

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the Northern District of California

ADR

COPY

DELPHON INDUSTRIES, LLC dba GEL-PAK, a Delaware limited liability company

Plaintiff

v.

INTERNATIONAL TEST SOLUTIONS, INC., a Nevada corporation; INTERNATIONAL TEST SOLUTIONS, INC., a California corporation; JOYCE FREEZE, an individual; and ALAN E. HUMPHREY, an individual

Defendant

Civil Action No.

CV 11-01338

E-filing

PSG

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

JOYCE FREEZE; ALAN E. HUMPHREY; International Test Solutions, Inc., a Nevada corporation; and International Test Solutions, Inc., a California Corporation 1595 Meadow Wood Lane Reno, NV 89502

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:

Gregory P. O'Hara/Lisa A. Cole NIXON PEABODY 2 Palo Alto Square, 300 El Camino Real, Suite 500 Palo Alto, CA 94306

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.

CLERK OF COURT

Tiffany Salinas-Harwell

Signature of Clerk or Deputy Clerk

Date:

3/21/11

FAXED

