

**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. 26(c)(1) AND L. R. 37.1 IN SUPPORT OF FOREST RIVER’S MOTION FOR ENFORCEMENT OF SCHEDULING ORDER AND FOR PROTECTIVE ORDER TO PREVENT ENFORCEMENT OF HEARTLAND’S POST-DISCOVERY SUBPOENA TO RV DAILY REPORT**

I certify that on various occasions, I made good faith efforts to resolve the discovery disputes of the subject motion without the need for Court action. For example, on December 14, 2010 commencing at 10:07 am and extending until 10:23 am, I engaged in a telephone conference with Peter Meyer, Heartland’s counsel, in an attempt to resolve these disputes. On December 15, starting at 9:27 am, and on December 16, starting at 9:42 am, I had follow up telephone calls with Mr. Meyer for the same purpose. Each counsel was present in their respective offices on each occasion.

Dated: December 27, 2010

Respectfully submitted,

s/Ryan M. Fountain

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Ryan M. Fountain (8544-71)  
*RyanFountain@aol.com*  
420 Lincoln Way West

Mishawaka, Indiana 46544  
Telephone: (574) 258-9296  
Telecopy: (574) 256-5137

ATTORNEY FOR FOREST RIVER, INC.

**Certificate of Service**

I certify that on December 27, 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](mailto:david.irmscher@bakerd.com)

s/Ryan M. Fountain

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Ryan M. Fountain

ATTORNEY FOR FOREST RIVER, INC.