Defendant.)

Civil Action No.

66C 567

NOTICE OF EXAMINATION

- (1) of JFD Electronics Corp.;
- (2) of Jerome N. Balash; and
- (3) of John Doe (psuedonym for
chief executive officer of
Stratford Retreat House, Inc.

TO: Ostrolenk, Faber, Gerb & Soffen - Attorneys for
Counterclaim Defendant, JFD ELECTRONICS CORP.

PLEASE TAKE NOTICE, that on Wednesday, February 8, 1967,
commencing at 9:30 A. M. at your office at 10 East 40th Street, New York
City, N. Y., as arranged by stipulation, the Defendant and Counter-claimant,
Blonder-Tongue Laboratories, Inc., by its counsel, will examine the
Counter-claim Defendant J. F. D. Electronics Corp., in accordance with the
Federal Rules of Civil Procedure, by oral examination before a Notary
Public, of

1. Mr. Edward Finkel, Executive Vice-President of
JFD Electronics Corp.;

2. Jerome N. Balash, an employee of JFD Electronics Corp. ; and
3. John Doe, (a pseudonym for) the executive officer of STRATFORD RETREAT HOUSE, INC., alleged to be the present owner of said JFD Electronics, Inc., and, therefore, a proper party to this action, but not findable in the State of New York, or registered, as required by law, to do business within the State of New York.

PLEASE TAKE FURTHER NOTICE, that the Counter-claim defendant, JFD Electronics Corp. is required to produce at such examination for the use of Mr. Finkel for the purpose of the examination, the following documents:

a) a sample copy of each form and type of distributor agreement and of dealer agreement used by JFD Electronics Corp., from the beginning of 1966 to date;

b) all correspondence, documents, memoranda of intent and final agreement, relating to the transfer of JFD Electronics Corp. to Stratford Retreat House, Inc.,

c) all correspondence with notes of meetings and conferences with, and reports from, Jerome N. Balash, dated or occurring prior to the employment of said Balash by JFD Electronics Corp., relating to or having any bearing on investigations made by said Balash, while employed at, and by, Blonder-Tongue and assigned to such investigations by Blonder-Tongue for the purposes of this action.

PLEASE TAKE FURTHER NOTICE, that the witness Jerome N. Balash, whom you have promised to produce without a subpoena, is required to produce and to have available at and for the purpose of his examination, at

said time, the following things and documents:

a) all notes, notebooks, memoranda, data and reports made by him, while employed by Blonder-Tongue and assigned to make certain investigations for the purpose of this action, at a time prior to his resignation from Blonder-Tongue to join JFD Electronics Corp. ;

b) a list of all items of information acquired by him as a result of conducting said investigation and delivered by him to JFD Electronics Corp. in anticipation of or upon his employment by JFD Electronics Corp. ;

c. copies of all correspondence between said Balash and Counter-claim defendant JFD Electronics Corp. during the period of said investigation and leading up to the date of employment of Balash by JFD Electronics Corp.

and, PLEASE TAKE FURTHER NOTICE, that, under Rule 17 of the Federal Rules of Civil Procedure, the Stratford Retreat House, Inc. is now a real party in interest, and is a proper Counter-claim co-Defendant herein, and must be considered to be subject to the rules of examination here involved.

Since the Stratford Retreat House, Inc. is not findable in New York for service of process, and it is not authorized to do business in the State of New York,

DEMAND IS HEREBY MADE UPON YOU, as attorneys for the Counter-claim Defendant JFD Electronics Corp., either to assure the presence of said John Doe official of said Stratford Retreat House, Inc., at said examination, or to notify Counter-claimant's counsel and local solicitor of the address and location of said John Doe official, to permit appropriate service of process to be made upon said John Doe for attendance at said examination. Otherwise, application will be made to the Court for appropriate sanctions.

You are invited to attend and cross-examine.

Julius E. Foster

JULIUS E. FOSTER

Of Counsel and Local Solicitor
for Defendant Counter-claimant

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