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15 Attorneys for Plaintiffs
GENERAL ELECTRIC COMPANY AND
16 GE WIND ENERGY, LLC

17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA

20 GENERAL ELECTRIC COMPANY, a New
York corporation; and GE WIND ENERGY,
21 LLC, a Delaware limited liability company,

22 Plaintiffs,

23 v.

24 THOMAS WILKINS, an individual,

25 Defendant.

Case No. 1:10-CV-00674-OWW-JLT

**ORDER RE: GENERAL ELECTRIC
COMPANY AND GE WIND ENERGY
LLC'S MOTION TO DISMISS
(DOCKET NO. 192)**

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30740/00007-1781393.v1

1 Plaintiffs General Electric Company and GE Wind Energy LLC's Motion to Dismiss
2 (Docket No. 192) came on regularly for hearing on June 27, 2011. Appearing on behalf of the
3 Plaintiff, GENERAL ELECTRIC COMPANY, were Lowell T. Carruth and Andrea W. Jeffries.
4 Appearing on behalf of Defendant Thomas Wilkins was William C. Hahey. Appearing on
5 behalf of Intervenor, Mitsubishi Heavy Industries, Ltd. and Mitsubishi Power Systems Americas,
6 Inc., was Steven J. Barber. The Court heard argument from counsel. The Court, after reviewing
7 all points and authorities submitted on behalf of all parties and oral argument, issues the Order
8 attached hereto as Exhibit "A" and incorporated by reference herein as if set forth in full.
9 Specifically,

10 1. Defendant's conversion and unjust enrichment counterclaims are DISMISSED,
11 without prejudice; and

12 2. Defendant shall file an amended counterclaim within fifteen days following
13 electronic service of this memorandum decision. Plaintiff shall file its reply within fifteen days
14 following service of any amended counterclaim.

15 **ORDER**

16 IT IS SO ORDERED.

17 Dated: August 9, 2011

18 /s/ Oliver W. Wanger
19 UNITED STATES DISTRICT JUDGE