

DOWD, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Rayco Manufacturing, Inc., et al.,	)	CASE NO. 5:08 CV 74
	)	
Plaintiffs,	)	
	)	<u>JUDGMENT ENTRY</u>
v.	)	
	)	
Deutz Corporation, et al.,	)	
	)	
Defendants.	)	
	)	

For the reasons contained in the memorandum opinions and orders previously and contemporaneously filed herewith, the Deutz defendants’ motions for summary judgment against plaintiff Rayco Manufacturing, Inc. (ECF 138) and intervening plaintiff Fecon, Inc. (ECF 142) are granted in part and denied in part.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the for the reasons stated in the Court’s memorandum opinions and orders previously filed (See ECF 180 and 185), defendants’ motions for summary judgment against Rayco and Fecon are DENIED IN PART with respect to the engines which were the subject of the deposition testimony of Aaron Wade Taylor, Thomas Cole, John Orban, and John Dukes, and with respect to the engines described in the declarations of Chris Howard and Bill Gourley.

IT IS FURTHER HEREBY ORDERED, ADJUDGED and DECREED that for the reasons stated in the Court’s memorandum opinion and order contemporaneously filed with this judgment entry, defendants’ motions for summary judgment against Rayco and Fecon are

(5:08 CV 74)

GRANTED IN PART with respect to all engines which are the subject of this lawsuit, except those engines for which the Court denied in part defendants' motions for summary judgment, as described *supra*.

IT IS SO ORDERED.

November 3, 2010  
Date

*s/ David D. Dowd, Jr.*  
David D. Dowd, Jr.  
U.S. District Judge