## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JOHN W. VON HOLDT, JR., JANICE ANDERSON and PLAS-TOOL CO.,

Plaintiffs

Case No. 04-C-4123

Judge Edmond E. Chang

v.

J. TRIANGLE

A-1 TOOL CORPORATION, TRIANGLE TOOL CORPORATION, ALFONSO ARCINIEGAS, GEOFFREY LUTHER and LEROY LUTHER,

Defendants.

## DEFENDANTS A-1 TOOL CORPORATION, GEOFFREY LUTHER AND ALFONSO ARCINIEGAS' RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW

Defendants A-1 Tool Corporation, Geoffrey Luther, and Alfonso Arciniegas (collectively "Defendants"), by and through their counsel, pursuant to Fed. R. Civ. Pro. 50(b) respectfully renew their motion for judgment as a matter of law with respect to Plaintiff Plas-Tool Corporation's claims for trade secret misappropriation under the Illinois Trade Secrets Act and breach of fiduciary duty. Final judgment was entered in this matter on February 4, 2014, following a jury verdict.

Defendants respectfully request the Court find the evidence presented at trial was legally insufficient for a reasonable jury to determine that Plaintiff was entitled to trade secret protection of its customer contact information because Plaintiff failed to take reasonable measures under the circumstances to protect the secrecy or confidentiality of that information. As such, Defendants respectfully request the Court enter judgment in favor of Defendants as a matter of law on Plaintiff's claim for trade secret misappropriation. Defendant Arciniegas further respectfully requests the Court find the evidence presented at trial was legally insufficient for a reasonable jury to determine that Defendant Arciniegas breached a fiduciary duty to Plaintiff and that such breach was the proximate cause of actual damage to Plaintiff. Accordingly, Defendant Arciniegas respectfully requests the Court also enter judgment in favor of him as a matter of law on Plaintiff's breach of fiduciary duty claim.

Dated this 4th day of March, 2014.

## A-1 TOOL CORPORATION, TRIANGLE TOOL CORPORATION, ALFONSO ARCINIEGAS, GEOFFREY LUTHER and LEROY LUTHER

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