

UNITED STATES DISTRICT COURT

Southern District of New York

L. A. MURPHY, MARVIN STERNHELL, and HENOCHE KAIMAN,
on their own
behalf and on behalf of all others similarly
situated
V.

KOHLBERG KRAVIS ROBERTS & COMPANY;
CARLYLE GROUP; CLAYTON, DUBILIER & RICE;
SILVER LAKE PARTNERS; BLACKSTONE GROUP;
BAIN CAPITAL LLC; THOMAS H. LEE
PARTNERS; TEXAS PACIFIC GROUP; MADISON
DEARBORN PARTNERS; APOLLO MANAGEMENT LP;
PROVIDENCE EQUITY PARTNERS;
MERRILL LYNCH AND CO., INC.;
and WARBURG PINCUS, LLC.,

TO: (Name and address of Defendant)

MERRILL LYNCH AND CO., INC.
250 Vessey Street,
New York, New York

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

06 CV 13210

JUDGE STANTON

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Fred T. Isquith, Gregory Nespole, Gustavo Bruckner
WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP
270 Madison Avenue
New York, New York 10016

In answer to the complaint which is served on you with this summons, within twenty (20) days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
or the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
Clerk of this Court within a reasonable period of time after service.

NOV 15 2006

J. MICHAEL McMAHON

CLERK

DATE

y) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>11/17/06</u>
NAME OF SERVER (PRINT) <u>KAREN DABASHI</u>	TITLE <u>Paralegal</u>
Check one box below to indicate appropriate method of service	

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify): served upon CRT offices, service agent for Defendant, on "Elena", 5'4", blonde hair, brown eyes, 110 lbs., caucasian

STATEMENT OF SERVICE FEES

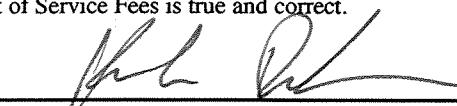
TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/5/06

Date


Signature of Server

270 Madison Avenue, 10th Floor
Address of Server

New York, NY 10016

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