

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

TREK BICYCLE CORPORATION,

Plaintiff,

v.

Case No. 3:08-cv-198

LEMOND CYCLING, INC,

Defendant.

**TREK BICYCLE CORPORATION'S RESPONSE
TO LEMOND'S MOTION TO TRANSFER OR DISMISS**

Plaintiff Trek Bicycle Corporation submits this response to LeMond's motion to transfer or dismiss.

Trek consents to a transfer of this action to the United States District Court for the District of Minnesota, where it can be consolidated with an action pending between the parties before the Honorable Richard H. Kyle, Case No. 08-CV-1010. Trek commenced this action on the basis that the operative facts giving rise to the litigation arose in the Western District of Wisconsin. After briefing and oral argument on Trek's motion to transfer the Minnesota action to this Court, however, Judge Kyle decided to retain the case pending before him. Thus, transfer and consolidation of the cases before Judge Kyle will promote an efficient resolution of the disputes between Trek and LeMond.

Trek writes further only to note that LeMond's description of recent events omits critical facts about Mr. LeMond's conduct, which conduct necessitated Trek filing this action. Trek need not detail these facts here, given the consent to transfer, but will

address them and the significant financial damage done to Trek as the case moves forward.

Dated this 13th day of June 2008.

Gass Weber Mullins LLC
Attorneys for Plaintiff Trek Bicycle Corporation

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