

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

HITACHI, LTD., and UNISIA NORTH	)	
AMERICA, INC.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 05-048-SLR
v.	)	
	)	JURY TRIAL DEMANDED
BORGWARNER INC.,	)	
and BORGWARNER MORSE TEC INC.,	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF SERVICE**

PLEASE TAKE NOTICE that on the 10<sup>th</sup> day of October, 2005, copies of the following document, **DEFENDANTS’ THIRD SET OF DOCUMENT REQUESTS (NOS. 28-29) TO PLAINTIFFS HITACHI, LTD. AND UNISIA NORTH AMERICA, INC.**, were served on counsel as indicated:

**VIA EMAIL AND HAND DELIVERY**

Steven J. Balick, Esq.  
John G. Day, Esq.  
ASHBY & GEDDES  
222 Delaware Avenue, 17<sup>th</sup> Floor  
Wilmington, DE 19801  
[sbalick@ashby-geddes.com](mailto:sbalick@ashby-geddes.com)  
[jday@ashby-geddes.com](mailto:jday@ashby-geddes.com)

**VIA EMAIL AND OVERNIGHT MAIL**

Michael D. Kaminski, Esq.  
Liane M. Peterson, Esq.  
FOLEY & LARDNER LLP  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
202.672.5490  
[mkaminski@foley.com](mailto:mkaminski@foley.com)  
[lpeterson@foley.com](mailto:lpeterson@foley.com)

Dated: October 10, 2005

MORRIS, JAMES, HITCHENS & WILLIAMS LLP

/s/ Mary B. Matterer

Richard K. Herrmann (I.D. #405)

Mary B. Matterer (I.D. #2696)

222 Delaware Avenue, 10th Floor

Wilmington, DE 19801

(302) 888-6800

[mmatterer@morrisjames.com](mailto:mmatterer@morrisjames.com)

Attorneys for Defendants and Counterclaimant,  
BORGWARNER INC., and  
BORGWARNER MORSE TEC INC.

OF COUNSEL:

SIDLEY AUSTIN BROWN & WOOD, LLP

Hugh A. Abrams

Marc A. Cavan

Hillary A. Mann

10 South Dearborn Street

Chicago, Illinois 60603

(312) 853-7000

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of October, 2005, I electronically filed the foregoing document, **NOTICE OF SERVICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Steven J. Balick, Esq.  
John G. Day, Esq.  
ASHBY & GEDDES  
222 Delaware Avenue, 17<sup>th</sup> Floor  
Wilmington, DE 19801

Additionally, I hereby certify that on the 10<sup>th</sup> day of October, 2005, the foregoing document was served via email and overnight mail on the following non-registered participants:

Michael D. Kaminski, Esq.  
Liane Peterson, Esq.  
FOLEY & LARDNER LLP  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
[mkaminski@foley.com](mailto:mkaminski@foley.com)  
[lpeterson@foley.com](mailto:lpeterson@foley.com)

/s/ Mary B. Matterer  
Richard K. Herrmann (#405)  
Mary B. Matterer (I.D. #2696)  
MORRIS, JAMES, HITCHENS & WILLIAMS LLP  
222 Delaware Avenue, 10<sup>th</sup> Floor  
Wilmington, Delaware 19801  
302.888.6800  
[mmatterer@morrisjames.com](mailto:mmatterer@morrisjames.com)

Attorneys for Defendants and Counterclaimant,  
BORGWARNER INC., and  
BORGWARNER MORSE TEC INC.