

**UNITED STATES DISTRICT COURT**  
Northern District of Indiana  
South Bend Division

HEARTLAND RECREATIONAL	)	
VEHICLES, LLC,	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 3:08-cv-490 RLM-CAN
	)	
FOREST RIVER, INC.,	)	
Defendant.	)	

**HEARTLAND'S RESPONSES TO  
FOREST RIVER'S SIXTH REQUESTS FOR PRODUCTION**

Heartland Recreational Vehicles, LLC ("Heartland"), pursuant to Rule 34 of the Federal Rules of Civil Procedure, hereby responds to Forest River, Inc.'s ("Forest River") Sixth Requests for Production to Heartland as follows:

**GENERAL OBJECTIONS**

1. Heartland objects to these requests to the extent that they call for the production of documents that contain confidential, proprietary information or trade secrets. Heartland will provide such documents, if relevant, subject to the entry of an appropriate protective order.
2. Heartland objects to these requests to the extent that they call for the production of information and documents protected from disclosure by the attorney work product doctrine, the attorney-client privilege and any other applicable doctrines or privileges.
3. Heartland objects to these requests to the extent that they are not restricted as to time, and/or are not limited to the conditions or circumstances substantially similar to those which are the subject of this action. Such requests are overly broad, unduly burdensome, and seek

documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4. Heartland objects to these requests, instructions, and definitions to the extent that they seek to impose upon Heartland obligations beyond those required by the Local Rules and the Federal Rules of Civil Procedure.

5. These general objections apply to and are deemed incorporated into each and every response below to Forest River's Requests for Production.

### **RESPONSES TO SPECIFIC REQUESTS**

**REQUEST NO. 47:** Except to the extent previously produced in this form, the Cost of Goods Sold Statement for RV trailers sold between August 1, 2008 and February 1, 2009 (or, if that was not prepared by Heartland in the normal course of business, all of those regularly kept business records from which that Cost of Goods Sold Statement can be accurately and completely derived according to normal accounting practices), including the specific details of material costs, overhead costs, and labor for the actual trailers sold between those dates.

**RESPONSE:** Heartland objects to this request because it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible, relevant evidence. Heartland also objects to this request to the extent that it is unreasonably cumulative and duplicative of discovery Forest River has already obtained in this matter.

**REQUEST NO. 48:** The monthly Profit and Loss Statements for Heartland's RV business between August 1, 2008 and February 1, 2009 (or, if those were not prepared by Heartland in the normal course of business, all of those regularly kept business records from which those statements can be accurately and completely derived).

**RESPONSE:** Heartland objects to this request because it is overly broad, unduly burdensome, and

not reasonably calculated to lead to the discovery of admissible, relevant evidence. Heartland also objects to this request to the extent that it is unreasonably cumulative and duplicative of discovery Forest River has already obtained in this matter.

**REQUEST NO. 49:** Documents sufficient to show the terms and conditions of Heartland's line of credit for business operations and Heartland's financing obligations with respect to dealer floor planning between August 1, 2008 and February 1, 2009, including all reporting forms provided to any lenders.

**RESPONSE:** Heartland objects to this request because it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible, relevant evidence.

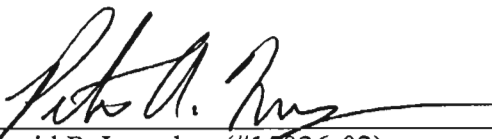
**REQUEST NO. 50:** The monthly or periodic Interim Cash Flow Statements for Heartland's RV business between August 1, 2008 and February 1, 2009, (or, if those were not prepared by Heartland in the normal course of business, all of those regularly kept business records from which those statements can be accurately and completely derived).

**RESPONSE:** Heartland objects to this request because it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible, relevant evidence. Heartland also objects to this request to the extent that it is unreasonably cumulative and duplicative of discovery Forest River has already obtained in this matter.

**REQUEST NO. 51:** The Balance Sheets for Heartland's RV business as of August 1, 2008, October 1, 2008, and as of February 1, 2009 (or, if those were not prepared by Heartland in the normal course of business, all of those regularly kept business records from which those balance sheets can be accurately and completely derived).

**RESPONSE:** Heartland objects to this request because it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible, relevant evidence. Heartland also objects to this request to the extent that it is unreasonably cumulative and duplicative of discovery Forest River has already obtained in this matter.

BAKER & DANIELS LLP

By:   
David P. Irscher (#15026-02)  
Abigail M. Butler (#22295-02)  
Peter A. Meyer (#27968-53)  
111 East Wayne, Suite 800  
Fort Wayne, Indiana 46802  
Tel: 260.424.8000  
Fax: 260.460.1700  
david.irmscher@bakerd.com  
abigail.butler@bakerd.com

ATTORNEYS FOR PLAINTIFF,  
HEARTLAND RECREATIONAL  
VEHICLES, LLC

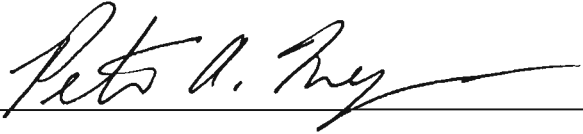
**CERTIFICATE OF SERVICE**

The undersigned counsel for plaintiff Heartland Recreational Vehicles, LLC, hereby certifies that a copy of the foregoing HEARTLAND'S RESPONSES TO FOREST RIVER'S SIXTH REQUESTS FOR PRODUCTION was served on the 22<sup>nd</sup> day of September, 2010, via U.S. Mail.

Ryan M. Fountain  
420 Lincoln Way West  
Mishawaka, Indiana 46544-1902

ATTORNEY FOR DEFENDANT  
FOREST RIVER, INC.

BAKER & DANIELS LLP

  
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