

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

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GARMIN LTD. and
GARMIN CORPORATION,

Plaintiffs,

v.

TOMTOM, INC.,

Defendant,

TOMTOM, INC. and
BALDIVI B.V.,

Counterplaintiffs,

v.

GARMIN LTD.,
GARMIN CORPORATION, and
GARMIN INTERNATIONAL, INC.

Counterdefendants.

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ORDER

06-C-0062-C
06-C-0063-C

In an order dated December 22, 2006, I concluded as a matter of law that each of the

claims asserted by Garmin in its motion for summary judgment were either not infringed by TomTom's products or were invalid. I similarly concluded that Garmin was entitled to summary judgment on the counterclaims asserted by TomTom. Because it appeared that there were no other claims in dispute, I entered judgment and ordered the clerk of court to close the case, which she did on December 28.

Garmin has now moved to reopen the case on the ground that it is asserting other claims that remain unresolved. Although Garmin did not list these claims in its complaint, its proposed findings of fact or its summary judgment motion or brief, it points to other parts of the record that discuss these other claims.

If either side has unresolved claims of which the other side had adequate notice, I will grant the motion to reopen without hesitation. Accordingly, IT IS ORDERED that the parties may have until January 10, 2007, in which to submit a stipulation setting forth the claims for both sides that remain in dispute. If the parties cannot reach agreement, each side should submit its own statement, accompanied by a brief supporting its view.

Entered this 3d day of January, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge