

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

TAURUS IP, LLC,

Plaintiff,

v.

FORD MOTOR COMPANY,
MAZDA MOTOR OF AMERICA, INC. and
VOLVO CARS OF NORTH AMERICA,
INC.,

Defendants.

ORDER

07-cv-481-bbc

In an order dated February 4, 2008, I granted defendants' motion for a more definite statement and denied their motion to dismiss or stay this case. Order, dkt. #31. Plaintiff has moved for a clarification of that order, contending that there exist factual errors in the court's findings of fact. Plaintiff is concerned that the order could be used improperly by defendants or used by commentators to support facts that are not true.

Plaintiff lists seven "factual errors" for which it requests correction. Six of the "errors" are facts that were asserted by defendants that plaintiff did not dispute. There is no reason to address these alleged factual disputes at this stage. Plaintiff prevailed on the motion to dismiss or stay and the order made it clear that the facts presented were undisputed only for

the purpose of that order. Order, dkt. #31 at 2, 9. Plaintiff will have an opportunity to develop the record as the case proceeds.

However, one of the errors was a misstatement of the facts presented by defendants. Page 4 of the order states: “In response, Spangenberg sent defendants a list of patents owned by Orion and its affiliates. The list included the two patents implicated in the then-pending litigations and four other patents. It did not include the ‘658 patent.” It should state: “In response, Spangenberg sent defendants a list of patents owned by Orion and its affiliates. Among the patents identified, the list included the two patents implicated in the then-pending litigations and the ‘658 patent.” Defendants agree that the court misstated the facts asserted. The opinion will be corrected.

ORDER

IT IS ORDERED that plaintiff’s motion for clarification (dkt. #32) is GRANTED

in part. Page 4 of the February 4, 2008 order is CORRECTED in accordance with this opinion.

Entered this 21st day of February, 2008.

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