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Defendant and Counterclaim Plaintiff.

# NOTICE, STIPULATION, AND ORDER RE: ADMISSIBILITY OF DOCUMENTS RELATING TO CONSULTING AND LICENSING AGREEMENTS

1 Defendant and Counterclaim Plaintiff Thomas Wilkins (“Mr. Wilkins”),  
2 Intervenor Mitsubishi Heavy Industries, Ltd., and Mitsubishi Power Systems Americas,  
3 Inc. (collectively, “Mitsubishi”), and Plaintiffs and Counterclaim Defendants General  
4 Electric Company and GE Wind Energy, LLC (collectively, “GE”), through their  
5 counsel, hereby provide notice that they accept the terms regarding the admissibility of  
6 certain documents at trial, as set forth in Docket No. 714 at page 2, lines 9-15.

7 The parties stipulate as follows:

8 1. The parties agree that documents sent and received by Thomas Winland  
9 during the negotiations of the consulting and license agreements entered into between  
10 Mr. Wilkins and Mitsubishi are admissible at trial in this matter.

11 2. The parties agree that the consulting and license agreements entered into  
12 between Mr. Wilkins and Mitsubishi are admissible at trial in this matter.

13 The parties have agreed that exhibits subject to this stipulation are “Joint Exhibits” and  
14 will have them so marked for the Court, pending the Court's approval. Mitsubishi does not agree  
15 that the exhibits subject to this agreement are relevant or admissible under F.R.E. 403, but is  
16 prepared to have them designated as joint exhibits in order to resolve the issue of Mr. Winland’s  
17 appearance at trial.

18  
19  
20 Dated: Nov. 5, 2012

By: /s/ Tyler M. Akagi  
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Power Systems Americas, Inc.

1 Dated: Nov. 5, 2012

By: /s/ Elizabeth Reilly

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24 Attorneys for Plaintiffs and Counterclaim Defendants  
25 General Electric Company and GE Wind Energy, LLC  
26  
27  
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**ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, the Court hereby ORDERS that:

1. Documents sent and received by Thomas Winland during the negotiations of the consulting and license agreements entered into between Mr. Wilkins and Mitsubishi are admissible at trial in this matter.

2. The consulting and license agreements entered into between Mr. Wilkins and Mitsubishi are admissible at trial in this matter.

IT IS SO ORDERED.

Dated: November 5, 2012

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE