IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02640-REB-KMT
(consolidated with Civil Action No. 13-cv-02976-REB-KMT)

WYERS PRODUCTS GROUP, INC. et al.,

Plaintiffs,

v.

CEQUENT PERFORMANCE PRODUCTS, INC.,

Defendant.

JOINT MOTION FOR LEAVE TO SUBMIT SUPPLEMENTAL AUTHORITY RELATING TO CEQUENT'S RENEWED MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM

On September 24, 2013, Cequent Performance Products, Inc. moved to dismiss plaintiffs' claims for infringement of the '115 patent [#61]. Briefing on that motion concluded on November 04, 2013 [#82]. Just last Friday, November 15, 2013, the United States Court of Appeals for the Federal Circuit issued a precedential opinion in *Ohio Willow Wood Co. v. Alps South, LLC*, --- F.3d ----, Appeal Nos. 2012-1642, 2013-1024, 2013 WL 6037196 (Fed. Cir. Nov. 15, 2013) (att'd as Exhibit 1). The parties jointly move for leave to submit that opinion to the Court as supplemental authority on the question of collateral estoppel as raised by the parties.

Dated: November 21, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2013, I electronically filed the foregoing **JOINT MOTION FOR LEAVE TO SUBMIT SUPPLEMENTAL AUTHORITY RELATING TO CEQUENT'S RENEWED MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM** with the Clerk of this Court using the CM/ECF system, which will electronically mail notice to the following:

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