

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

)	
HYSITRON INCORPORATED,)	Civil No. 07-cv-01533 (ADM/AJB)
a Minnesota corporation,)	
)	
Plaintiff,)	
v.)	
)	DEFENDANT’S NOTICE OF
MTS SYSTEMS CORPORATION,)	MOTION FOR PARTIAL
a Minnesota corporation,)	SUMMARY JUDGMENT
)	
Defendant.)	
)	

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on Thursday, May 29, 2008 at 1:30 p.m. before the Honorable District Court Judge Ann D. Montgomery in Courtroom 13W, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, Defendant MTS Systems Corporation (“Defendant”) will move the Court for Summary Judgment on Counts III, VI, V, VI, and VII of Plaintiff Hysitron Incorporated’s Amended Complaint.

Defendant’s Motion is based on Rule 56 of the Federal Rules of Civil Procedure, the files, records, and pleadings in the case, the Memoranda of Law and supporting affidavits to be filed in the ordinary course, and the arguments of counsel in the case.

Dated: April 2, 2008

WINTHROP & WEINSTINE, P.A.

By: s/Kyle J. Kaiser

David P. Pearson, #84712

Daniel J. Kelly, #0351386

Kyle J. Kaiser, #0345106

Brent A. Lorentz, #386865

Suite 3500

225 South Sixth Street

Minneapolis, Minnesota 55402

Tel: (612) 604-6400

Fax: (612) 604-6800

Attorneys for Defendant MTS Systems Corporation

3725754v1