## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

| FABICK, INC.,      |            |               |
|--------------------|------------|---------------|
|                    | Plaintiff, | ORDER         |
| v.<br>JFTCO, INC., |            | 16-cv-172-wmc |
|                    | Defendant. |               |

The court held a conference today before voir dire to hear further argument and rule on a number of pending issues. The purpose of this order is simply to formalize those rulings.

## IT IS ORDERED that:

- 1) Plaintiff Fabick, Inc.'s objection to defendant JFTCO, Inc.'s Exhibit No. 993 is SUSTAINED, although defendant may use the letter for impeachment.
- 2) Defendant's objections to plaintiff's Exhibit Nos. 157-159 are OVERRULED.
- 3) Defendant's motion in limine no. 11 (dkt. #238) is GRANTED.
- 4) Plaintiff may present evidence of FABCO's historic sales in Wisconsin and the UP but only to illustrate the appropriate market segment, not to argue that JFTCO / John Fabick Tractor Company's sales were *de minimis* or not substantial by comparison.

Entered this 11th day of December, 2017.

| BY THE COURT:                       |  |
|-------------------------------------|--|
| /s/                                 |  |
| WILLIAM M. CONLEY<br>District Judge |  |