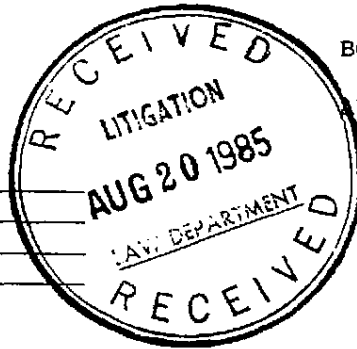




CT Corporation System
The Corporation Trust Company

SERVICE OF PROCESS TRANSMITTAL FORM

disc.



BOSTON, MASS. (City) (State)
AUGUST 14, 1985 (Date)

TO: MONSANTO COMPANY
LEGAL DEPARTMENT
ATT: THOMAS M. BISTLINE
800 N. LINDBERGH BLVD.
ST. LOUIS, MO. 63167

(XXX) Via Certified First Class Mail
042 552
() Via Messenger

RE: PROCESS SERVED IN MASSACHUSETTS (Jurisdiction)

FOR MONSANTO COMPANY (Name of Company) DELAWARE (Domestic State)

ENCLOSED ARE COPIES OF LEGAL PROCESS SERVED UPON THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

1. TITLE OF ACTION:
PAUL M. CULLINAN, ET AL VS. MONSANTO CO., ET AL.
 2. DOCUMENT(S) SERVED:
SUMMONS, INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO BE ANSWERED UNDER OATH BY THE DEFENDANT
CIVIL ACTION COVER SHEET, COMPLAINT PLAINTIFFS DEMAND TRIAL BY JURY.
 3. COURT:
SUPERIOR COURT, HAMPDEN COUNTY, MASSACHUSETTS. NO. -----
 4. NATURE OF ACTION:
AS A RESULT OF ALLEGED NEGLIGENCE ON BEHALF OF THE DEFENDANT IN MANUFACTURING CHEMICALS PLAINTIFF
HAS SUFFERED A SEVERE LOSS. THEREFORE, PLAINTIFF DEMANDS JUDGEMENT IN EXCESS OF
\$5,000,000.00.
 5. ON WHOM PROCESS WAS SERVED:
C T CORPORATION SYSTEM, 2 OLIVER STREET, BOSTON, MASS. 02109, (We informed the process
server the Secretary of the Commonwealth is the statutory agent for service, but his
instructions were to serve C T CORPORATION directly as resident agent).
 6. DATE AND HOUR OF SERVICE:
AUGUST 13, 1985 at 11:30 A.M. BY CONSTABLE
 7. APPEARANCE OR ANSWER DUE:
20 DAYS FROM DAY OF SERVICE, EXCLUSIVE OF DAY OF SERVICE.
 8. PLAINTIFF'S ATTORNEY(S):
KEITH S. HALPERN
SILVERGLATE, GERTNER, BAKER, FINE & GOOD
88 BROAD STREET, BOSTON, MASS. 02110
(617)542-6663
 9. REMARKS:
() This confirms our telephone call to your office.
() Above telephoned to C T office and is sent to you per their instructions.
- *NOTE DISCREPENCY IN TITLE.
CC: ST. LOUIS OFFICE.

RSV 0005034

KINDLY ACKNOWLEDGE RECEIPT BY SIGNING
THE CARBON COPY AND RETURNING IT TO →

Signed C T CORPORATION SYSTEM
Per Natalie M. O'Connor
NATALIE M. O'CONNOR
Address 2 OLIVER STREET
BOSTON, MASS. 02109

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED:
TORT — MOTOR VEHICLE TORT — CONTRACT — EQUITABLE RELIEF — OTHER

Commonwealth of Massachusetts

HAMPDEN, ss.

SUPERIOR COURT
DEPARTMENT OF THE TRIAL COURT
CIVIL ACTION

No.

Paul M. Cullinan, et al., Plaintiff(s)

v.

SUMMONS

Monsanto Co., et al., Defendant(s)

To the above-named Defendant: Monsanto Co.:

You are hereby summoned and required to serve upon

Nancy Gertner

88 Broad St., Boston, MA 02110

, plaintiff's attorney, whose address is
an answer to the complaint which is
herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day
of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in
the complaint. You are also required to file your answer to the complaint in the office of the Clerk of
this court at Springfield either before service upon plaintiff's attorney or within a reasonable time
thereafter.

Unless otherwise provided by Rule 13 (a), your answer must state as a counterclaim any claim
which you may have against the plaintiff which arises out of the transaction or occurrence that is the
subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any
other action.

Witness, THOMAS R. MORSE, JR., Esquire, at Springfield the 6th day
of August, in the year of our Lord one thousand nine hundred and
eighty five

A true copy. Attest: Richard J. Turner
8-14 Deputy Sheriff, Suffolk County

CLERK/MAGISTRATE

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

RSV 0005035

NOTICE TO DEFENDANT—You need not appear personally in court to answer the complaint, but if you do to have a defense, either you or your attorney must serve a copy of your written answer within 20 days as specified herein and also file the original in the Clerk's Office.

TYPE OR USE BALL POINT PEN — BEAR DOWN FIRMLY

MASSACHUSETTS TRIAL COURT

SUPERIOR COURT DEPARTMENT

CIVIL ACTION COVER SHEET

(To be filed with each Complaint)

Hampden, SS.

NO.

PLAINTIFF(S) Paul M. Cullinan, et al.

DEFENDANT(S) Monsanto Co., et al.

ATTORNEY(S) (Firm Name, Address, Tel.)

Nancy Gertner, Silverglate, Gertner, Baker
Fine & Good, 88 Broad St., Boston, MA 02110

ATTORNEY(S) (If known)

unknown

BBO #

Place an ☒ in one box only

ORIGIN

- | | |
|--|--|
| ☒ 1. F01 Complaint | ☐ 4. F04 Dist. Ct. Appeal c.231, s.97 |
| ☐ 2. F02 Removal to Sup. Ct. c.231, s.104 | ☐ 5. F05 Reactivated after Rescript; Relief from judgment/order (Mass. R. Civ. P. 60) |
| ☐ 3. F03 Retransfer to Sup. Ct. c.231, s.102C | |

Place an ☒ in one box only

NATURE OF ACTION

CONTRACT

- ☐ A01 Services, labor and materials
☐ A02 Goods sold and delivered
☐ A03 Commercial paper
☐ A08 Sale or lease of real estate
☐ A99 Other (specify) _____

TORT

- ☐ B03 Motor vehicle negligence-personal injury/property damage
☐ B04 Other negligence-personal injury property damage
☐ B05 Products liability
☐ B06 Malpractice-medical
☐ B07 Malpractice-other (specify) _____
☒ B08 Wrongful death, G.L. c.229, s.2A
☐ B15 Defamation (libel-slander)
☐ B99 Other (specify) _____

REAL PROPERTY

- ☐ C01 Land taking (eminent domain)
☐ C02 Zoning appeal, G.L. c.40A
☐ C03 Dispute concerning title
☒ C04 Foreclosure of mortgage
☐ C99 Other (specify) _____

EQUITABLE REMEDIES

- ☐ D01 Specific performance of contract
☐ D02 Reach and apply, G.L. c.214, s.3(6)-(9)
☐ D06 Contribution or indemnification
☐ D07 Imposition of trust
☐ D08 Minority stockholder's suit
☐ D10 Accounting
☐ D12 Dissolution of partnership
☐ D13 Declaratory judgment, G.L. c.231A
☐ D99 Other (specify) _____

MISCELLANEOUS

- ☐ E02 Appeal from administrative agency, G.L. c.30A
☐ E03 Action against Commonwealth or Municipality, G.L. c.258
☐ E04 Taxpayer suit, G.L. c.40 s.53
☐ E05 Confirmation of arbitration awards, G.L. c.251
☐ E06 Massachusetts Antitrust Act, G.L. c.93
☐ E08 Appointment of receiver
☐ E09 General contractor's surety bond, G.L. c.149, ss.29, 29a
☐ E10 Summary process appeal
☐ E11 Workman's Compensation
☐ E12 Small Claims Appeal
☐ E13 Labor Dispute
☐ E14 Chapter 123A Petition — SDP
☐ E15 Abuse Petition, G.L. c.209A
☐ E16 Auto Surcharge Appeal
☐ E17 Civil Rights Act, G.L. c.12, ss.11H-1
☐ E99 Other (specify) _____

SUPERIOR COURT RULE 29. Requirement of statement as to money damages to prevent the transfer of civil actions to District or Municipal Court Departments.

1. Superior Court Rule 29, as amended requires the statement of money damages on the reverse side be completed.

2. Failure to complete the statement, where appropriate, will result in transfer of this action (Superior Court Rule 29(2)).

SIGNATURE OF ATTORNEY OF RECORD

DATE:

8-6-85

(OFFICE USE ONLY—DO NOT WRITE BELOW THIS LINE)

DISPOSITION

A. Judgment Entered

- ☐ 1. Before jury trial or non-jury hearing
☐ 2. During jury trial or non-jury hearing
☐ 3. After jury verdict
☐ 4. After court finding
☐ 5. After post trial motion

B. No Judgment Entered

- ☐ 6. Transferred to District Court under G.L. c.231, s.102C

Disposition date _____

RECEIVED

BY:

DATE:

DISP ENTERED

BY:

DATE:

CLERK'S OFFICE COPY

RSV 0005036