

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

UNITED STATES DISTRICT COURT

for the
District of Delaware

GEVO, INC.

Plaintiff

v.

BUTAMAX(TM) ADVANCED BIOFUELS LLC and
E.I. DUPONT DE NEMOURS AND CO.

Defendant

Civil Action No. 12-1202

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Butamax(TM) Advanced Biofuels LLC
c/o The Corporate Trust Company
1209 Orange Street
Wilmington, DE 19801

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:

Jeremy A. Tigan
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

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

[Handwritten signature]

Signature of Clerk or Deputy Clerk

SEP 27 2012

Date:

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**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Butamax (TM) Advanced Biofuels LLC  
was received by me on *(date)* 9/28/12.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* Scott LaScala (CT Corp), who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
Butamax (TM) Advanced Biofuels LLC on *(date)* 9/28/12 ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 9/28/12

*Daniel F. Sheehan*  
*Server's signature*

DANIEL F. SHEEHAN LEGAL COURIER  
*Printed name and title*

800 N. King Street Wilmington, DE  
*Server's address*  
19801

Additional information regarding attempted service, etc: