

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

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

**APPENDIX IN SUPPORT OF  
HEARTLAND'S MOTION FOR SUMMARY JUDGMENT**

Pursuant to N.D. Ind. L.R. 56.1 and Fed. R. Civ. P. 56, Heartland Recreational Vehicles, LLC ("Heartland"), submits the following Appendix in Support of its Motion for Summary Judgment, which includes Heartland's Statement of Undisputed Material Facts.

**I. HEARTLAND'S STATEMENT OF UNDISPUTED MATERIAL FACTS**

**II. APPENDIX OF EXHIBITS**

<b><u>EXH.</u></b>	<b><u>DESCRIPTION</u></b>
A.	Excerpts from Deposition of Barnes & Thornburg Attorney Gregory Cooper
B.	Barnes & Thornburg prosecution file excerpts (the "B&T File")
C.	Excerpts from Deposition of Scott Tuttle
D.	Excerpts from Deposition of Barnes & Thornburg Attorney Gerard Gallagher
E.	Excerpts from Deposition of John Rhymer
F.	July 11, 2005 letter from Forest River's Pete Liegl to Gerard Gallagher
G.	Baker & Daniels prosecution file excerpts (the "B&D File")
H.	U.S. Patent No. 7,278,650 (Brady et al.)
I.	Excerpts from Deposition of Brian Brady
J.	The Eliminator trailer
K.	Amended Answer, Defenses, and Counterclaims

- L. Roadmaster Frame
- M. Forest River Cardinal frame
- N. Excerpts from Deposition of Doug Lantz
- O. Excerpts from Deposition of Timothy Hoffman
- P. Heartland's Amended Notice of Deposition to Forest River
- Q. Signature Page for Forest River's Responses to Heartland's First Set of Interrogs.
- R. Excerpts from Deposition of Jeffrey Babcock, Forest River's 30(b)(6) Designee
- S. Petition for Acceptance of Revocation of Power of Attorney, etc.
- T. Expert Report of Jay G. Taylor
- U. Affidavit of Jay G. Taylor
- V. United States Patent No. 6,343,830 (Ingram et al.)
- W. United States Patent No. 6,860,545 (Ingram et al.)
- X. United States Patent No. 6,170,903 (Crean)
- Y. United States Patent No. 5,746,473 (Crean)
- Z. United States Patent No. 4,767,132 (Avery)
- AA. United States Patent Application No. 2002/0003341 (Hall)
- BB. Foreign publication DE 3321306
- CC. Cherokee trailer
- DD. Holiday Rambler trailer
- EE. Space Craft trailer
- FF. Shadow Cruiser trailer
- GG. Catalina Coachmen trailer
- HH. United States Patent No. 6,231,115 (Crean)
- II. Trail Bay Hauler
- JJ. Forest River's Response to Heartland's First Set of Interrogatories (excerpts)
- KK. Affidavit of Bryan Walczak
- LL. Forest River Trade Show Dealer List
- MM. Diagram depicting fifth wheel turning radius prior to Heartland's invention
- NN. Photograph depicting turning radius of Heartland Landmark fifth wheel

- OO. Forest River's Initial and Supplemental Disclosures
- PP. Documents from Scott Tuttle's File at Heartland
- QQ. Affidavit of Brad Campkin
- RR. Excerpts from Deposition of John Leonard
- SS. Excerpts from Deposition of Jack Plummer
- TT. October 22, 2008 E-mail from Coley Brady re Avalon RV Visit
- UU. Forest River's Responses to Heartland's Second Set of Interrogatories
- VV. Excerpts from Deposition of Cindy King
- WW. Excerpts from Deposition of Kelly Gearhart

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**CERTIFICATE OF SERVICE**

The undersigned counsel for plaintiff Heartland Recreational Vehicles, LLC, hereby certifies that a copy of the foregoing was served upon the following, this 2<sup>nd</sup> day of November, 2010, by operation of the Court's electronic filing system:

Ryan M. Fountain  
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*/s/ David P. Irmischer*  
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David P. Irmischer