

Exh. O

1 Q Just so we're clear on terminology: Is there a
2 difference between a "travel-trailer" and "Fifth Wheel"
3 in your mind?
4 A Yes.
5 Q Okay.
6 What is that difference?
7 A A "travel-trailer" is pulled by a bumper pull.
8 Is pulled from the rear of the unit.
9 Where a "Fifth Wheel" is pulled from inside the
10 truck-bed over the axle.
11 Q Okay.
12 You say, "inside the truck-bed."
13 You mean on a pickup truck bed?
14 A Mm-mm.
15 Yes.
16 Q Okay.
17 Now, getting back to some of your background
18 skills:
19 Have you ever built a travel-trailer?
20 A No.
21 Q Did you ever work on a travel-trailer Production
22 Facility?
23 A Be more specific?
24 Q Did you ever help someone build a travel-trailer?
25 A I might have handed them a tool or a wrench.

1 A No. Basically those two.
2 Q You said, "basically."
3 But --
4 A Those two.
5 Q Okay.
6 And, when did you hear that?
7 A Probably two days later.
8 Probably the 23rd, 24th, October.
9 Q And, how did that come up?
10 A Walking in the halls and walking in the rooms asking
11 them what's going on?
12 And, they mentioned that they heard that Forest
13 River was mad about them delivering -- or Walczek
14 delivering packets to the hotels.
15 Q And what was your response?
16 A My response was -- I didn't have much of a response.
17 I don't find that as a problem.
18 A guy delivering packets to a hotel is normal
19 business in Elkhart, and anywhere in the RV-Industry.
20 Q You say "delivering packets to a hotel."
21 What do you mean?
22 A Well, like at Louisville every year we get information
23 put underneath our door from every competitor, for the
24 dealers and competitors alike.
25 Giving information is a normal way of doing

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CROSS EXAMINATION

BY MR. DAVID P. IRMSCHER:

Q You've mentioned a number of times that -- I believe it's Loveall's and Race Track -- purchased products from Heartland after the Forest River show.

Is that correct?

A Yes.

Q Okay.

What did you do to figure out that they did that?

How did you go about generating the list that's in front of you?

A I asked the Office Personnel to pull all orders up between the month of October and November.

And, who was the dealers.

And, we matched them up, also, against the Forest River list was, too.

So, we double-checked that.

Q Okay.

And, the only two that purchased that were on the Forest River list, Lovealls and Race Track.

Correct?

A Yes, sir.

Q And, Race Track was a pre-existing customer.

Is that right?

1 A Yes.

2 Q Did Race Track get a packet under its door?

3 Or do you know?

4 A Race Track did get a packet.

5 Q Okay.

6 How do you know that?

7 A They mentioned it to me when they stopped in and saw

8 us.

9 Q Did they buy their -- the products that they bought as

10 a result of getting a packet under the door?

11 A No.

12 Q Why do you say that?

13 A They were a current dealer. We prospected them before

14 on the new product-line, the Eagle Ridge.

15 And, he was a very happy customer with us. And he

16 indicated to us that he wanted to do more business with

17 Heartland.

18 Q So, he was already a customer of Heartland's and he

19 just bought a new product, the "Eagle Ridge" product.

20 Is that right?

21 A Yes, sir.

22 Q And, that happened in October after the Forest River

23 event?

24 A That's correct.

25 Q What about "Race Track?"

1 Did "Race Track" get a packet under their door, to
2 your knowledge?

3 A "Race Track" did.

4 Q I'm sorry.

5 "Loveall."

6 Did Loveall's?

7 A I do not know.

8 Q Okay.

9 Did you talk with Loveall's -- that dealer at the
10 time of the Forest River show?

11 A No. I did not.

12 Q Do you know if they came to your dealership?

13 Or to the Heartland facility during the Forest
14 River show?

15 A Yes.

16 My Brand Manager said they came to the Heartland
17 Facility.

18 Q Okay.

19 And, is it your opinion that they purchased the
20 products that they purchased as a result of getting a
21 packet under the door?

22 A No. They did not.

23 Q How do you know that?

24 A We had been prospecting them for quite some time.

25 Approximately six months. We did repeated drive-bys.

1 We've been on their lot.

2 We've been pursuing them for quite sometime.

3 And, they showed strong/interest in buying
4 Heartland product.

5 Q And, this was the first time they purchased any
6 Heartland product, would have been in October of 2008.

7 Is that right?

8 A Yes.

9 That's correct.

10 Q Okay.

11 Early today you had been asked some questions
12 about the Patent, Exhibit 1, in this case.

13 Is it your understanding that that Patent relates
14 to Fifth Wheels?

15 Or travel-trailers?

16 Or do you have an understanding?

17 A My understanding is it relates to Fifth Wheels only.

18 Q That's because the turning radius that's at issue there
19 is with respect to a Fifth Wheel.

20 Is that right?

21 A That's correct.

22 Q Okay.

23 You talked earlier today about a possible sale of
24 interest in the Patent.

25 Do you recall that testimony?