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 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 counterclaimant 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, May 26, 1967, at

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10:00 A.M., to present the attached "Motion" and "Affidavit".

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

By _____

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

May 25, 1967.

OF COUNSEL:

David Rines
Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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M O T I O N

Defendant, Blonder-Tongue Laboratories, Inc., by its counsel, moves that the above entitled action, presently on the trial call for Monday, May 29, 1967, be rescheduled for Tuesday, June 13, 1967.

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

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

By _____
Attorneys for Defendant
and Counterclaimant

May 25, 1967.

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A F F I D A V I T

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

RICHARD S. PHILLIPS, being sworn, says:

1. He is a member of the firm of Hofgren, Wegner, Allen, Stellman & McCord, and is associate local counsel for Blonder-Tongue Laboratories, Inc., Defendant and Counterclaimant in the above entitled action.

2. Robert H. Rines of Boston, Massachusetts, is patent counsel for defendant Blonder-Tongue Laboratories, Inc., prepared the defense and counterclaim herein and intends to try the case.

3. This case was placed on the trial call on May 1, 1967; was reset to May 16, 1967; was reset to May 23, 1967; was reset to May 25, 1967; and was reset to May 29, 1967. The case presently appears to follow 65 C 1956, 65 C 1070 and 65 C 1172.

4. On May 22, 1967, the Court reset to May 31, 1967, two lower numbered cases, 66 C 267 and 66 C 381. I have been in close contact with counsel in these cases and am informed that the cases will not be settled and may require several weeks total trial time.

5. Trial counsel Rines and Isaac S. Blonder, Chairman of the Board of Directors of Blonder-Tongue Laboratories, Inc., the defendant herein, have held themselves in readiness for trial throughout the month of May 1967. This has necessitated the rescheduling twice by Mr. Blonder of the closing of an acquisition on the West Coast; and by Mr. Rines of matters in the Federal District Courts for the Eastern District of Missouri (St. Louis), the Southern District of New York (New York City), Massachusetts (Boston), and the District of Columbia.

6. Mr. Blonder's business commitment in California can no longer be delayed; and the attorneys and parties involved are scheduled to meet in California Wednesday, May 31, through Friday, June 2, 1967. In addition to serving as a fact witness in the trial, Mr. Blonder is technically qualified with

regard to the subject matter of the patent in suit and his presence during the presentation of plaintiff's prima facie case is necessary to the defense.

7. Mr. Rines is chairman of the 25th Anniversary Reunion at his alma mater, Massachusetts Institute of Technology. The Reunion activities require his presence in Cambridge, Massachusetts, from Wednesday, June 7, 1967, through Monday, June 12, 1967.

Richard S. Phillips

SUBSCRIBED and sworn to before me this 25th day of May, 1967.

Richard C. Koch
Notary Public

My Commission Expires Feb. 16, 1970

ACKNOWLEDGMENT OF SERVICE

Receipt is hereby acknowledged of one copy each of the foregoing Notice of Motion, Motion and Affidavit this 25th day of May, 1967.

MERRIAM, MARSHALL, SHAPIRO & KLOSE

Time of Service:

_____P.M.

By_____
Attorneys for Plaintiff
and Counterclaim Defendant
30 West Monroe Street
Chicago, Illinois 60603

SILVERMAN & CASS

Time of Service:

_____P.M.

By_____
Attorneys for
Counterclaim Defendant
105 West Adams Street
Chicago, Illinois 60603