

October 23, 2007

Matthew D. Spohn
Direct Dial: (612) 604-6526
Direct Fax: (612) 604-6926
mspohn@winthrop.com

Gertie Simon
Calendar Clerk to Judge Ann D. Montgomery
U.S. Courthouse Room 13W
300 South Fourth Street
Minneapolis, MN 55415

Via ECF Filing

RE: Hysitron Incorporated v. MTS Systems Corporation
Court File No.: 07-CV-01533 ADM/AJB

Dear Ms. Simon:

Our firm represents the defendant MTS Systems Corporations ("MTS"), and I am writing to follow up on my call to you today regarding scheduling of MTS's motion to exclude plaintiff Hysitron Incorporated's proposed expert from the forthcoming claim construction process.

I have spoken with opposing counsel, and we agreed that MTS will file its motion papers tomorrow, October 24, 2007, and Hysitron Incorporated will file its responsive papers on Wednesday, November 7, 2007. I understand that after the motion is briefed, Judge Montgomery will decide how to proceed.

Thank you for your time regarding this matter; let us know if you need anything further from us.

Very truly yours,

WINTHROP & WEINSTINE, P.A.

s/Matthew D. Spohn

Matthew D. Spohn

cc: Allen W. Hinderaker
Todd S. Werner
David P. Pearson

3461622v1