

UNITED STATES DISTRICT COURT
Northern District of Indiana
South Bend Division

HEARTLAND RECREATIONAL)	
VEHICLES, INC.,)	
Plaintiff,)	
)	CASE NO.: <u>3:08-CV-490</u>
v.)	
)	
FOREST RIVER, INC.,)	
Defendant.)	

CERTIFICATE UNDER FED. R. CIV. P. 37 AND L. R. 37.1 IN SUPPORT OF FOREST RIVER’S MOTION TO COMPEL DEPOSITION OF HEARTLAND ON GAIN FROM USE OF THE MASTER LIST

The undersigned counsel certifies that on various occasions, including as detailed in the subject motion at pages 6-9 and Exhibit D thereof and on December 1, 2010, starting at approximately 10:00 a.m. and extending for approximately 17 minutes in a telephone conference call with David Irscher and Peter Meyer, each counsel being present in their respective offices on each occasion, he made a good faith effort to resolve the discovery disputes of the subject motion without the need for Court action.

Dated: December 8, 2010

Respectfully submitted,

s/Ryan M. Fountain

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ATTORNEY FOR FOREST RIVER, INC.

Certificate of Service

I certify that on December 8, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF system, which sent notification of such filing to all of the parties through at least the following counsel of record:

David P. Irmischer david.irmscher@bakerd.com

s/Ryan M. Fountain

Ryan M. Fountain

ATTORNEY FOR FOREST RIVER, INC.