

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

RUGGED CROSS HUNTING BLINDS, LLC

CASE NO.: 3:22-cv-690-jdp

Plaintiff,

v.

FERADYNE OUTDOORS, LLC,

Defendant.

_____ /

AMENDED NOTICE OF TAKING DEPOSITION OF NON-PARTY, TRU-VIEW, LLC

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6), Federal Rules of Civil Procedure the undersigned attorney will take the deposition of the Corporate Representative(s) for Non-Party, Tru-View, LLC by stenographic means on Wednesday, May 31, 2023 beginning at 10:00 a.m. at the offices of Metropolitan Court Reporters, 11880 College Blvd. Suite 405, Overland Park, Kansas 66210, upon oral examination in accordance with and for all purposes allowed by the Federal Rules of Civil Procedure. The deposition will be recorded by stenographic before Metropolitan Court Reporters, 11880 College Blvd. Suite 405, Overland Park, Kansas 66210, or some other public stenographer duly authorized by law to take depositions.

Tru-View, LLC shall designate one or more officers, directors, or managing agents, or other persons who consent to do so, to testify on its behalf and may state the matters on which each person designated will testify. The persons so designated shall testify about matters known or reasonably available.

Pursuant to Fed.R.Civ.P. 30(b)(6), the deponent shall testify about all facts and circumstances concerning the items listed on the attached Schedule A.

The examination will continue from day to day until completed. The deposition is being taken for the purpose of discovery, for use at trial, or both of the foregoing, or for such other purposes as are permitted under applicable rules of court.

Dated this 2nd day of May, 2023.

Respectfully submitted,

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Attorneys for Plaintiff

/s/ Robert L. Wolter

Robert L. Wolter
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above has been served by electronic mail this 2nd day of May, 2023 to: Craig S. Krummen, Esquire, 90 South 7th Street, Suite 3500, Minneapolis, MS 55402.

/s/ Robert L. Wolter

Attorney

**SCHEDULE “A” TO SUBPOENA FOR DEPOSITION
TO NON-PARTY TRU-VIEW, LLC**

Plaintiff, Rugged Cross Hunting Blinds, LLC, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, requests that Non-Party, Tru-View, LLC designate one or more officers, directors or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify, as to the topic below.

DEFINITIONS

1. As used herein, the terms “you” or “your” shall refer to Non-Party, Tru-View, LLC, unless otherwise identified individually, including any business entity formed, controlled or participated in by Non-Party, as well as any predecessor, successor, division, subsidiary, officer, director, shareholder, employee, or principal thereof, as well as any attorney or other agent acting on his or its behalf.

2. As used herein the term “FeraDyne” shall mean the Defendant its agents, employees, representatives or any other person or entity purporting to act on its behalf.

3. As used herein, the term “Plaintiff” shall mean and refer to Rugged Cross Hunting Blinds, LLC, its agents, employees, representatives or any other person or entity purporting to act on its behalf.

4. The words “document(s)” or “record(s)” as used herein shall mean all written, graphic, electronically stored or otherwise recorded matter, however produced or reproduced, in the actual or constructive possession, custody, care or control of you, your officers, agents, employees and attorneys, or any of them, including, but not limited to, originals and all copies of correspondence, memoranda, notes, tapes, disks, microfilms, photographs, telegrams, sound recordings, minutes of director’s meetings and of committee meetings, minutes of all other types of meetings, inter-office communications, reports, contracts, licenses, agreements, pleadings, notices, orders, ledgers, books of account, vouchers, bank checks, invoices, purchase orders, charge slips, hotel charges, copies of tax returns and tax reports, receipts, freight bills, working papers, computer printouts, statistical records, delivery records, abstracts of bids, stenographers’ notebooks, desk calendars, appointment books, diaries, time sheets and logs, job, matter and transaction files, and any papers or recordings similar thereto, whether made or received by you.

5. The word “person” as used herein shall mean any individual, firm, partnership, corporation, association, business or governmental entity or sub-division, agency, department, or other entity and any “person” acting by or through, directly or indirectly, any other “person” as well as any “person” by whom such “person” was controlled with respect to the matter in question.

6. “Tru-View” means Tru-View, LLC, a company having an address at 3629 North Hydraulic Street, Wichita, Kansas 67219, and including its agents, employees, representatives or any other person or entity purporting to act on its behalf.

7. “OPI” means DBR Finance, Inc. f/k/a Outdoor Product Innovations, Inc., a company having, or which had, an address of 177 Reaser Court, Elyria, Ohio, and at least a portion of which has been acquired by Defendant, FeraDyne Outdoors, LLC, OPI includes its agents, employees, representatives or any other person or entity purporting to act on its behalf.

8. “Hadley” means Hadley Development, LLC, a company having and address of 3629 North Hydraulic Street, Wichita, Kansas 67219, and including its agents, employees, representatives or any other person or entity purporting to act on its behalf.

9. “Tru-View hunting blinds” shall mean ground hunting blinds manufactured, sourced or sold Tru-View including a “one-way see-through” mesh material manufactured, sold or sourced by Tru-View.

10. “Rhino 180 blind” shall mean the hunting blind referred to in the Complaint (a copy of which is attached) and manufactured and sold by the Defendant or the hunting blinds manufactured and/or sold by OPI under the name “Rhino 180”.

11. The words “relate to” or “relating to” as used herein shall mean in connection with, in association with, appertaining to, regarding or involving the matter in question.

12. The words “reflect” or “reflecting” as used herein shall mean evidencing, exhibiting, indicating, revealing, or showing the matter in question.

13. As may be used herein, the term “communications” means the act or fact of communicating, whether orally, nonverbally, telephonically, electronically, telegraphically, in writing, by recording, or otherwise.

14. As used herein, the term “referring to” shall mean concerning, relating to, pertaining to, describing, reflecting, constituting, and/or evidencing, whether directly or indirectly.

15. If any document relates in any manner to a meeting or to any other conversation, all participants in the meeting or conversation are to be identified, by name, address and telephone number.

16. The term “Named Inventor” means any inventor or combination of inventors listed on the face of any Patent in Suit.

17. The term “Patent in Suit” refers to U.S. Patent No. 11,399,535

18. The term “Prior Art” means all documents, information, acts, or things that qualify as prior art under any subsection of 35 U.S.C. §§ 102 and 103 as to the Patent in Suit, including all systems, methods, apparatus, publications, patents, designs, or uses.

19. If you object to a request for production of documents or portion thereof on the grounds that it requests information that is privileged or is encompassed within the attorney work-product doctrine, then you shall provide the following information, except only to the extent it may call for the precise information you object to disclosing:

- a. the nature of the privilege or doctrine you claim;
- b. the identity of all documents subject to the privilege or doctrine
- c. you claim and the identity of all persons known to you to have seen the document;
- d. the identity of all oral communications subject to the privilege or doctrine you claim and the identity of all persons to whom the substance or the oral communication has been disclosed or made known.

20. The term “identify” when used in connection with the identification of any document, including specific books and records, calls for an answer, which shall state the following information with respect to such documents:

- a. The date appearing on the document, and if no date appears thereon, the answer shall so state and shall give the date or approximate date such document was prepared;
- b. Any code number, file number, title or label on each document;
- c. The name of the person who signed such document, and if it was not signed, the answer shall so state, and shall give the name of the person or persons who prepared it;
- d. The name of the person to whom such document was addressed, and the name of each person other than the addressee to whom such document or copies thereof were given or sent; and,
- e. The name, address and telephone number of each person having possession, custody or control of such document or a copy thereof.

21. The term “identify” when used in connection with the identification of any person, is intended to call for an answer which shall state the following information with respect to each person:

- a. The full name of the person;
- b. The present residential and business address and telephone numbers of the person identified; and,
- c. The title, position and affiliation of the person with respect to Defendants; and if the person is not presently employed by or otherwise affiliated with Defendants the answer shall so state.

22. “Identify” with respect to communications means to give, to the extent known,

- a. a description of the substance of the communication;
- b. the form of the communication (e.g., telephone, facsimile, e-mail, etc.);

- c. the identity of each person that was a party to and/or present at the time of the communication, as well as the full name, present or last known address, and the current or last known place of employment of each person;
 - d. the identity of the person whom you contend initiated the communication;
- and
- e. the time, date, and place of the communication.

23. The terms "and" and "or" shall be construed either conjunctively or disjunctively as necessary to bring within the scope of the interrogatory all responses that might otherwise fall outside the scope of this interrogatory.

24. The use of singular form includes plural, and vice versa.

25. The use of present tense includes past tense, and vice versa.

26. "Date" means the exact day, month, and year if ascertainable, or, if not, the best available approximation (including relationship to other events).

27. "Describe" means set forth fully and unambiguously every fact relevant to the subject of the Interrogatory, of which you (including your agents and representatives) have knowledge or information.

28. "Person" means any natural person or any legal entity, including, but not limited to, any business or governmental entity, organization, or association.

AREAS OF INQUIRY AND TOPICS FOR DEPOSITION

1. Any negotiations, contracts, or agreements relating to or referring to the Defendant or between Tru-View and the Defendant.

2. Any and all communications between Tru-View and the Defendant.

3. Any negotiations, contracts, or agreements between Tru-View and OPI.

4. Any and all communications between Tru-View and OPI.

5. Each of the customers of Tru-View that have purchased Tru-View hunting blinds.

6. Any negotiations, licenses, contracts, agreements, or memoranda of understanding between Tru-View and each Tru-View customer related to the purchase and sale of the Tru-View blinds.

7. The profits (net or gross) of Tru-View's sales of the Tru-View blinds from 2018 to the present.

8. The manufacturing and shipping costs of the Tru-View hunting blinds.

9. Any “one-way see-through mesh” material used in the any hunting blinds sold by Tru-View to any of its customers.
10. Any “one-way see-through” mesh material used or sold by Tru-View for the manufacture of ground hunting blind.
11. Revenues, losses, assets, liabilities, costs, and profits of Tru-View for each year from 2018 through 2022.
12. The design and development of the inventions disclosed and claimed in the Tru-View Patents.
13. The design and development of any Tru-View hunting blinds from conception through commercialization.
14. Any and all documents referring or relating to Vista Outdoors, Inc., and communications between, Tru-View and Vista Outdoors, Inc.
15. Any and all documents referring to or relating to Bushnell Holdings, Inc. and communications between Tru-View and Bushnell Holdings, Inc.
16. Any and all documents referring to or relating to Primos Hunting and communications between Tru-View and Primos Hunting.
17. Any and all documents referring to or relating to the Plaintiff and communications between Tru-View and the Plaintiff.
18. Knowledge of any and all documents referring to or relating to and communications between Tru-View and Mr. Jason Harris.
19. The manufacture of the Tru-View blinds.
20. Any negotiations, licenses, contracts, agreements, or memoranda of understanding between Tru-View and each Tru-View customer related to the purchase and sale of the Tru-View blinds.
21. The profits (net or gross) of Tru-View’s sales of the Tru-View blinds from 2018 to the present.
22. The the manufacturing and shipping costs of the Tru-View hunting blinds.
23. Any “one-way see-through mesh” material used in the any hunting blinds sold by Tru-View to any of its customers.

24. Any “one-way see-through” mesh material used or sold by Tru-View for the manufacture of the Tru-View hunting blinds.

25. Revenues, losses, assets, liabilities, costs, and profits of Tru-View for each year from 2018 through 2022.

26. Communications between Tru-View and Mr. Jason Harris.

27. Documents referring to, relating to Mr. Jason Harris.