

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

RECEIVED
OCT 25 1967
RINES AND RINES
100 TEMPLE PLACE BOSTON

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) MERRIAM, MARSHALL, SHAPIRO & KLOSE
30 West Monroe Street
Chicago, Illinois 60603
Attorneys for University of Illinois Foundation
and

(2) SILVERMAN & CASS
105 West Adams Street
Chicago, Illinois 60603
Attorneys for JFD Electronics Corporation

PLEASE TAKE NOTICE that Defendant, Blonder-Tongue Laboratories, Inc., 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 Monday, October 23,

1967, at 10:00 A.M., to present the attached "Motion" and supporting "Affidavit".

HOPGREN, WEGNER, ALLEN, STELLMAN & McCORD

By _____

Attorneys for Defendant
20 North Wacker Drive
Chicago, Illinois 60606
Telephone: 346-1630

October 20, 1967.

OF COUNSEL:

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

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

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

M O T I O N

Defendant, Blonder-Tongue Laboratories, Inc., moves that the trial of this case be rescheduled for a date no earlier than December 18, 1967.

As explained in more detail in the accompanying affidavit, Prof. Lan Jen Chu, defendant's expert, has been hospitalized. By December 18, 1967, either he or a replacement will be available to testify.

HOPGREN, WEGNER, ALLEN, STELLMAN & McCORD

By _____

Attorneys for Defendant

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

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

A F F I D A V I T

STATE OF ILLINOIS

COUNTY OF COOK

} ss.

RICHARD S. PHILLIPS, being sworn, says:

I am local counsel for Robert H. Rines, attorney for defendant, Blonder-Tongue Laboratories, Inc. I talked with Mr. Rines by telephone on Thursday, October 19, 1967, and learned that Lan Jen Chu, Webster Professor of Electrical Engineering at Massachusetts Institute of Technology, who is to be an expert witness for Blonder-Tongue in the trial of

this case, has been hospitalized with tuberculosis. He will be in isolation for six weeks until tests are completed to determine whether he is contagious.

Prof. Chu is an authority on antennas, has written articles and books on the subject, and holds many patents relating to antenna configuration. He has worked closely with Mr. Rines for over a year, in preparation for the defense in this suit. Loss of his services would require the expenditure of considerable time and effort preparing another expert, and would be a substantial expense to defendant. If the medical tests show that Prof. Chu is not contagious, it is probable that he would be able to attend a trial in December.

Isaac S. Blonder, Chairman of the Board of Defendant, Blonder-Tongue Laboratories, Inc., and a co-inventor of patent 3,259,904 asserted in the counterclaim herein, will be in Los Angeles, California, for an Executive meeting of the Electronics Industry Association, to form a committee on Satellite Television, October 23 through 25, 1967. He has business meetings scheduled on the West Coast from October 26 through November 3, 1967. His presence at the trial of this case is essential.

Mr. Rines is scheduled to be on a trip through the Middle East during the week of November 13, 1967, in connection

with a classified project on behalf of a client and govern-
mental authorities.

Richard S. Phillips

SUBSCRIBED and sworn to before me this _____
day of October, 1967.

Notary Public

ACKNOWLEDGMENT OF SERVICE

Receipt is hereby acknowledged of one copy of the foregoing "Notice of Motion", "Motion", and supporting "Affidavit".

MERRIAM, MARSHALL, SHAPIRO & KLOSE

October _____, 1967.
_____ P.M.

By _____
Attorneys for Plaintiff and
Counterclaim Defendant

SILVERMAN & CASS

October _____, 1967.
_____ P.M.

By _____
Attorneys for
Counterclaim Defendant