

UNITED STATES DISTRICT COURT  
Northern District of Indiana  
South Bend Division

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

**LOCAL RULE 37.1 CERTIFICATION RE: HEARTLAND'S MOTION FOR PROTECTIVE ORDER QUASHING SUBPOENAS TO NON-PARTIES**

Pursuant to Federal Rule of Civil Procedure 26(c)(1) and Local Rule 37.1, counsel for Heartland Recreational Vehicles, LLC ("Heartland") certifies that it has conferred in good faith with counsel for Forest River, Inc. ("Forest River") before filing its Motion for Protective Order Quashing Subpoenas to Non-Parties.

On September 25, 2009, Heartland counsel David Irscher conferred telephonically with Forest River counsel Ryan Fountain regarding Heartland's concerns related to the subpoenas duces tecum issued to non-parties RSM McGladrey, Inc., Fifth Third Bank, and Crowe Horwath, LLC.

However, despite the parties' good faith discussions, they were unable to resolve the discovery dispute arising from the issuance of the subpoenas. Therefore, Heartland has filed its Motion seeking relief from the Court.

BAKER & DANIELS LLP

By: /s/ David P. Irmischer  
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ATTORNEYS FOR PLAINTIFF,  
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**CERTIFICATE OF SERVICE**

The undersigned counsel for plaintiff Heartland Recreational Vehicles, LLC, hereby certifies that a copy of the foregoing LOCAL RULE 37.1 CERTIFICATION RE: HEARTLAND'S MOTION FOR PROTECTIVE ORDER QUASHING SUBPOENAS TO NON-PARTIES was served upon the following, this 28th day of September, 2009, by operation of the Court's ECF system:

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

/s/ David P. Irmischer  
David P. Irmischer