IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAFETY BRAKING CORPORATION, MAGNETAR TECHNOLOGIES CORP., and G&T CONVEYOR CO.,

Plaintiffs,

v.

SIX FLAGS THEME PARKS INC., TIERCO MARYLAND, INC., GREAT AMERICA LLC, KKI, LLC, MAGIC MOUNTAIN LLC, PARK MANAGEMENT CORP., RIVERSIDE PARK ENTERPRISES, INC., SIX FLAGS OVER GEORGIA II, L.P., SIX FLAGS ST. LOUIS LLC, TEXAS FLAGS, LTD., ASTROWORLD, L.P., DARIEN LAKE THEME PARK AND CAMPING RESORT, INC., ELITCH GARDENS, L.P., BUSCH ENTERTAINMENT CORP., CEDAR FAIR LP, PARAMOUNT PARKS, INC., KNOTT'S BERRY FARM, KINGS ISLAND COMPANY, CEDAR FAIR, UNIVERSAL CITY DEVELOPMENT PARTNERS LTD., UNIVERSAL CITY STUDIOS LLLP,

Defendants.

Civil Action No. 07-127-***

PLAINTIFFS' UNOPPOSED APPLICATION FOR ISSUANCE OF LETTERS OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE PURSUANT TO THE HAGUE CONVENTION OF 1970 ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

1. Plaintiffs Safety Braking Corporation ("Safety Braking"), G&T Conveyor Co. ("G&T"), and Magnetar Technologies Corporation ("Magnetar"), herein referred to collectively as "Plaintiffs," respectfully apply for the issuance by the Court of two Letters of Request filed concurrently herewith, seeking the assistance of the judicial authorities

of Switzerland for purposes of obtaining witness testimony and documents from two Swiss residents.

2. This Application is made pursuant to, and in conformity with, the Hague Convention of 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters, T.I.A.S. 7444, 23 U.S.T. 2555, *reprinted in* 28 U.S.C.A. § 1781, ("the Hague Convention") and Rules 28 and 30 of the Federal Rules of Civil Procedure.

3. Issuance of a Letter of Request under the Hague Convention is the proper method for seeking testimony and documents of persons residing abroad. Fed. R. Civ. P. 28; *Pain v. United Technologies Corp.*, 637 F.2d 775, 788-90 (D.C. Cir. 1980).

4. Plaintiffs seek evidence from Patrick Spieldiener and Walter Bolliger (collectively referred to herein as "the witnesses"). Each of the witnesses is a Swiss resident. Patrick Spieldiener is the President of Intamin AG ("Intamin"), a company that designs and manufactures amusement rides. Walter Bolliger is President of Bolliger and Mabillard Consulting Engineers, Inc. ("B&M"), a company that designs and manufactures amusement rides.

5. As Presidents of their respective companies, it is expected that the witnesses have within their possession, custody, or control, documents detailing the design, sale, and manufacturing, of amusement rides to Defendant companies, including several rides that infringe U.S. Patent No. 5,277,125 ("the '125 patent") or U.S. Patent No. 6,659,237 ("the '237 patent").

6. Plaintiffs anticipate that the testimony and documents requested from the witnesses will provide necessary information regarding: (1) technical specifications of infringing rides manufactured and sold by Intamin and B&M to Defendants in this

litigation, (2) financial data for infringing rides manufactured and sold by Intamin and B&M to Defendants in this litigation, (3) possible prior art to one or more patents in this litigation, and (4) reasonable royalty rates for similar patents licensed by Intamin or B&M.

7. Therefore, Plaintiffs request that the Court approve and sign the attached Letters of Request. Plaintiffs further request that after the Court has signed the Letters of Request, that the Clerk of this Court authenticate the Court's signature under the seal of this Court, and that the Letters of Request be thereafter returned by the Clerk to counsel for Plaintiffs. Counsel will finalize translations of the Letters of Request and promptly cause the Letters of Request to be transmitted to the appropriate judicial authorities in Switzerland, in conformity with Article 2 of the Hague Convention.

8. **The undersigned attorneys stand ready to reimburse this Court and/or the judicial authorities of Switzerland for any expenses incurred in connection with the execution of these Letters of Request.**

9. In accordance with Local Rule 7.1.1, counsel for Plaintiffs has conferred with counsel for Defendants and Defendants have indicated that they will not oppose this Application for Issuance of Letters of Request.

ARGUMENT

10. Plaintiffs seek evidence from two Presidents of Swiss companies that design and manufacture amusement rides, Intamin and B&M. Intamin and B&M, as designers and manufacturers of several infringing amusement rides, have documents and information essential to Plaintiffs' claims and defenses. Therefore, Plaintiffs seek to compel testimony and document production through the Hague Convention.

I. THE ISSUANCE OF LETTERS OF REQUEST IS THE APPROPRIATE PROCEDURE FOR OBTAINING FOREIGN EVIDENCE

11. The Hague Convention requests that signatory nations, such as the United States and Switzerland, respond to requests from other signatories for evidence related to civil or commercial matters. 23 U.S.T. 2555. Such requests are styled as a Letter of Request. A Letter of Request is directed to the foreign judicial authority in order to enlist the cooperation of the courts of that nation in compelling evidence from witnesses. *See* Fed. R. Civ. P. 28(b). Letters of Request for the examination of witnesses are properly issued pursuant to the Hague Convention when, as here, the information is "significant to the resolution" of the litigation. *See DBMS Consultants v. Computer Assocs. Int'l Inc.,* 131 F.R.D. 367, 369 (D. Mass. 1990).

12. Federal courts have statutory power under 28 U.S.C. § 1781 and also "inherent" authority to issue letters of request to foreign countries. *See United States v. Reagan*, 453 F.2d 165, 172 (6th Cir. 1971); *see also* 28 U.S.C. 1651 ("All Writs Act") and Fed. R. Civ. P. 28(b). Plaintiffs respectfully request that the Court grant this application and issue the attached proposed Letters of Request.

II. PLAINTIFFS REQUIRE FOREIGN EVIDENCE-TAKING TO FULLY AND FAIRLY PRESENT ITS DEFENSES AND COUNTERCLAIMS AT TRIAL

13. Plaintiffs' infringement allegations are based on rides that are operated at amusement parks owned and/or operated by Defendants, that meet all limitations of claims in the '125 patent and the '237 patent. The rides were manufactured by several different companies, including Intamin and B&M.

14. The witnesses are Swiss residents and Presidents of Intamin and B&M. Intamin and B&M designed, manufactured, and sold amusement rides that infringe

claims of the ‘125 patent and the ‘237 patent. These rides were provided to Defendants for use in amusement parks operated by Defendants. Plaintiffs anticipate that the testimony and documents requested from the witnesses will provide necessary information regarding:

(i) the technical design of amusement rides provided to Defendants that infringe the ‘125 patent and the ‘237 patent;

(ii) the purchase price, cost of design, and cost of production of amusement rides provided to Defendants that infringe the ‘125 patent and the ‘237 patent;

(iii) identification of possible prior art to the ‘125 patent and the ‘237 patent; and

(iv) information regarding the past licensing of patents covering similar technology to that claimed in the ‘125 patent and the ‘237 patent.

15. The witnesses, as Swiss citizens, are outside the subpoena power of the United States. Plaintiffs therefore request that the Court issue the attached proposed Letters of Request seeking judicial assistance from the appropriate judicial authorities of Switzerland to obtain testimony and documents from the witnesses.

III. CONCLUSION

16. The questions and document requests in the attached proposed Letters of Request are narrowly tailored to obtain relevant testimony and evidence and are necessary in order for Plaintiffs to fully and fairly present their claims and defenses at trial. For the foregoing reasons, Plaintiffs respectfully request that the Court grant this Application and issue the attached Letters of Request to the appropriate Swiss authorities.

/s/ Geoffrey A. Zelley
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Attorneys for Plaintiffs

Dated: October 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to counsel of record on the Court's CM/ECF registrants for this case. I further certify that on October 19, 2007, I caused a copy of the foregoing document to be served upon the following in the manner indicated:

BY E-MAIL AND HAND DELIVERY

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/s/ Geoffrey A. Zelley
Geoffrey A. Zelley (#4939)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAFETY BRAKING CORPORATION, MAGNETAR TECHNOLOGIES CORP., and G&T CONVEYOR CO.,

Plaintiffs,

v.

SIX FLAGS THEME PARKS INC., TIERCO MARYLAND, INC., GREAT AMERICA LLC, KKI, LLC, MAGIC MOUNTAIN LLC, PARK MANAGEMENT CORP., RIVERSIDE PARK ENTERPRISES, INC., SIX FLAGS OVER GEORGIA II, L.P., SIX FLAGS ST. LOUIS LLC, TEXAS FLAGS, LTD., ASTROWORLD, L.P., DARIEN LAKE THEME PARK AND CAMPING RESORT, INC., ELITCH GARDENS, L.P., BUSCH ENTERTAINMENT CORP., CEDAR FAIR LP, PARAMOUNT PARKS, INC., KNOTT'S BERRY FARM, KINGS ISLAND COMPANY, CEDAR FAIR, UNIVERSAL CITY DEVELOPMENT PARTNERS LTD., UNIVERSAL CITY STUDIOS LLLP,

Defendants.

Civil Action No. 07-127-***

PLAINTIFFS' REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

The United States District Court for the District of Delaware presents its compliments to the judicial authorities of Switzerland and requests assistance in obtaining evidence to be used in civil proceedings before this Court.

The request is made pursuant to, and in conformity with, Chapter I of the *Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters* ("the Hague Convention"), to which both the United States and the Swiss

Confederation are parties, the Regulation on Judicial Assistance in Civil Matters (ZRHO) and Rules 28 and 30 of the United States Federal Rules of Civil Procedure.

Specifically, this Court requests assistance in compelling testimony and documents from a witness located in the canton of Schwyz in relation to the above-named action. The Court asserts that the evidence sought is directly relevant and necessary to the issues in dispute. This Request fully complies with Swiss reservations under the Hague Evidence Convention. Trial in this action is scheduled to commence on February 2, 2009.

The particulars of this Hague Evidence Request are as follow:

1.	***Sender***	Hon. Mary Pat Thynge United States Magistrate Judge United States District Court for the District of Delaware 844 N. King Street, Room 6100 Wilmington, DE 19801 U.S.A. ***(CIV NO. 07-127-***)***
2.	***Central Authority of the Requested State:***	The Federal Justice and Police Department International Judicial and Extrajudicial Assistance Bundesrain 20 3003 Bern Switzerland Tel: 011-41-31-322-4310 Fax: 011-41-31-322-5380
3.	***Person to whom the executed request is to be returned***	***Plaintiffs' U.S. Legal Representative:*** Francis DiGiovanni Connolly Bove Lodge & Hutz LLP The Nemours Building 1007 North Orange Street P.O. Box 2207 Wilmington, DE 19899 U.S.A.

On behalf of:
Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the
District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
U.S.A.

4. In conformity with Article 3 of the Convention, the undersigned applicant has the honor to submit the following request:

5. Requesting judicial authority: Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the
District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
U.S.A.

To the competent authority of: The Swiss Confederation

6. Names and addresses of the parties and their representatives:

a. Plaintiffs

SAFETY BRAKING CORPORATION, a Delaware corporation with offices in California;

MAGNETAR TECHNOLOGIES CORPORATION, a Nevada corporation with offices in California;

G&T CONVEYOR COMPANY, a Florida corporation with offices in Florida and Texas;

Plaintiffs' U.S. Legal Representatives:

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b. Defendants

SIX FLAGS THEME PARKS, INC., a Delaware corporation with offices in New York;

TIERCO MARYLAND, INC. a Delaware corporation;

GREAT AMERICA LLC, an Illinois company;

KKI, LLC, a Delaware company;

MAGIC MOUNTAIN LLC, a California company;

PARK MANAGEMENT CORP., a California company;

RIVERSIDE PARK ENTERPRISES, a Massachusetts company;

SIX FLAGS OVER GEORGIA II, L.P., a Delaware partnership;

SIX FLAGS ST. LOUIS LLC, a Missouri company;

TEXAS FLAGS, LTD., a Texas partnership;

ASTROWORLD, L.P., a Delaware partnership;

DARIEN LAKE THEME PARK AND CAMPING RESORT INC., a New York corporation;

ELITCH GARDENS, L.P., a Colorado partnership;

CEDAR FAIR LP, a Delaware partnership;

PARAMOUNT PARKS, INC., a Delaware corporation;

KNOTT'S BERRY FARM, a California partnership;

KINGS ISLAND COMPANY, a Delaware company;

CEDAR FAIR, an Ohio partnership;

UNIVERSAL CITY DEVELOPMENT PARTNERS LTD., a Florida partnership;

UNIVERSAL CITY STUDIOS LLLP, a Delaware partnership;

Above-named Defendants' U.S. Legal Representatives:

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7. Nature and purpose of the proceedings and summary of the facts:

PARTIES

Plaintiff/Counterdefendant Safety Braking Company ("Safety Braking") is a corporation organized and existing under the laws of Delaware, with a place of business in California. Plaintiff/Counterdefendant Magnetar Technologies Corporation ("Magnetar") is a Nevada corporation with a place of business in California. Plaintiff/Counterdefendant G&T Conveyor Co. ("G&T") is a Florida corporation with a place of business in Florida. Plaintiffs Safety Braking, Magnetar, and G&T are collectively referred to herein as "Plaintiffs."

Defendant/Counterclaimant Six Flags Theme Parks, Inc. ("SFTP") is a corporation organized and existing under the laws of Delaware. Defendant/Counterclaimant Tierco Maryland, Inc. ("Tierco") is a corporation organized and existing under the laws of Delaware. Defendant/Counterclaimant Great America LLC ("Great America") is a company organized and existing under the laws of Illinois. Defendant/Counterclaimant KKI, LLC ("KKI") is a company organized and existing under the laws of Delaware. Defendant/Counterclaimant Magic Mountain LLC ("Magic Mountain") is a company organized and existing under the laws of the state of California. Defendant/Counterclaimant Park Management Corporation ("PMC") is a corporation

organized and existing under the laws of the state of California. Defendant/Counterclaimant Riverside Park Enterprises ("Riverside") is a company organized and existing under the laws of the commonwealth of Massachusetts. Defendant/Counterclaimant Six Flags Over Georgia II, L.P. ("SFOG") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Six Flags St. Louis LLC ("SFSL") is a company organized and existing under the laws of the state of Missouri. Defendant/Counterclaimant Texas Flags, Ltd. ("Texas Flags") is a partnership organized and existing under the laws of the state of Texas. Defendant/Counterclaimant Astroworld, L.P. ("Astroworld") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Darien Lake Theme Park and Camping Resort, Inc. ("Darien Lake") is a corporation organized and existing under the laws of the state of New York. Defendant/Counterclaimant Elitch Gardens, L.P. ("Elitch Gardens") is a partnership organized and existing under the laws of the state of Colorado. Defendant/Counterclaimants SFTP, Tierco, Great America, KKI, Magic Mountain, PMC, Riverside, SFOG, SFSL, Texas Flags, Astroworld, Darien Lake, and Elitch Gardens are collectively referred to herein as "Six Flags."

Defendant/Counterclaimant Cedar Fair LP ("CFLP") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Paramount Parks, Inc. ("Paramount") is a corporation organized and existing under the laws of the state of Delaware. Knott's Berry Farm ("Knott's") is a partnership organized and existing under the laws of the state of California. Defendant/Counterclaimant Kings Island Company ("Kings") is a corporation organized and existing under the laws of the

state of Delaware. Defendant/Counterclaimant Cedar Fair ("CF") is a partnership organized and existing under the laws of the state of Ohio. Defendant/Counterclaimants CFLP, Paramount, Knott's, Kings, and CF are collectively referred to herein as "Cedar Fair."

Defendant/Counterclaimant Universal City Development Partners Ltd. ("UCDP") is a partnership organized and existing under the laws of the state of Florida. Defendant/Counterclaimant Universal City Studios LLLP ("UCS") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimants UCDP and UCS are collectively referred to herein as "Universal." Defendant/Counterclaimant Busch Entertainment Corp. ("Busch") is a corporation organized and existing under the laws of the state of Delaware.

ALLEGATIONS IN THE COMPLAINT

Plaintiffs initiated a civil lawsuit in the United States District Court for the District of Delaware against Defendants Six Flags, Cedar Fair, Universal, and Busch on March 1, 2007, pursuant to the Patent Laws of the United States, 25 U.S.C. § 1 *et seq.* Plaintiffs allege that Defendants Six Flags, Cedar Fair, Universal, and Busch have infringed, and continue to infringe, United States Patent Number 5,277,125 ("the '125 patent") (*Annex C*; Exhibit 1) through Defendants' use for commercial purposes roller coasters and other amusement devices incorporating all of the limitations of at least one claim within the '125 patent. Plaintiffs further allege that Defendants Universal and Cedar Fair have infringed, and continue to infringe, United States Patent Number 6,659,237 ("the '237 patent") (*Annex C*; Exhibit 2) through Universal and Cedar Fair's

use for commercial purposes roller coasters and other amusement devices incorporating all of the limitations of at least one claim of the '237 patent.

Plaintiffs seek a judgment that Defendants Six Flags, Cedar Fair, Universal, and Busch have infringed the '125 patent and that the infringement was deliberate and willful; that Defendants be permanently enjoined from making, using, selling, or importing within the United States all devices incorporating all of the limitations of at least one claim within the '125 patent; for damages; reasonable attorneys fees, and such other relief as the Court deems proper. Plaintiffs further seek a judgment that Defendants Cedar Fair and Universal have infringed the '237 patent and that the infringement was deliberate and willful; that Defendants Cedar Fair and Universal be permanently enjoined from making, using, selling, or importing within the United States all devices incorporating all of the limitations of at least one claim within the '237 patent; for damages; reasonable attorneys fees, and such other relief as the Court deems proper.

SIX FLAGS, CEDAR FAIR, AND UNIVERSAL'S DEFENSES AND COUNTERCLAIMS

In their Answer and Counterclaims, the Defendants denied that any devices used by Six Flags, Cedar Fair, or Universal infringe the '125 patent and assert that the '125 patent is invalid and unenforceable. The Cedar Fair and Universal Defendants denied that any devices used by Cedar Fair infringe the '237 patent and assert that the '237 patent is invalid and unenforceable. Defendants Six Flags, Cedar Fair, and Universal asserted several affirmative defenses, including equitable estoppel, laches, implied or actual contract, incorrect inventorship, and others.

As Counterclaims, Six Flags, Cedar Fair, and Universal sought dismissal of the Complaint of Plaintiffs; declaration of invalidity for the '125 patent and the '237 patent. Defendants Six Flags, Cedar Fair, and Universal seek a judgment that the '125 patent is invalid and unenforceable; that the '237 patent is invalid and unenforceable; declaration that Defendants Six Flags, Cedar Fair, and Universal have not infringed the '125 patent; declaration that Defendants Cedar Fair and Universal have not infringed the '237 patent; awarding Defendants their costs, including expert fees; and whatever other relief the Court may deem just.

BUSCH'S DEFENSES AND COUNTERCLAIMS

In their Answer and Counterclaims, Busch denied that any devices it used infringed the '125 patent. By way of affirmative defenses, Busch claimed non-infringement of the '125 patent, estoppel based on the prosecution of the '125 patent, failure to mark devices produced with the patent number, invalidity of the '125 patent, laches, and lack of subject matter jurisdiction and/or standing. By way of counterclaims, Busch alleged that that Plaintiffs/Counterclaim Defendants failed to name proper inventors in the '125 patent. Busch seeks for its counterclaims: declaration of invalidity for the '125 patent; declaration of non-infringement of the '125 patent by Busch; declaration that Kwangho Chung should have been named as an inventor of the '125 patent; declaration that Busch owns an interest in the '125 patent; denial of Plaintiffs' requests; attorneys' fees; any other relief the Court deems just.

STAGE OF THE PROCEEDINGS

Plaintiffs Safety Braking, Magnetar, and G&T commenced this action on March 1, 2007 when they filed their original Complaint. A First Amended Complaint was filed

by Plaintiffs on August 9, 2007, naming additional Defendants (named above), and dismissing other Defendants (not named above). Defendants Cedar Fair, Six Flags, and Universal filed their Answer and Counterclaims to that Complaint on August 23, 2007. Defendant Busch separately filed its Answer and Counterclaims on August 23, 2007. Responses to written interrogatories and requests for production of documents have been served by the parties. Trial is scheduled to commence on February 2, 2009.

THE WITNESS

The witness from whom testimony and documents are sought is Patrick Spieldiener, a Swiss resident, and President of Intamin AG. Intamin AG is a Swiss company that designs, sells, manufactures, and installs amusement rides around the world. Among those rides are several rides operated by Defendants that are believed to infringe either the '125 patent or the '237 patent. Among those rides are El Toro at Six Flags Great Adventure; Superman The Escape at Six Flags Magic Mountain; Wicked Twister at Cedar Point; Steel Venom, formerly located at Geauga Lake; Steel Venom at Valleyfair; Volcano: The Blast Coaster at King's Dominion; Vertical Velocity at Six Flags Great America; Vertical Velocity at Six Flags Discovery Kingdom; Maverick at Cedar Point; Top Thrill Dragster at Cedar Point; Xcelerator at Knott's Berry Farm; Kingda Ka at Six Flags Great Adventure; Millennium Force at Cedar Point; Superman Ride of Steel, located at Six Flags New England, Six Flags America, and Darien Lake Theme Park; Drop Zone Stunt Tower, located at King's Dominion, Carrowinds, and Great America; Drop Zone at King's Island; Tower of Doom, located at Six Flags America and Elitch Gardens; Superman Tower of Power, located at Six Flags Kentucky

Kingdom and Six Flags St. Louis, and formerly located at Astroworld; Giant Drop at Six Flags Great America; and Acrophobia at Six Flags Over Georgia.

In addition to designing, manufacturing, selling, and installing amusement rides, Intamin AG is the assignee on numerous patents covering developments in the technology of amusement rides, including but not limited to the application of eddy current brakes in place of, or in supplement to, mechanical brakes. Upon information and belief, Intamin has, in the past, and does, currently, enter into negotiations concerning the possible licensing of the technology claimed in those patents.

Should Patrick Spieldiener be unable to furnish the information sought in this request, or should he be unable to attend and give his testimony, Intamin may name anyone knowledgeable about the requested subject matter to speak in his place, subject to the agreement of the parties in this litigation.

RELEVANCE OF THE EVIDENCE SOUGHT

Plaintiffs in this case have alleged infringement of the ‘125 patent and the ‘237 patent by the Defendants named above. Both patents claim the technology used in certain applications of eddy currents for the purposes of stopping a car mounted on a rail. It is alleged that Defendants infringe one or more of the patents by way of operating for profit amusement rides incorporating eddy current brakes containing all limitations present in particular claims of the ‘125 patent and the ‘237 patent.

As manufacturer of several of the alleged infringing devices, it is expected that Intamin AG would have within its possession documents and information regarding the technical specifications of the braking systems used in those amusement devices. Any documents would include, but not be limited to, technical or design drawings, project

summaries, plans, notes, purchase agreements, documents relating to contractual negotiations as well as finalized contracts, installation plans, manufacturing plans, budgets, and research and design documentation. All of these documents may be necessary for Plaintiffs to be able to prove infringement of the '125 patent or the '237 patent by one or more devices operated by Defendants and designed and manufactured by Intamin AG.

Additionally, in light of Intamin AG's experience in the field, it is expected that Intamin AG would have documents and information within its possession relating to past and ongoing licensing negotiations of patents that cover inventions within the same field of technology, namely eddy current braking devices for amusement rides. Such documents would include but not be limited to e-mail or other communications, documents pertaining to contractual negotiations and the resulting contracts, and allegations of infringement. This information may be necessary for Plaintiffs to be able to prove damages in the form of a reasonable royalty should infringement be established in the litigation.

Plaintiffs assert that facts within the possession of Patrick Spieldiener, or whomever else may be designated by Intamin AG at the approval of parties to this litigation, will establish: (1) one or more amusement rides designed, manufactured, and sold by Intamin AG and operated by one or more Defendant in this litigation contained all of the claim limitations for particular claims of the '125 patent and/or the '237 patent, (2) that Intamin AG has in the past negotiated licenses of patents assigned to Intamin AG covering similar or the same area of technology as the '125 patent and/or the '237 patent, and (3) that Intamin AG is still in the process of negotiating licenses of patents assigned

to Intamin AG covering similar or the same area of technology as the '125 patent and/or the '237 patent.

The District Court asserts that the facts surrounding Intamin's design and manufacturing of particular amusement rides, and Intamin's past and current negotiations to license patents in similar areas of technology to the '125 patent and the '237 patent, are essential to Plaintiffs' ability to fully set forth their claims and defenses at trial. Justice cannot be completely served without Patrick Spieldiener's testimony (or the testimony of someone appointed by Intamin AG competent to provide information in the stated areas, at the agreement of all parties to the litigation).

8. Evidence to be obtained or other judicial act to be performed:

The District Court seeks both oral testimony and document production from the witness. The District Court further requests that the documents produced by the witness be made available for inspection and copying by the parties at least two weeks prior to the oral examination so that counsel may have an opportunity to supplement the questions to be put to the witness based on information disclosed in the documents.

For the reasons set forth above, the District Court believes that the witness will be able to provide evidence directly relevant to the main issues between the parties and without which the ends of justice could not be properly met. The District Court believes that this evidence is not available from any other source.

Questions to be put to Patrick Spieldiener are listed as *Annex A*. Documents sought for production are listed as *Annex B*. Documents supporting this Request and for use during the witness examination are attached as *Annex C*.

9.	***Identities and addresses of persons to be examined:***	Patrick Spieldiener c/o Intamin AG

		Veranastrasse 37 P.O. Box 95 CH-8832 Wollerau Switzerland
10.	***Questions to be put to the persons to be examined or statement of the subject matter about which they are to be examined:***	Please see attached list (*Annex A)*.
11.	***Documents or other property to be inspected:***	Please see attached list (*Annex B*).
12.	***Any requirement that the evidence be given on oath or affirmation and any specific form to be used:***	The witness should be examined under oath or affirmation, or in the alternative, should be instructed of the consequences for the giving of untruthful and false answers under the laws of Switzerland.

13. ***Special methods or procedure to be followed:***

The District Court requests

(1) that the parties' representatives or their designees, interpreters, and a U.S. verbatim court reporter as well as a Swiss stenographer be permitted to attend and participate in the examination;

(2) that the parties' legal representatives or their designees be permitted to submit additional questions to the witness following responses to the questions attached hereto in *Annex A*;

(3) that the interpreters be permitted to assist with the witness examination, at Plaintiffs' expense;

(4) that a U.S. court reporter be permitted to record verbatim the witness examination at Plaintiffs' expense; and

(5) that the Swiss court ensure that any documents produced are authenticated in accordance with its normal practice and procedures.

The District Court additionally requests that the confidentiality of any evidence produced as a result of this Request be maintained pursuant to the laws of Switzerland. Finally, in conformity with Article 7 of the Hague Evidence Convention, the U.S. District Court requests that the Plaintiffs' designee in the United States, Connolly Bove Lodge & Hutz LLP (see contact information above), be advised of the date and location of the Swiss hearing to execute this Request. Connolly Bove Lodge & Hutz LLP may also be contacted if the Swiss authorities require clarification with respect to any aspect of this Request.

14.	***Request for notification of the times and place for the execution of the Request and identity of the person to be notified:***	It is requested that testimony be taken at such place, date or time as ordered by the Swiss Court or as otherwise agreed to by the witness and the respective representatives of the Parties. When the time and place for execution of This request is ordered by the Swiss Court, It is requested that you provide notice Thereof to: ***Plaintiffs' U.S. designee:*** Francis DiGiovanni CONNOLLY BOVE LODGE & HUTZ LLP 1007 N. Orange St. PO Box 2207 Wilmington, DE 19899 U.S.A. Tel: +1.302.658.9141 Fax: +1.302.658.5614 Email: fdigiovanni@cblh.com
16.	***Specification of privilege or duty to refuse to give evidence under the laws of the State of origin:***	The witness may refuse to answer any question propounded pursuant to Section 13 above if such answer (1) would subject the witness to a real and appreciable danger of criminal liability in the United States, or (2) would disclose a confidential

communication between the witness and his attorney.

17. ***The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be Borne by:***

Plaintiff Safety Braking Corporation

c/o Plaintiffs' legal representative:

Francis DiGiovanni, Esq.
Geoffrey A. Zelley, Esq.
CONNOLLY BOVE LODGE & HUTZ LLP
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18. ***Date of Request:*** _____

19. ***Signature and seal of the Requesting Authority:***

_____
Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
U.S.A.

Annex A: Questions to be put to Patrick Spieldiener (in English and in German)
Annex B: Documents Sought for Production (in English and in German)
Annex C: Documents to be Used During Witness Examination/Documents Supporting this Request (in English and German)

ANNEX A
Questions to be put to Patrick Spieldiener

Background Statement regarding questions to be put to the witness:

Plaintiffs assert that several amusement rides designed and manufactured by Intamin AG ("Intamin"), and operated by Defendants, infringe at least one claim of the '125 patent and the '237 patent, as listed in the Request, item 7. Each of these rides, it is alleged, contain all of the limitations of at least one claim in the '125 patent and/or the '237 patent. Patrick Spieldiener is the President of Intamin, and as such, it is believed that he has direct knowledge, or at least has the ability to obtain direct knowledge, of the technical specifications of each of these rides, as well as their purchase prices and any contractual negotiations with Defendants. The testimony of Patrick Spieldiener may be necessary for the Plaintiffs to prove infringement of the '125 patent and/or the '237 patent by the Defendants.

Further, Plaintiffs assert that Intamin is assignee of several patents relevant to the subject matter of the present case. Plaintiffs further assert that Intamin has in the past, and continues to this day, to license those patents. As President of Intamin, it is expected that Patrick Spieldiener would have knowledge of, or at least have access to knowledge of, any licensing negotiations entered into by Intamin regarding patents in the same area of technology, including but not limited to patents claiming eddy current brakes for use in amusement rides. The testimony of Patrick Spieldiener is necessary for the Plaintiffs to determine a reasonable royalty rate for infringement of the '125 patent and the '237 patent

Questions to establish background and foundational information regarding witness:

1. Please state your full name
2. Please state your home address.
3. Please state your date of birth.
4. Are you currently employed by Intamin?
5. Please state Intamin's address.
6. How long have you been employed by Intamin?
7. What positions or titles have you held at Intamin?
8. Please state your job responsibilities for each position or title held at Intamin.
9. In what group or department within Intamin did you hold each position?
10. During what time period did you hold each position?
11. As President of Intamin, what are your duties?
12. Do you have knowledge of all roller coasters or other amusement rides designed and manufactured by Intamin?

a. Questions to establish knowledge of rides designed and manufactured by Intamin, currently operated by Defendants:

13. Do you have knowledge of a ride by the name of El Toro at Six Flags Great Adventure in Jackson, New Jersey?
14. Did Intamin design El Toro?
15. Did Intamin manufacture El Toro?
16. Did Intamin install El Toro?
17. Did Intamin sell El Toro?

18. To whom was El Toro sold?

19. When did Intamin begin design of El Toro?

20. When was El Toro manufactured?

21. When was El Toro sold?

22. When was El Toro installed?

23. What was the total contract cost for El Toro?

24. What portion of that cost was allocated to braking systems?

25. Does El Toro contain braking systems designed to slow the ride?

26. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

27. Are those permanent magnets in opposed arrays?

28. Is there a conductive metallic fin that extends from the cars of El Toro?

29. Where is that conductive metallic fin located on the car?

30. Where are those permanent magnets located in relation to the tracks of the ride?

31. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

32. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

33. Do these eddy currents create a braking force on the ride?

34. Does the ride contain cars?

35. Do the cars sit on parallel rails?

36. Do the cars have wheels?

37. Do the wheels allow the cars to roll on the rails?

38. Do you have knowledge of a ride by the name of Superman The Escape at Six Flags Magic Mountain?

39. Did Intamin design Superman The Escape?

40. Did Intamin manufacture Superman The Escape?

41. Did Intamin install Superman The Escape?

42. Did Intamin sell Superman The Escape?

43. To whom was Superman The Escape sold?

44. When did Intamin begin design of Superman The Escape?

45. When was Superman The Escape manufactured?

46. When was Superman The Escape sold?

47. When was Superman The Escape installed?

48. What was the total contract cost for Superman The Escape?

49. What portion of that cost was allocated to braking systems?

50. Does Superman The Escape contain braking systems designed to slow the ride?

51. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

52. Are those permanent magnets in opposed arrays?

53. Is there a conductive metallic fin that extends from the cars of Superman The Escape?

54. Where is that conductive metallic fin located on the car?

55. Where are those permanent magnets located in relation to the tracks of the ride?

56. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

57. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

58. Do these eddy currents create a braking force on the ride?

59. Does the ride contain cars?

60. Do the cars sit on parallel rails?

61. Do the cars have wheels?

62. Do the wheels allow the cars to roll on the rails?

63. Do you have knowledge of a ride by the name of Wicked Twister at Cedar Point?

64. Did Intamin design Wicked Twister?

65. Did Intamin manufacture Wicked Twister?

66. Did Intamin install Wicked Twister?

67. Did Intamin sell Wicked Twister?

68. To whom was Wicked Twister sold?

69. When did Intamin begin design of Wicked Twister?

70. When was Wicked Twister manufactured?

71. When was Wicked Twister sold?

72. When was Wicked Twister installed?

73. What was the total contract cost for Wicked Twister?

74. What portion of that cost was allocated to braking systems?

75. Does Wicked Twister contain braking systems designed to slow the ride?

76. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

77. Are those permanent magnets in opposed arrays?

78. Is there a conductive metallic fin that extends from the cars of Wicked Twister?

79. Where is that conductive metallic fin located on the car?

80. Where are those permanent magnets located in relation to the tracks of the ride?

81. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

82. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

83. Do these eddy currents create a braking force on the ride?

84. Does the ride contain cars?

85. Do the cars sit on parallel rails?

86. Do the cars have wheels?

87. Do the wheels allow the cars to roll on the rails?

88. Do you have knowledge of a ride by the name of Steel Venom, formerly located at Geauga Lake?

89. Did Intamin design Steel Venom?

90. Did Intamin manufacture Steel Venom?

91. Did Intamin install Steel Venom?

92. Did Intamin sell Steel Venom?

93. To whom was Steel Venom sold?

94. When did Intamin begin design of Steel Venom?

95. When was Steel Venom manufactured?

96. When was Steel Venom sold?

97. When was Steel Venom installed?

98. What was the total contract cost for Steel Venom?

99. What portion of that cost was allocated to braking systems?

100. Does Steel Venom contain braking systems designed to slow the ride?

101. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

102. Are those permanent magnets in opposed arrays?

103. Is there a conductive metallic fin that extends from the cars of Steel Venom?

104. Where is that conductive metallic fin located on the car?

105. Where are those permanent magnets located in relation to the tracks of the ride?

106. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

107. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

108. Do these eddy currents create a braking force on the ride?

109. Does the ride contain cars?

110. Do the cars sit on parallel rails?

111. Do the cars have wheels?

112. Do the wheels allow the cars to roll on the rails?

113. Do you have knowledge of a ride by the name of Steel Venom at Valleyfair?

114. Did Intamin design Steel Venom?

115. Did Intamin manufacture Steel Venom?

116. Did Intamin install Steel Venom?

117. Did Intamin sell Steel Venom?

118. To whom was Steel Venom sold?

119. When did Intamin begin design of Steel Venom?

120. When was Steel Venom manufactured?

121. When was Steel Venom sold?

122. When was Steel Venom installed?

123. What was the total contract cost for Steel Venom?

124. What portion of that cost was allocated to braking systems?

125. Does Steel Venom contain braking systems designed to slow the ride?

126. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

127. Are those permanent magnets in opposed arrays?

128. Is there a conductive metallic fin that extends from the cars of Steel Venom?

129. Where is that conductive metallic fin located on the car?

130. Where are those permanent magnets located in relation to the tracks of the ride?

131. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

132. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

133. Do these eddy currents create a braking force on the ride?

134. Does the ride contain cars?

135. Do the cars sit on parallel rails?

136. Do the cars have wheels?

137. Do the wheels allow the cars to roll on the rails?

138. Do you have knowledge of a ride by the name of Volcano: The Blast Coaster at King's Dominion?

139. Did Intamin design Volcano: The Blast Coaster?

140. Did Intamin manufacture Volcano: The Blast Coaster?

141. Did Intamin install Volcano: The Blast Coaster?

142. Did Intamin sell Volcano: The Blast Coaster?

143. To whom was Volcano: The Blast Coaster sold?

144. When did Intamin begin design of Volcano: The Blast Coaster?

145. When was Volcano: The Blast Coaster manufactured?

146. When was Volcano: The Blast Coaster sold?

147. When was Volcano: The Blast Coaster installed?

148. What was the total contract cost for Volcano: The Blast Coaster?

149. What portion of that cost was allocated to braking systems?

150. Does Volcano: The Blast Coaster contain braking systems designed to slow the ride?

151. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

152. Are those permanent magnets in opposed arrays?

153. Is there a conductive metallic fin that extends from the cars of Volcano: The Blast Coaster?

154. Where is that conductive metallic fin located on the car?

155. Where are those permanent magnets located in relation to the tracks of the ride?

156. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

157. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

158. Do these eddy currents create a braking force on the ride?

159. Does the ride contain cars?

160. Do the cars sit on parallel rails?

161. Do the cars have wheels?

162. Do the wheels allow the cars to roll on the rails?

163. Do you have knowledge of a ride by the name of Vertical Velocity at Six Flags Great America?

164. Did Intamin design Vertical Velocity?

165. Did Intamin manufacture Vertical Velocity?

166. Did Intamin install Vertical Velocity?

167. Did Intamin sell Vertical Velocity?

168. To whom was Vertical Velocity sold?

169. When did Intamin begin design of Vertical Velocity?

170. When was Vertical Velocity manufactured?

171. When was Vertical Velocity sold?

172. When was Vertical Velocity installed?

173. What was the total contract cost for Vertical Velocity?

174. What portion of that cost was allocated to braking systems?

175. Does Vertical Velocity contain braking systems designed to slow the ride?

176. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

177. Are those permanent magnets in opposed arrays?

178. Is there a conductive metallic fin that extends from the cars of Vertical Velocity?

179. Where is that conductive metallic fin located on the car?

180. Where are those permanent magnets located in relation to the tracks of the ride?

181. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

182. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

183. Do these eddy currents create a braking force on the ride?

184. Does the ride contain cars?

185. Do the cars sit on parallel rails?

186. Do the cars have wheels?

187. Do the wheels allow the cars to roll on the rails?

188. Do you have knowledge of a ride by the name of Vertical Velocity at Six Flags Discovery Kingdom?

189. Did Intamin design Vertical Velocity?

190. Did Intamin manufacture Vertical Velocity?

191. Did Intamin install Vertical Velocity?

192. Did Intamin sell Vertical Velocity?

193. To whom was Vertical Velocity sold?

194. When did Intamin begin design of Vertical Velocity?

195. When was Vertical Velocity manufactured?

196. When was Vertical Velocity sold?

197. When was Vertical Velocity installed?

198. What was the total contract cost for Vertical Velocity?

199. What portion of that cost was allocated to braking systems?

200. Does Vertical Velocity contain braking systems designed to slow the ride?

201. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

202. Are those permanent magnets in opposed arrays?

203. Is there a conductive metallic fin that extends from the cars of Vertical Velocity?

204. Where is that conductive metallic fin located on the car?

205. Where are those permanent magnets located in relation to the tracks of the ride?

206. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

207. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

208. Do these eddy currents create a braking force on the ride?

209. Does the ride contain cars?

210. Do the cars sit on parallel rails?

211. Do the cars have wheels?

212. Do the wheels allow the cars to roll on the rails?

213. Do you have knowledge of a ride by the name of Maverick at Cedar Point?

214. Did Intamin design Maverick?

215. Did Intamin manufacture Maverick?

216. Did Intamin install Maverick?

217. Did Intamin sell Maverick?

218. To whom was Maverick sold?

219. When did Intamin begin design of Maverick?

220. When was Maverick manufactured?

221. When was Maverick sold?

222. When was Maverick installed?

223. What was the total contract cost for Maverick?

224. What portion of that cost was allocated to braking systems?

225. Does Maverick contain braking systems designed to slow the ride?

226. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

227. Are those permanent magnets in opposed arrays?

228. Is there a conductive metallic fin that extends from the cars of Maverick?

229. Where is that conductive metallic fin located on the car?

230. Where are those permanent magnets located in relation to the tracks of the ride?

231. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

232. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

233. Do these eddy currents create a braking force on the ride?

234. Does the ride contain cars?

235. Do the cars sit on parallel rails?

236. Do the cars have wheels?

237. Do the wheels allow the cars to roll on the rails?

238. Do you have knowledge of a ride by the name of Top Thrill Dragster at Cedar Point?

239. Did Intamin design Top Thrill Dragster?

240. Did Intamin manufacture Top Thrill Dragster?

241. Did Intamin install Top Thrill Dragster?

242. Did Intamin sell Top Thrill Dragster?

243. To whom was Top Thrill Dragster sold?

244. When did Intamin begin design of Top Thrill Dragster?

245. When was Top Thrill Dragster manufactured?

246. When was Top Thrill Dragster sold?

247. When was Top Thrill Dragster installed?

248. What was the total contract cost for Top Thrill Dragster?

249. What portion of that cost was allocated to braking systems?

250. Does Top Thrill Dragster contain braking systems designed to slow the ride?

251. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

252. Are those permanent magnets in opposed arrays?

253. Is there a conductive metallic fin that extends from the cars of Top Thrill Dragster?

254. Where is that conductive metallic fin located on the car?

255. Where are those permanent magnets located in relation to the tracks of the ride?

256. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

257. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

258. Do these eddy currents create a braking force on the ride?

259. Does the ride contain cars?

260. Do the cars sit on parallel rails?

261. Do the cars have wheels?

262. Do the wheels allow the cars to roll on the rails?

263. Do you have knowledge of a ride by the name of Xcelerator at Knott's Berry Farm?

264. Did Intamin design Xcelerator?

265. Did Intamin manufacture Xcelerator?

266. Did Intamin install Xcelerator?

267. Did Intamin sell Xcelerator?

268. To whom was Xcelerator sold?

269. When did Intamin begin design of Xcelerator?

270. When was Xcelerator manufactured?

271. When was Xcelerator sold?

272. When was Xcelerator installed?

273. What was the total contract cost for Xcelerator?

274. What portion of that cost was allocated to braking systems?

275. Does Xcelerator contain braking systems designed to slow the ride?

276. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

277. Are those permanent magnets in opposed arrays?

278. Is there a conductive metallic fin that extends from the cars of Xcelerator?

279. Where is that conductive metallic fin located on the car?

280. Where are those permanent magnets located in relation to the tracks of the ride?

281. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

282. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

283. Do these eddy currents create a braking force on the ride?

284. Does the ride contain cars?

285. Do the cars sit on parallel rails?

286. Do the cars have wheels?

287. Do the wheels allow the cars to roll on the rails?

288. Do you have knowledge of a ride by the name of Kingda Ka at Six Flags Great Adventure?

289. Did Intamin design Kingda Ka?

290. Did Intamin manufacture Kingda Ka?

291. Did Intamin install Kingda Ka?

292. Did Intamin sell Kingda Ka?

293. To whom was Kingda Ka sold?

294. When did Intamin begin design of Kingda Ka?

295. When was Kingda Ka manufactured?

296. When was Kingda Ka sold?

297. When was Kingda Ka installed?

298. What was the total contract cost for Kingda Ka?

299. What portion of that cost was allocated to braking systems?

300. Does Kingda Ka contain braking systems designed to slow the ride?

301. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

302. Are those permanent magnets in opposed arrays?

303. Is there a conductive metallic fin that extends from the cars of Kingda Ka?

304. Where is that conductive metallic fin located on the car?

305. Where are those permanent magnets located in relation to the tracks of the ride?

306. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

307. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

308. Do these eddy currents create a braking force on the ride?

309. Does the ride contain cars?

310. Do the cars sit on parallel rails?

311. Do the cars have wheels?

312. Do the wheels allow the cars to roll on the rails?

313. Do you have knowledge of a ride by the name of Millennium Force at Cedar Point?

314. Did Intamin design Millennium Force?

315. Did Intamin manufacture Millennium Force?

316. Did Intamin install Millennium Force?

317. Did Intamin sell Millennium Force?

318. To whom was Millennium Force sold?

319. When did Intamin begin design of Millennium Force?

320. When was Millennium Force manufactured?

321. When was Millennium Force sold?

322. When was Millennium Force installed?

323. What was the total contract cost for Millennium Force?

324. What portion of that cost was allocated to braking systems?

325. Does Millennium Force contain braking systems designed to slow the ride?

326. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

327. Are those permanent magnets in opposed arrays?

328. Is there a conductive metallic fin that extends from the cars of Millennium Force?

329. Where is that conductive metallic fin located on the car?

330. Where are those permanent magnets located in relation to the tracks of the ride?

331. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

332. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

333. Do these eddy currents create a braking force on the ride?

334. Does the ride contain cars?

335. Do the cars sit on parallel rails?

336. Do the cars have wheels?

337. Do the wheels allow the cars to roll on the rails?

338. Do you have knowledge of a ride by the name of Superman Ride of Steel at Six Flags New England?

339. Did Intamin design Superman Ride of Steel?

340. Did Intamin manufacture Superman Ride of Steel?

341. Did Intamin install Superman Ride of Steel?

342. Did Intamin sell Superman Ride of Steel?

343. To whom was Superman Ride of Steel sold?

344. When did Intamin begin design of Superman Ride of Steel?

345. When was Superman Ride of Steel manufactured?

346. When was Superman Ride of Steel sold?

347. When was Superman Ride of Steel installed?

348. What was the total contract cost for Superman Ride of Steel?

349. What portion of that cost was allocated to braking systems?

350. Does Superman Ride of Steel contain braking systems designed to slow the ride?

351. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

352. Are those permanent magnets in opposed arrays?

353. Is there a conductive metallic fin that extends from the cars of Superman Ride of Steel?

354. Where is that conductive metallic fin located on the car?

355. Where are those permanent magnets located in relation to the tracks of the ride?

356. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

357. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

358. Do these eddy currents create a braking force on the ride?

359. Does the ride contain cars?

360. Do the cars sit on parallel rails?

361. Do the cars have wheels?

362. Do the wheels allow the cars to roll on the rails?

363. Do you have knowledge of a ride by the name of Superman Ride of Steel at Six Flags America?

364. Did Intamin design Superman Ride of Steel?

365. Did Intamin manufacture Superman Ride of Steel?

366. Did Intamin install Superman Ride of Steel?

367. Did Intamin sell Superman Ride of Steel?

368. To whom was Superman Ride of Steel sold?

369. When did Intamin begin design of Superman Ride of Steel?

370. When was Superman Ride of Steel manufactured?

371. When was Superman Ride of Steel sold?

372. When was Superman Ride of Steel installed?

373. What was the total contract cost for Superman Ride of Steel?

374. What portion of that cost was allocated to braking systems?

375. Does Superman Ride of Steel contain braking systems designed to slow the ride?

376. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

377. Are those permanent magnets in opposed arrays?

378. Is there a conductive metallic fin that extends from the cars of Superman Ride of Steel?

379. Where is that conductive metallic fin located on the car?

380. Where are those permanent magnets located in relation to the tracks of the ride?

381. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

382. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

383. Do these eddy currents create a braking force on the ride?

384. Does the ride contain cars?

385. Do the cars sit on parallel rails?

386. Do the cars have wheels?

387. Do the wheels allow the cars to roll on the rails?

388. Do you have knowledge of a ride by the name of Superman Ride of Steel at Darien Lake Theme Park?

389. Did Intamin design Superman Ride of Steel?

390. Did Intamin manufacture Superman Ride of Steel?

391. Did Intamin install Superman Ride of Steel?

392. Did Intamin sell Superman Ride of Steel?

393. To whom was Superman Ride of Steel sold?

394. When did Intamin begin design of Superman Ride of Steel?

395. When was Superman Ride of Steel manufactured?

396. When was Superman Ride of Steel sold?

397. When was Superman Ride of Steel installed?

398. What was the total contract cost for Superman Ride of Steel?

399. What portion of that cost was allocated to braking systems?

400. Does Superman Ride of Steel contain braking systems designed to slow the ride?

401. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

402. Are those permanent magnets in opposed arrays?

403. Is there a conductive metallic fin that extends from the cars of Superman Ride of Steel?

404. Where is that conductive metallic fin located on the car?

405. Where are those permanent magnets located in relation to the tracks of the ride?

406. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

407. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

408. Do these eddy currents create a braking force on the ride?

409. Does the ride contain cars?

410. Do the cars sit on parallel rails?

411. Do the cars have wheels?

412. Do the wheels allow the cars to roll on the rails?

413. Do you have knowledge of a ride by the name of Drop Zone Stunt Tower at King's Dominion?

414. Did Intamin design Drop Zone Stunt Tower?

415. Did Intamin manufacture Drop Zone Stunt Tower?

416. Did Intamin install Drop Zone Stunt Tower?

417. Did Intamin sell Drop Zone Stunt Tower?

418. To whom was Drop Zone Stunt Tower sold?

419. When did Intamin begin design of Drop Zone Stunt Tower?

420. When was Drop Zone Stunt Tower manufactured?

421. When was Drop Zone Stunt Tower sold?

422. When was Drop Zone Stunt Tower installed?

423. What was the total contract cost for Drop Zone Stunt Tower?

424. What portion of that cost was allocated to braking systems?

425. Does Drop Zone Stunt Tower contain braking systems designed to slow the ride?

426. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

427. Are those permanent magnets in opposed arrays?

428. Is there a conductive metallic fin that extends from the cars of Drop Zone Stunt Tower?

429. Where is that conductive metallic fin located on the car?

430. Where are those permanent magnets located in relation to the tracks of the ride?

431. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

432. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

433. Do these eddy currents create a braking force on the ride?

434. Does the ride contain cars?

435. Do the cars sit on parallel rails?

436. Do the cars have wheels?

437. Do the wheels allow the cars to roll on the rails?

438. Do you have knowledge of a ride by the name of Drop Zone Stunt Tower at Carrowinds?

439. Did Intamin design Drop Zone Stunt Tower?

440. Did Intamin manufacture Drop Zone Stunt Tower?

441. Did Intamin install Drop Zone Stunt Tower?

442. Did Intamin sell Drop Zone Stunt Tower?

443. To whom was Drop Zone Stunt Tower sold?

444. When did Intamin begin design of Drop Zone Stunt Tower?

445. When was Drop Zone Stunt Tower manufactured?

446. When was Drop Zone Stunt Tower sold?

447. When was Drop Zone Stunt Tower installed?

448. What was the total contract cost for Drop Zone Stunt Tower?

449. What portion of that cost was allocated to braking systems?

450. Does Drop Zone Stunt Tower contain braking systems designed to slow the ride?

451. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

452. Are those permanent magnets in opposed arrays?

453. Is there a conductive metallic fin that extends from the cars of Drop Zone Stunt Tower?

454. Where is that conductive metallic fin located on the car?

455. Where are those permanent magnets located in relation to the tracks of the ride?

456. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

457. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

458. Do these eddy currents create a braking force on the ride?

459. Does the ride contain cars?

460. Do the cars sit on parallel rails?

461. Do the cars have wheels?

462. Do the wheels allow the cars to roll on the rails?

463. Do you have knowledge of a ride by the name of Drop Zone Stunt Tower at Great America?

464. Did Intamin design Drop Zone Stunt Tower?

465. Did Intamin manufacture Drop Zone Stunt Tower?

466. Did Intamin install Drop Zone Stunt Tower?

467. Did Intamin sell Drop Zone Stunt Tower?

468. To whom was Drop Zone Stunt Tower sold?

469. When did Intamin begin design of Drop Zone Stunt Tower?

470. When was Drop Zone Stunt Tower manufactured?

471. When was Drop Zone Stunt Tower sold?

472. When was Drop Zone Stunt Tower installed?

473. What was the total contract cost for Drop Zone Stunt Tower?

474. What portion of that cost was allocated to braking systems?

475. Does Drop Zone Stunt Tower contain braking systems designed to slow the ride?

476. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

477. Are those permanent magnets in opposed arrays?

478. Is there a conductive metallic fin that extends from the cars of Drop Zone Stunt Tower?

479. Where is that conductive metallic fin located on the car?

480. Where are those permanent magnets located in relation to the tracks of the ride?

481. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

482. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

483. Do these eddy currents create a braking force on the ride?

484. Does the ride contain cars?

485. Do the cars sit on parallel rails?

486. Do the cars have wheels?

487. Do the wheels allow the cars to roll on the rails?

488. Do you have knowledge of a ride by the name of Drop Zone at King's Island?

489. Did Intamin design Drop Zone?

490. Did Intamin manufacture Drop Zone?

491. Did Intamin install Drop Zone?

492. Did Intamin sell Drop Zone?

493. To whom was Drop Zone sold?

494. When did Intamin begin design of Drop Zone?

495. When was Drop Zone manufactured?

496. When was Drop Zone sold?

497. When was Drop Zone installed?

498. What was the total contract cost for Drop Zone?

499. What portion of that cost was allocated to braking systems?

500. Does Drop Zone contain braking systems designed to slow the ride?

501. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

502. Are those permanent magnets in opposed arrays?

503. Is there a conductive metallic fin that extends from the cars of Drop Zone?

504. Where is that conductive metallic fin located on the car?

505. Where are those permanent magnets located in relation to the tracks of the ride?

506. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

507. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

508. Do these eddy currents create a braking force on the ride?

509. Does the ride contain cars?

510. Do the cars sit on parallel rails?

511. Do the cars have wheels?

512. Do the wheels allow the cars to roll on the rails?

513. Do you have knowledge of a ride by the name of Tower of Doom at Six Flags America?

514. Did Intamin design Tower of Doom?

515. Did Intamin manufacture Tower of Doom?

516. Did Intamin install Tower of Doom?

517. Did Intamin sell Tower of Doom?

518. To whom was Tower of Doom sold?

519. When did Intamin begin design of Tower of Doom?

520. When was Tower of Doom manufactured?

521. When was Tower of Doom sold?

522. When was Tower of Doom installed?

523. What was the total contract cost for Tower of Doom?

524. What portion of that cost was allocated to braking systems?

525. Does Tower of Doom contain braking systems designed to slow the ride?

526. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

527. Are those permanent magnets in opposed arrays?

528. Is there a conductive metallic fin that extends from the cars of Tower of Doom?

529. Where is that conductive metallic fin located on the car?

530. Where are those permanent magnets located in relation to the tracks of the ride?

531. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

532. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

533. Do these eddy currents create a braking force on the ride?

534. Does the ride contain cars?

535. Do the cars sit on parallel rails?

536. Do the cars have wheels?

537. Do the wheels allow the cars to roll on the rails?

538. Do you have knowledge of a ride by the name of Tower of Doom at Elitch Gardens?

539. Did Intamin design Tower of Doom?

540. Did Intamin manufacture Tower of Doom?

541. Did Intamin install Tower of Doom?

542. Did Intamin sell Tower of Doom?

543. To whom was Tower of Doom sold?

544. When did Intamin begin design of Tower of Doom?

545. When was Tower of Doom manufactured?

546. When was Tower of Doom sold?

547. When was Tower of Doom installed?

548. What was the total contract cost for Tower of Doom?

549. What portion of that cost was allocated to braking systems?

550. Does Tower of Doom contain braking systems designed to slow the ride?

551. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

552. Are those permanent magnets in opposed arrays?

553. Is there a conductive metallic fin that extends from the cars of Tower of Doom?

554. Where is that conductive metallic fin located on the car?

555. Where are those permanent magnets located in relation to the tracks of the ride?

556. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

557. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

558. Do these eddy currents create a braking force on the ride?

559. Does the ride contain cars?

560. Do the cars sit on parallel rails?

561. Do the cars have wheels?

562. Do the wheels allow the cars to roll on the rails?

563. Do you have knowledge of a ride by the name of Superman Tower of Power at Six Flags Kentucky Kingdom?

564. Did Intamin design Superman Tower of Power?

565. Did Intamin manufacture Superman Tower of Power?

566. Did Intamin install Superman Tower of Power?

567. Did Intamin sell Superman Tower of Power?

568. To whom was Superman Tower of Power sold?

569. When did Intamin begin design of Superman Tower of Power?

570. When was Superman Tower of Power manufactured?

571. When was Superman Tower of Power sold?

572. When was Superman Tower of Power installed?

573. What was the total contract cost for Superman Tower of Power?

574. What portion of that cost was allocated to braking systems?

575. Does Superman Tower of Power contain braking systems designed to slow the ride?

576. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

577. Are those permanent magnets in opposed arrays?

578. Is there a conductive metallic fin that extends from the cars of Superman Tower of Power?

579. Where is that conductive metallic fin located on the car?

580. Where are those permanent magnets located in relation to the tracks of the ride?

581. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

582. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

583. Do these eddy currents create a braking force on the ride?

584. Does the ride contain cars?

585. Do the cars sit on parallel rails?

586. Do the cars have wheels?

587. Do the wheels allow the cars to roll on the rails?

588. Do you have knowledge of a ride by the name of Superman Tower of Power at Six Flags St. Louis?

589. Did Intamin design Superman Tower of Power?

590. Did Intamin manufacture Superman Tower of Power?

591. Did Intamin install Superman Tower of Power?

592. Did Intamin sell Superman Tower of Power?

593. To whom was Superman Tower of Power sold?

594. When did Intamin begin design of Superman Tower of Power?

595. When was Superman Tower of Power manufactured?

596. When was Superman Tower of Power sold?

597. When was Superman Tower of Power installed?

598. What was the total contract cost for Superman Tower of Power?

599. What portion of that cost was allocated to braking systems?

600. Does Superman Tower of Power contain braking systems designed to slow the ride?

601. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

602. Are those permanent magnets in opposed arrays?

603. Is there a conductive metallic fin that extends from the cars of Superman Tower of Power?

604. Where is that conductive metallic fin located on the car?

605. Where are those permanent magnets located in relation to the tracks of the ride?

606. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

607. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

608. Do these eddy currents create a braking force on the ride?

609. Does the ride contain cars?

610. Do the cars sit on parallel rails?

611. Do the cars have wheels?

612. Do the wheels allow the cars to roll on the rails?

613. Do you have knowledge of a ride by the name of Superman Tower of Power, formerly at Astroworld?

614. Did Intamin design Superman Tower of Power?

615. Did Intamin manufacture Superman Tower of Power?

616. Did Intamin install Superman Tower of Power?

617. Did Intamin sell Superman Tower of Power?

618. To whom was Superman Tower of Power sold?

619. When did Intamin begin design of Superman Tower of Power?

620. When was Superman Tower of Power manufactured?

621. When was Superman Tower of Power sold?

622. When was Superman Tower of Power installed?

623. What was the total contract cost for Superman Tower of Power?

624. What portion of that cost was allocated to braking systems?

625. Does Superman Tower of Power contain braking systems designed to slow the ride?

626. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

627. Are those permanent magnets in opposed arrays?

628. Is there a conductive metallic fin that extends from the cars of Superman Tower of Power?

629. Where is that conductive metallic fin located on the car?

630. Where are those permanent magnets located in relation to the tracks of the ride?

631. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

632. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

633. Do these eddy currents create a braking force on the ride?

634. Does the ride contain cars?

635. Do the cars sit on parallel rails?

636. Do the cars have wheels?

637. Do the wheels allow the cars to roll on the rails?

638. Do you have knowledge of a ride by the name of Giant Drop at Six Flags Great America?

639. Did Intamin design Giant Drop?

640. Did Intamin manufacture Giant Drop?

641. Did Intamin install Giant Drop?

642. Did Intamin sell Giant Drop?

643. To whom was Giant Drop sold?

644. When did Intamin begin design of Giant Drop?

645. When was Giant Drop manufactured?

646. When was Giant Drop sold?

647. When was Giant Drop installed?

648. What was the total contract cost for Giant Drop?

649. What portion of that cost was allocated to braking systems?

650. Does Giant Drop contain braking systems designed to slow the ride?

651. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

652. Are those permanent magnets in opposed arrays?

653. Is there a conductive metallic fin that extends from the cars of Giant Drop?

654. Where is that conductive metallic fin located on the car?

655. Where are those permanent magnets located in relation to the tracks of the ride?

656. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

657. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

658. Do these eddy currents create a braking force on the ride?

659. Does the ride contain cars?

660. Do the cars sit on parallel rails?

661. Do the cars have wheels?

662. Do the wheels allow the cars to roll on the rails?

663. Do you have knowledge of a ride by the name of Acrophobia at Six Flags Over Georgia?

664. Did Intamin design Acrophobia?

665. Did Intamin manufacture Acrophobia?

666. Did Intamin install Acrophobia?

667. Did Intamin sell Acrophobia?

668. To whom was Acrophobia sold?

669. When did Intamin begin design of Acrophobia?

670. When was Acrophobia manufactured?

671. When was Acrophobia sold?

672. When was Acrophobia installed?

673. What was the total contract cost for Acrophobia?

674. What portion of that cost was allocated to braking systems?

675. Does Acrophobia contain braking systems designed to slow the ride?

676. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

677. Are those permanent magnets in opposed arrays?

678. Is there a conductive metallic fin that extends from the cars of Acrophobia?

679. Where is that conductive metallic fin located on the car?

680. Where are those permanent magnets located in relation to the tracks of the ride?

681. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

682. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

683. Do these eddy currents create a braking force on the ride?

684. Does the ride contain cars?

685. Do the cars sit on parallel rails?

686. Do the cars have wheels?

687. Do the wheels allow the cars to roll on the rails?

688. Has Intamin designed any other amusement rides for the above listed Defendants including eddy current brakes?

689. What rides has Intamin designed for the above listed Defendants that include eddy current brakes?

690. Has Intamin manufactured any other amusement rides for the above listed Defendants including eddy current brakes?

691. What rides has Intamin manufactured for the above listed Defendants that include eddy current brakes?

692. Has Intamin sold any other amusement rides for the above listed Defendants including eddy current brakes?

693. What rides has Intamin sold to the above listed Defendants that include eddy current brakes?

694. Do any of the rides designed, manufactured, or sold for the above listed Defendants have opposed configurations of magnets, a conductive

fin attached to a car, wheels to allow the car to move along parallel rails, so that when the conductive fin passes through the magnets, a braking force is imparted on the car?

695. Which rides mentioned above have all of the listed characteristics?

Questions Regarding Intamin Ownership in Patents covering Related Technologies

696. Were you a named inventor in U.S. Patent No. 6,062,350, issued May 16, 2000?

697. Is U.S. Patent No. 6,062,350 currently assigned to Intamin AG?

698. Does Intamin have any ownership interest in U.S. Patent No. 6,062,350?

699. Has Intamin contacted anyone regarding possible infringement of one or more claims of U.S. Patent No. 6,062,350?

700. Has Intamin requested a licensing fee for continued use of a product accused of infringing one or more claims of U.S. Patent No. 6,062,350?

701. What companies has Intamin contacted regarding possible infringement of one or more claims of U.S. Patent No. 6,062,350?

702. Is there a standard licensing fee that Intamin requests for continued use of a product accused of infringing one or more claims of U.S. Patent No. 6,062,350?

703. What is the standard licensing fee?

704. Is the standard licensing fee a percentage of the overall cost of the ride?

705. If so, what is that percentage?

706. Is that standard licensing fee a set dollar amount per possible infringing ride?

707. If so, what is the dollar amount?

708. If there is no standard licensing fee, has Intamin successfully negotiated any licenses under U.S. Patent No. 6,062,350?

709. With whom has Intamin successfully negotiated a license under U.S. Patent No. 6,062,350?

710. What licensing fee did Intamin receive for each of those licenses?

711. If any of the licensing fees were percentages of purchase price of the ride, what were those percentages?

712. Were you a named inventor in U.S. Patent No. 5,628,690, issued May 16, 2000?

713. Is U.S. Patent No. 5,628,690 currently assigned to Intamin AG?

714. Does Intamin have any ownership interest in U.S. Patent No. 5,628,690?

715. Has Intamin contacted anyone regarding possible infringement of one or more claims of U.S. Patent No. 5,628,690?

716. Has Intamin requested a licensing fee for continued use of a product accused of infringing one or more claims of U.S. Patent No. 5,628,690?

717. What companies has Intamin contacted regarding possible infringement of one or more claims of U.S. Patent No. 5,628,690?

718. Is there a standard licensing fee that Intamin requests for continued use of a product accused of infringing one or more claims of U.S. Patent No. 5,628,690?

719. What is the standard licensing fee?

720. Is the standard licensing fee a percentage of the overall cost of the ride?

721. If so, what is that percentage?

722. Is that standard licensing fee a set dollar amount per possible infringing ride?

723. If so, what is the dollar amount?

724. If there is no standard licensing fee, has Intamin successfully negotiated any licenses under U.S. Patent No. 5,628,690?

725. With whom has Intamin successfully negotiated a license under U.S. Patent No. 5,628,690?

726. What licensing fee did Intamin receive for each of those licenses?

727. If any of the licensing fees were percentages of purchase price of the ride, what were those percentages?

ANNEX B

Documents Sought for Production

The District Court requests that Patrick Spieldiener produce the following documents in his possession, custody, or control and that they be made available for inspection and copying at least two weeks prior to Patrick Spieldiener's oral examination. The rides mentioned are those listed in the Letter of Request, in the section entitled "The Witness."

1. All technical drawings, specifications, discussions, and all other documents indicating the nature of the braking systems installed on the above-listed amusement rides.
2. All technical drawings, specifications, discussions, and all other documents indicating the nature of the above-listed amusement rides, indicating the relationship of the track to the car.
3. All contracts and documents, evidencing discussions between Intamin and the purchaser of each of the above-listed amusement rides that indicate costs and terms of purchase of each of the above-listed amusement rides.
4. All documents indicating the design, manufacture, and installation of above-listed amusement rides.
5. All contracts setting forth a royalty rate or fee for use of magnetic braking technology.
6. All contracts setting forth a royalty rate or fee for use of amusement ride technology.

7. Any documents, communications asserting that a product manufactured, sold, or used by another infringes one or more claims of U.S. Patent No. 6,062,350.
8. Any documents or communications asserting that a product manufactured, sold, or used by another infringes one or more claims of U.S. Patent No. 5,628,690.
9. Contracts, negotiations, faxes, e-mails, other documents concerning negotiations with other companies for the licensing of U.S. Patent No. 6,062,350.
10. Contracts, negotiations, faxes, e-mails, other documents concerning negotiations with other companies for the licensing of U.S. Patent No. 5,628,690.
11. Completed licensing contracts with any above-listed Defendant or other company for exclusive or non-exclusive licenses of U.S. Patent No. 6,062,350.
12. Completed licensing contracts with any above-listed Defendant or other company for exclusive or non-exclusive licenses of U.S. Patent No. 5,628,690.
13. Any documents, communications requesting the payment of a royalty for use of devices believed to infringe U.S. Patent No. 6,062,350.
14. Any documents, communications requesting the payment of a royalty for use of devices believed to infringe U.S. Patent No. 5,628,690.

ANNEX C

US005277125A

United States Patent [19]

DiFonso et al.

[11] Patent Number: 5,277,125

[45] Date of Patent: Jan. 11, 1994

[54] **MATERIAL HANDLING CAR AND TRACK ASSEMBLY HAVING OPPOSED MAGNET LINEAR MOTOR DRIVE AND OPPOSED PERMANENT MAGNET BRAKE ASSEMBLY**

[75] Inventors: **Gene DiFonso**, Arlington; **Joel L. Staehs**, DeSoto, both of Tex.

[73] Assignee: **BAE Automated Systems, Inc.**, Carrollton, Tex.

[21] Appl. No.: **967,661**

[22] Filed: **Oct. 28, 1992**

[51] **Int. Cl.**[5] **B60L 13/02**

[52] **U.S. Cl.** **104/292**; 104/294; 188/158; 188/267

[58] **Field of Search** 104/290, 292, 283, 294; 188/267, 158

[56] **References Cited**

U.S. PATENT DOCUMENTS

4,613,805	9/1986	Matsuo et al.	318/687
4,848,242	7/1989	Matsuo	104/290
4,919,054	4/1990	Matsuo	104/94
5,018,928	5/1991	Hartlepp	414/339
5,127,599	7/1992	Veraart	104/292 X

FOREIGN PATENT DOCUMENTS

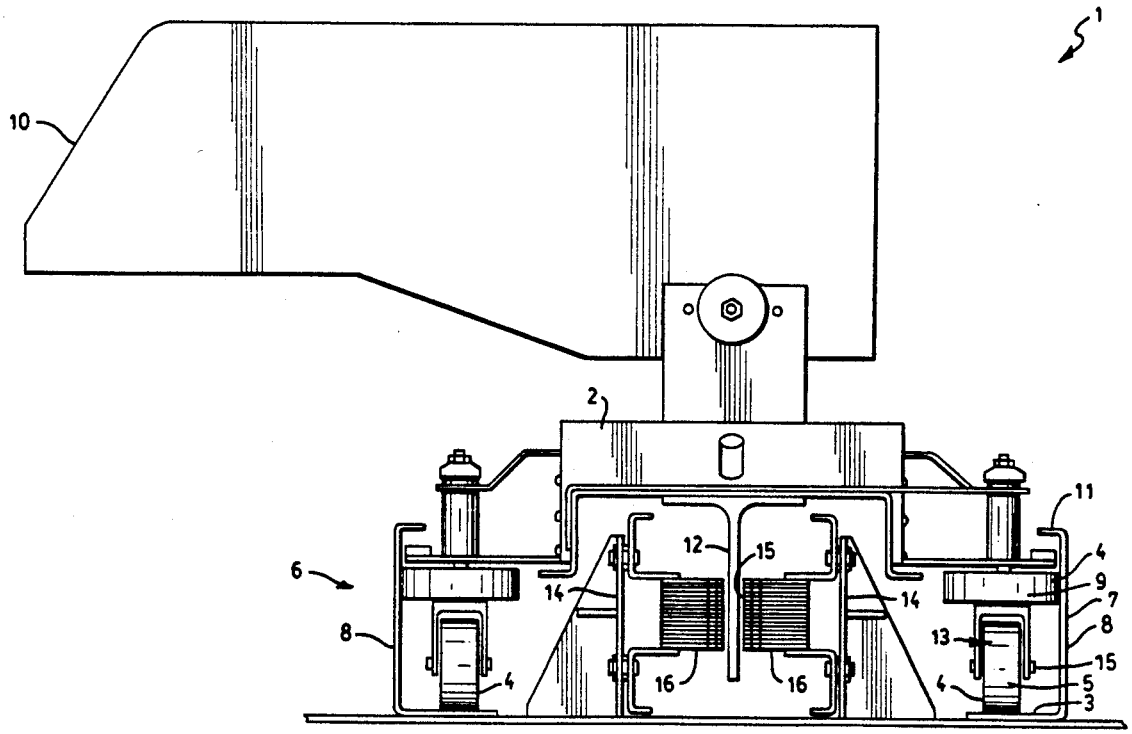
81105	4/1986	Japan	104/292
177101	8/1986	Japan	104/292
231804	10/1986	Japan	104/292

Primary Examiner—Robert J. Oberleitner
Assistant Examiner—S. Joseph Morano
Attorney, Agent, or Firm—Lorusso & Loud

[57] **ABSTRACT.**

Material handling car and track assembly, the assembly comprising a car having wheels mounted thereon, and a track having two parallel rails, the wheels being adapted to roll on the rails to facilitate movement of the car along the track, a metal slider extending from an underside of the car and lengthwise of the car, and opposed linear motors mounted beween the tracks and spaced from each other to define a gap between the motors, the slider being daapted to pass through the gap, the motors being operative to act on the slider to impart thrust to the car, the motors being oriented such as to substantially eliminate magnetic atraction between the mtors and the car. The invention further contemplates opposied magents mountede beween the tracks and spaced from each other to define a gap between the magnets, the slider being dapted to pass through the gap between the magnets, the magnets being operative to act on the slider to impart braking to the car, whereby to decelerate the car.

3 Claims, 3 Drawing Sheets



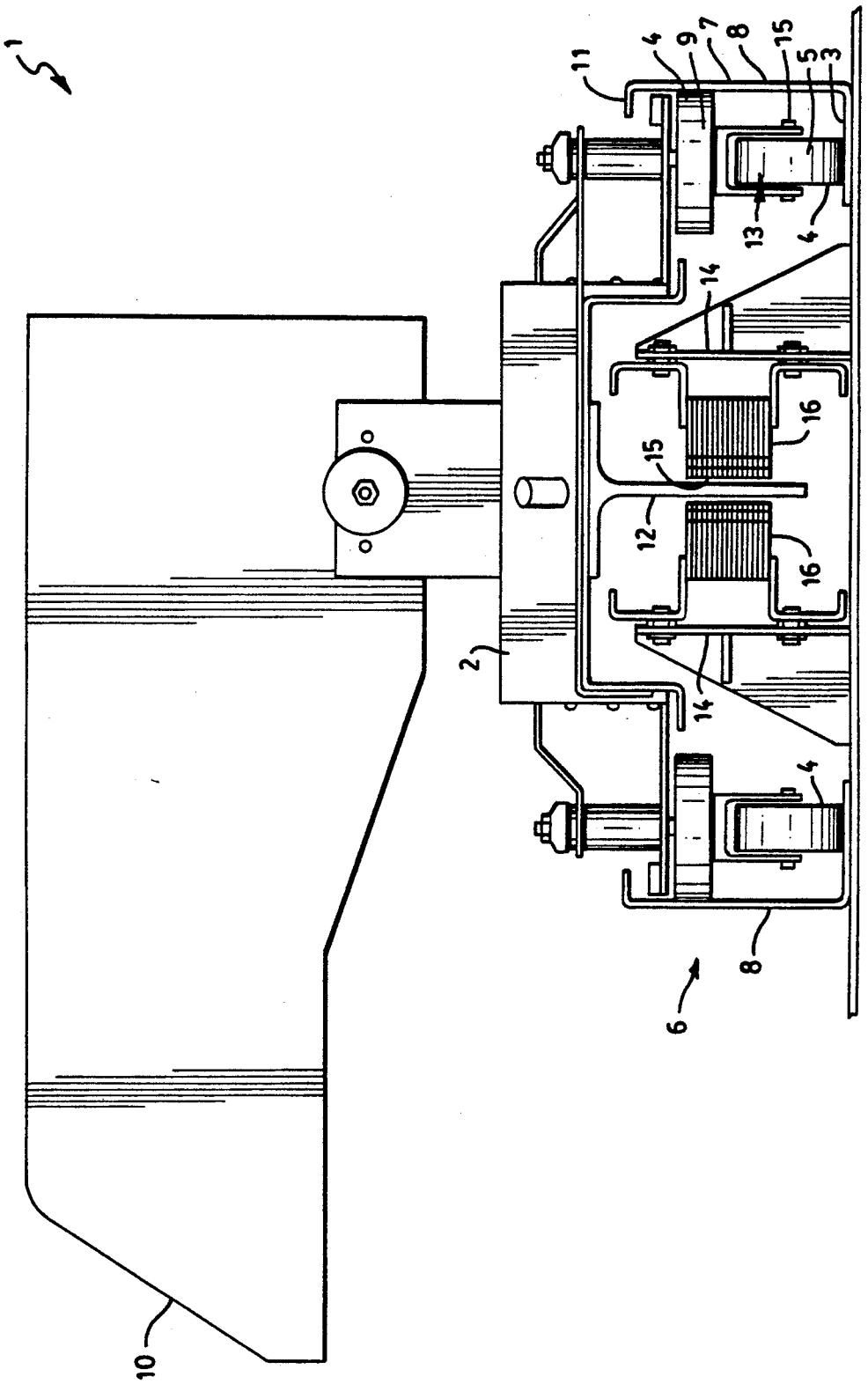


FIG. 1

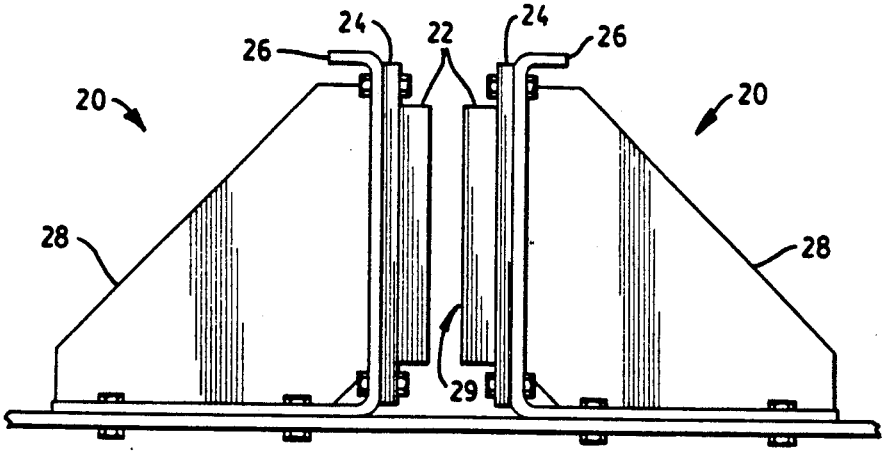


FIG. 2A

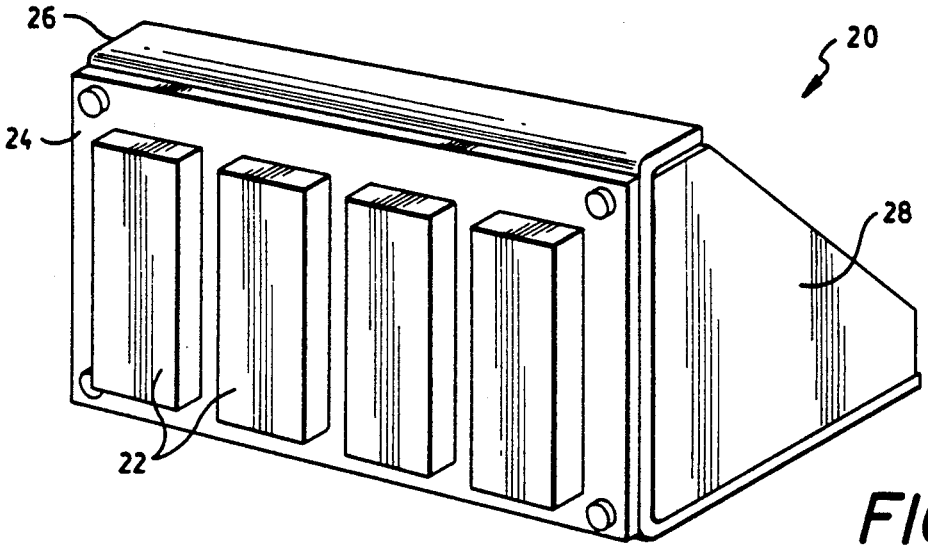


FIG. 2B

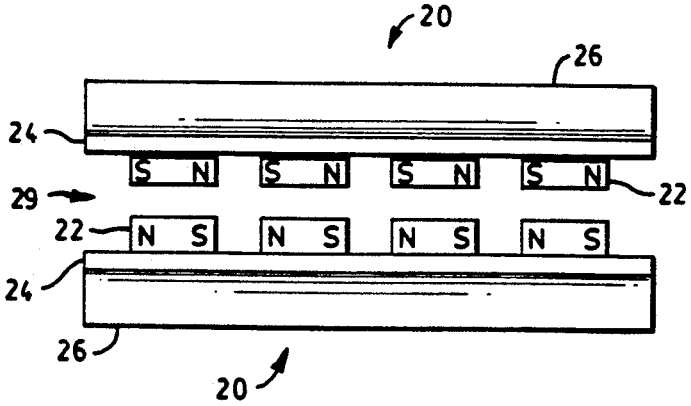


FIG. 2C

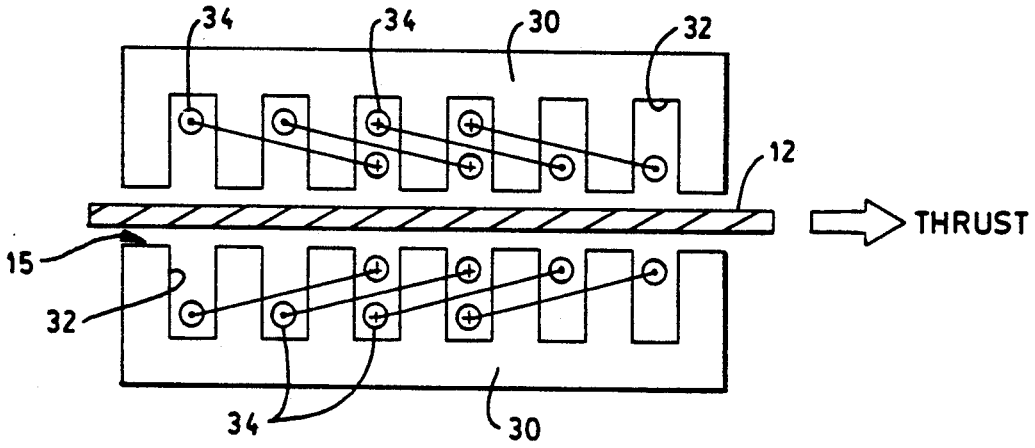


FIG. 3

MATERIAL HANDLING CAR AND TRACK ASSEMBLY HAVING OPPOSED MAGNET LINEAR MOTOR DRIVE AND OPPOSED PERMANENT MAGNET BRAKE ASSEMBLY

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present fnvention relates to a material handling car and track assembly and is directed more particularly to acceleration and deceleration means mounted in the track assembly and adapted to influence speed of the car.

2. Description of Prior Art

The prior ar has recognized the need for means to propel a car along a track without the installation of a driver mechanism or braking mechanism on the car. Systems have incorporated linear induction motors as an efficient means of achieving this. Such systems commonly employ single motors along a track whereby a car is propelled by a force created by the change in magnetic flux as the car passes by the motors. However, a problem inherent in these systems is that of undue stress on the cars and tracks themselves due to an electromagnetic force created between the car and the motor, causing the car to be attracted toward the track. This attractive force exerted on the car dissipates after the car passes away from the motor. In systems where there are commonly several hundred motors in use through which a car passes as it travels through the system, the constant attractive stress and release of such stress, leads to wear and tear on the car. As a result, cars break down and are in need of frequent repair.

Such a system is disclosed in U.S. Pat. No. 4,919,054 to Matsuo. In this system, linear induction motors are disposed in single file underneath the transport path of the car, causing the motors to exert an attractive force while acting to drive the car. Due to numerous motors in the system, a car undergoing such repeated application and release of stress becomes structurally weak and requires frequent servicing.

Another problem recognized in the prior art relates to providing a means for controlling the speed of a car through the use of a decelerating mechanism external of the car. Many systems which have employed inductive motors to impel a car forward along a track have relied entirely upon the same motors for braking the car. A reverse thrust is applied to the car by passing reverse phase alternating current through the coils of the motor stators, to slow the car down. However, these systems potentially overwork the motors which often leads to motor failure.

An example of this type of system is disclosed in U.S. Pat. No. 4,848,242 to Matsuo. As in the Matsuo '054 system, single motors are disposed at predetermined intervals underneath the transport path and, as in the previous system, an attractive force on the car is exerted and released as the car moves in the direction of the transport path. The motors impel the car in the forward and reverse directions. Thus, the motors carry out the function of starting and stopping the car, depending on the direction of current flow. However, this dual function leads to increased wear and tear on the motors.

In other systems, such as disclosed in U.S. Pat. No. 5,018,928 to Hartlepp, a car is decelerated through the use of a magnetic piston which moves by compressed air in a tube, such that a car will follow the piston. However, the use of such a structure is complicated and thus provides great opportunity for malfunction. Additionally, this system discloses the use of linear induction motors for propelling a car on a track wherein induction motors are singly disposed. Accordingly, an attractive force is exerted on the cars driven by the motor.

An additional problem recognized in the art is the need to mitigate the effects of motor failure. In U.S. Pat. No. 4,613,805 to Matsuo, there is disclosed a system providing for continued operation through the use of an auxiliary power source in the event that the main power source becomes disabled. However, this system does not insure continued operation in the event that a motor along the transport path should become disabled.

SUMMARY OF THE INVENTION

Accordingly, it is an object of the invention to provide a material handling car and track assembly which reduces wear and tear on cars traveling through the system and provides for continued operation in the event that a motor, or several motors, in the system become disabled. This object is accomplished by provision of a car having a metal slider on the underside of the car. The assembly further includes a track having two parallel rails. Movement is imparted to a car traveling on the rails by opposed linear motors operatively acting on the slider. The configuration of the motors is such that it causes the magnetic attraction between the linear motors and the car to substantially cancel out, thereby eliminating the attractive force on the car. Thus the cars, no longer subject to application and release of stresses, require less reparative maintenance and enjoy longer operating life. Additionally, through the use of coupled motors, should one motor become disabled, the remaining motor continues to impart motion until the afflicted motor is again operative.

A further object of the invention is to provide a simple means for decelerating the car without the use of mechanisms disposed on the car. The use of magnets disposed along the track enables the car's traveling speed to be decreased, the magnets operatively acting on the slider to decelerate the car.

With the above and other objects in view, as will herein after appear, a feature of the present invention is the provision of a material handling car and track assembly, the assembly comprising a car having wheels mounted thereon, and a track having two parallel rails, the wheels being adapted to roll on the rails to facilitate movement of the car along the track, a metal slider extending from an underside of the car and lengthwise of the car, and opposed linear motors mounted between the tracks, the motors being spaced from each other by a distance exceeding the thickness of the slider to define a gap between the motors, the slider being adapted to pass through the gap in travel of the car over the motors, the motors being operative to act on the slider to impart thrust to the car, the motors being oriented such as to substantially eliminate magnetic attraction between the motors and the car.

In accordance with a further feature of the invention, there is provided a material handling car and track assembly, the assembly comprising a car having wheels mounted thereon, and a track having two parallel rails, the wheels being adapted to roll on the rails to facilitate movement of the car along the track, a metal slider extending from an underside of the car and lengthwise of the car, and exposed magnets mounted between the tracks, the magnets being spaced from each other by a

distance exceeding the thickness of the slider to define a gap between the magnets, the slider being adapted to pass through the gap in travel of the car over the magnets, the magnets being operative to act on the slider to impart braking to the car, whereby the magnets are operative to decelerate the car.

The above and other features of the invention, including various novel details of construction and combinations of parts, will now be more particularly described with reference to the accompanying drawings and pointed out in the claims. It will be understood that the particular devices embodying the invention are shown by way of illustration only and not as limitations of the invention. The principles and features of this invention may be employed in various and numerous embodiments without departing from the scope of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

Reference is made to the accompanying drawings in which are shown illustrative embodiments of the invention, from which its novel features and advantages will be apparent.

In the accompanying drawings:

FIG. **1** is a front elevational view of one form of material handling car and track assembly illustrative of an embodiment of the invention, wherein the material handling car is shown having a metal slider on an underside portion of the car, and the track assembly is shown with linear induction motors in opposition, forming a gap therebetween to accommodate the passage of the slider;

FIG. **2A** is a front elevational view of a decelerating means featuring decelerating magnets arranged in opposition and forming a gap therebetween adapted to accommodate the passage of the slider;

FIG. **2B** is a perspective view of a portion of the decelerating means of FIG. **2A**;

FIG. **2C** is a top view of a portion of the decelerating means of FIG. **2A**, showing the polar arrangement of magnets therein; and

FIG. **3** is a diagrammatic view of two opposed linear motors.

DESCRIPTION OF THE PREFERRED EMBODIMENTS

Referring to FIG. **1**, it will be seen that the illustrative assembly includes a car **1** having a chassis **2** on which are mounted travel wheels **4** to facilitate movement along a track assembly **6**, which comprises two parallel rails **8**.

Each of the rails **8** is of a U-shaped configuration and, as shown in FIG. **1**, are opposed to each otherl Each of the U-shaped rails includes a substnatially horizontal bottom plae **3**, for supporting a vertical travel wheel **5** of the car **1**, and a substnatially ertical wall **7** for engagin a horizonal tavel wheel **9** of car **1**, and a top wall **11** overlyin the bottom plate **3** and extending iwnardly from eside wall **7**. Mounted on the chassis **2** is a tiltable tray **10** which is sized to accommodate a selected cargo, such as, for example, heavy, large or cumbersome baggage. The tray **10** is capable of being positioned in three positions, one in which it is adapted to receive material from a loading station, another in which it permits transport of material around curves in the track without spillage of material, and lastly, a third position in which it facilitates sliding of the material off the tray **10** onto a receiving platform.

On the underside of the chassis **2**, a slider **12** is mounted which runs lengthwise along the chassis **2**. The slider **12** comprises a fin which is preferably fabricated of an all-conductor, such as aluminum or copper. Other all-conductive materials are within the scope of the preferable materials, provided that such materials are non-magnetic. The use of such materials reduces the overall weight of the car so that it is 25% to 30% less than existing prior art cars which do not employ such materials. The slider **12** is preferably 0.25 inch thick and in one embodiment is **48** inches long.

Also shown in FIG. **1** is a track assembly with linear induction motors **16** disposed in opposition. Brackets **14** are disposed inwardly of the rails **8**, and are adapted to retain the linear induction motors **16** such that the motors **16** form a gap **15** sized to be greater than the width of the slider **12**. The two brackets **14** each hold a linear induction motor **16** in such an orientation that the motors extend to form the narrow gap **15** therebetween.

The linear induction motors **16** each include a stator assembly **30** (FIG. **3**) having slots **32** therein. Within each stator assembly **30**, there are disposed multiple phase windings **34**. The windings **34** are disposed in the slots **32** so as to form a distributed winding pattern. When excited by a multiple phase alternating current source (not shown), the windings **34** generate a traveling magnetic wave defined by

$$b = B\cos\frac{(\pi S)}{p}$$

where

B=peak value of magnetic flux density in air gap

S=lengthwise distance of stator gap

p=pole pitch of stator

Inasmuch as the conductive slider **12** consists entirely of non-magnetic material, no force is produced tending to pull the slider sideways.

Because of magnetic induction action between the air gap magnetic flux wave and the slider, there occurs a flow of eddy currents defined by

$$j = J\sin\frac{(\pi S)}{p}$$

where

J=peak value of eddy current flow in the slider.

Interaction between the air gap flux wave and resulting eddy currents induced on the slider, produces thrust in the direction orthogonal to both flux and eddy current waves. The coil polarities are reversed from one stator assembly to the opposing stator assembly across the gap **15**. As a result of this configuration, the attractive force created by single non-opposed stators is eliminated.

Referring to FIG. **1**, it will be seen th the motors **16** are on about the same level above the botom plates **3** as are the horizontal travel wheels **9** and portions **13** of the ertical travel wheels **5** above their axes **15**, when h car passes over the motors. Thus, as is paparent from FIG. **1**, the driving force imparted to the slider **12** by the motors **16** is on about the same level as the horizontal wheels and the portion of the vertical wheels above the vertical wheel axes. Thus, there is produced subsntially only a forward thrust, without a turning moment imparted to the travel wheels tending to lift the wheels off the track.

In operation, the motors may be run continuously or may be provided with selective turn-off switches, such that one or more groups of motors may be turned off during periods of inactivity. Alternatively, a "presence control" may be utilized wherein the approach of a car is sensed and the motors turned on and, as the departure of the car from the scene is sensed, the motors turned off. A second alternative comprises a "speed control" wherein the speed of an approaching car is sensed and the motors are activated or deactivated in accordance with a preset desired speed for the car.

In FIG. **2A**, there are shown decelerating magnetic members **20**. Individual magnets **22** are each bonded to a steel plate **24** for support. The steel plates **24** are each attached to a mounting bracket **26**. Steel gussets **28** (FIGS. **2A** and **2B**), each about 0.25 inch thick, are mounted across an inner angle of the mounting brackets **26**, to provide support for the brackets **26**. The magnetic members **20** are positioned between the rails **8** so as to form a gap **29**, the width of which is greater than the width of the slider **12**.

FIG. **2B** shows the inner face of one of the identical opposed magnets and the positioning of the individual magnets **22**. A selected number of magnets, depending upon the weight and desired velocity of the vehicle, are placed on each of the steel plates **24**. FIG. **2C** shows the magnets **22** and the polar orientation thereof. Thus, when the slider **12** passes between the magnetic members **20**, as the car **1** travels along the tracks, the magnetic field created by the opposed polar orientation of individual magnets **22**, serves to decelerate the car **1**.

On the track assembly, the magnetic members **20** and the induction motors **16** are disposed in certain places where it is desirable that the speed of the car be either slowed or maintained. For example, in areas of an incline where it is likely that car speed will decrease, the induction motors may be disposed to maintain an appropriate speed. There are places along the track assembly where it is desirable that the speed of the car be decreased, such as in areas of sharp turns. It is in such areas that the magnetic members may be disposed to slow the car. Additionally, in areas where baggage is to be loaded onto and off of the tray of the car, magnetic members are disposed. Also, in areas where the tray has finished loading or unloading of baggage, induction motors may be positioned, so as to move the car along the track system and return the car to travel speed.

The motors may be reversed by merely reversing the direction of the traveling magnetic wave. This is accomplished by changing the phase rotation of the multiple phase power source, to provide a braking force on the cars. While it is preferable not to rely wholly on the motors for routine braking, use of the motors for braking over and beyond that provided by the magnetic members **20** is available.

It should be understood that the invention is not limited to the specific embodiment or construction described above and that various changes and modifications will be obvious to one skilled in the art without departing from the true spirit and scope of the invention as defined in the appended claims.

What is claimed is:

1. A track assembly for driving a material handling car, said asembly comprisin:

two parallel rails upon which said car is driven, each of said rails havign a U-shaped configuration, said rails being in opposed position, each of said rails having a subsntaially horizontal bottom plate for supporting a vertical travel wheel of said car, a substantially vertical side all for engaging a horizonal travel wheel of said car, and a top wall overlying said bottom plate and extending iwnardly from said side wall

linear induction motors mounted between said rails in an opposed configguration, said motors being on about the same level above said rail bottomplates as said horizontal travel wheel and portions of said vertical tarvel wheels above the axes thereof when said car passes over said motors, said opposed configuration defining a gap beween said motors permiting passage of a slider portion of said car therebetween, said configuration creating a driving force for impellin said car along said rails while causing cancellation of atractive forces exerted by seach of said induction motors respectively, such that said slider upon passage through said gap is subject only to said driving forcek said driving force being exerted by said motors at said level above said rail bottom plates so as to provide said driving force at said level of said horizontal travel wheels and said portions of said vertical travel wheels above said axes thereof, and

permanent magnets mounted between said rails at a point removed from said motors, said magnets being mounted in an opposed configuration defining a gap between said magnets which permits the passage of said slider therbetween, said magnets being adapted to exercise a braking force on said slider to decrease the speed of said car upon passage of said slider therebetween.

2. A material handling car and track assembly, said assembly comprising

a car having wheels mounted thereon, and a track having two parallel rails, said wheel being adapted to rolll on said rails to faciliate movement of said car along said track, a metal fin extending from an underside of said car and lengthwise of said car, said fin exending from said car between said wheels and

opposed linear motors mounted between said tracks, said motors being spaced from each other by a distance exceeding the thickness of said fin to define a gap between said motors, said fin being adapted to pass through said gap in travel of said car over said motors said motors being oriented such as to substanatially eliminate magentic attraction between said motors and said car, and said motors bieng disposed between said wheels when said car passes over said motors, said moors being disposed at a level above bottom plates of said track rails and genraly equal to the level of portions of said wheels above said bottom plates and above the axes of said wheels when said car passes over said motors, and

opposed permanent mgents mounted between said tracks at a point removed from said motors, said magnets being spaced from each other by a distance exceedig the thickness of said fin to define a gap between said magnets, said fin being adapted to pass through said gap between said magnets in travel of said car over said magnets, said magnets being disposed on plates mounted between said tracks, said magnets being mounted side by side in a direction of travel of said car, said magnets being operative sequentially to act on said fin to impart braking to said car, whereby said motors are opera-

tive to accelerate said car and said magnets are operative to decelerate said car.

3. Material handling car and track assembly, said assembly comprising:

a car having wheels mounted thereon, and

a track having two parallel rails, said wheel being adapted to roll on said rails to facilitate movement of said car along said track,

a metal fin extending from an underside of said car and lengthwise of said car, and

opposed magnet assemblies mounted between said tracks, said opposed assemblies being spaced from

each other by a distance exceeding the thickness of said fin to define a gap between said magnet asemblies, said fin being adapted to pass through said gap in travel of said car over said magnets, each of said assemble is comprising a mounting bracket, a plate attached to said mounting bracket, and a series of magnets bonded to said plate, said magnets on said plate being disposed side by side in a direction of travel of said car on said rails, said magnets being operative sequentially to act on said fin to impart braking to said car.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 5,277,125

DATED : January 11, 1994

INVENTOR(S) : Gene DiFonso, Joel L. Staehs

It is certified that error appears in the above-indentified patent and that said Letters Patent is hereby corrected as shown below:

In the Abstract:

Line 9: "daapted" should read "adapted"
Line 13: "mtors" should read "motors"
Line 14: "opposied" should read "opposed"
"magents" should read "magnets"
"mountede" should read "mounted"
Line 16: "dapted" should read "adapted"

Column 1: line 9; "fnvention" should read "invention"
Column 1: line 15; "ar" should read "art"

Column 3: line 53; "1" should read "."
line 54; "substnatially" should read —substantially—
line 55; "plae" should read —plate—
line 56; "substantially ertical" should read —substantially vertical"
line 56; "engagin" should read "engaging"
line 57; "tavel" should read "travel"
line 58; "overlyin" should read "overlying"
line 59; "eside" should read "the side"
Column 4: line 11; "48" should not be in bold
line 57; "th" should read "that"
line 58; "botom" should read "bottom"
line 60; "ertical" should read "vertical"
line 60; "h" should read "the"
line 61; "paperent" should read "apparent"
line 65; "substntially" should read "substantially"
Column 5: line 64; "asembly comprisin" should read "assembly comprising"
line 66; "havign" should read "having"
line 68; "substntaially" should read "substantially"

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 5,277,125 Page 2 of 2

DATED : January 11, 1994

INVENTOR(S) : Gene DiFonso, Joel L. Staehs

It is certified that error appears in the above-indentified patent and that said Letters Patent is hereby corrected as shown below:

Column 6: line 2; "all" should read "wall"
line 4; "iwnardly" should read "inwardly"
line 5; after "wall" please insert ","
line 7; "configguarion" should read "configeration"
line 10; "tarvel" should read "travel"
line 15; "impellin" should read "impelling"
line 16; "atractive" should read "attractive"
line 17; "seach" should read "each"
line 19; "forcek" should read "force"
line 29; "therbetween" should read "therebetween"

line 37; "rolll" should read "roll"
line 40; "exending" should read "extending"
line 47; after "said motors" please insert a comma ","
line 48; "substanatially" should read "substantially"
line 50; "bieng" should read "being"
line 53; "genraly" should read "generally"
line 57; "mgents" should read "magnets"
line 60; "exceedig" should read "exceeding"
Column 7: line 6; "wheel" should read "wheels"
Cloumn 8: line 2; "asem-" should read "assem-"

Signed and Sealed this

Eleventh Day of April, 1995

Attest:

BRUCE LEHMAN

Attesting Officer

Commissioner of Patents and Trademarks

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 5,277,125
APPLICATION NO. : 07/967661
DATED : January 11, 1994
INVENTOR(S) : DiFonso et al.

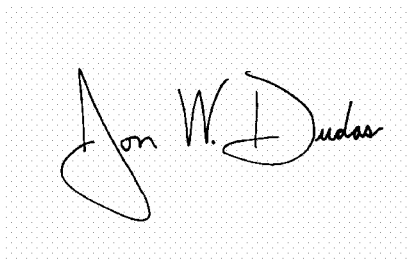
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page: Item (75), Inventors, "Gene DiFonso, Arlington; Joel L. Staehs, DeSoto, both of Tex." should read -- Gene DiFonso, Arlington; Joel L. Staehs, DeSoto; William C. Bortzfield *(deceased)*, Grand Prairie, all of Tex.--.

In the claims column 8, line 6, "assemble is" should read -- assemblies --.

Signed and Sealed this

Tenth Day of April, 2007



JON W. DUDAS
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 5,277,125
APPLICATION NO. : 07/967661
DATED : January 11, 1994
INVENTOR(S) : DiFonso et al.

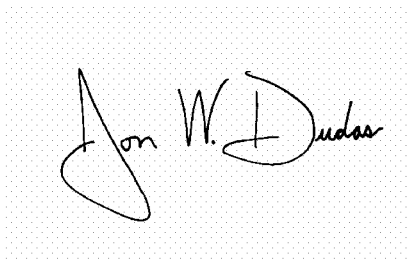
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page: Item (75), Inventors, "Gene DiFonso, Arlington; Joel L. Staehs, DeSoto, both of Tex." should read -- Gene DiFonso, Arlington; Joel L. Staehs, DeSoto; Willaim C. Bortzfield (*deceased*), Grand Prairie, all of Tex.--.

Column 8, line 6, "assemble is" should read -- assemblies --.

Signed and Sealed this

Seventeenth Day of April, 2007



JON W. DUDAS
Director of the United States Patent and Trademark Office

US006659237B1

(12) **United States Patent**
Pribonic

(10) **Patent No.: US 6,659,237 B1**
(45) **Date of Patent: Dec. 9, 2003**

(54) **EDDY CURRENT BRAKE**

(75) Inventor: **Edward M. Pribonic**, Seal Beach, CA (US)

(73) Assignee: **Magnetar Technologies, Ltd.**, Seal Beach, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 53 days.

(21) Appl. No.: **09/880,353**

(22) Filed: **Jun. 13, 2001**

Related U.S. Application Data

(63) Continuation-in-part of application No. 09/447,206, filed on Nov. 22, 1999.

(51) **Int. Cl.**[7] **B60L 7/28**
(52) **U.S. Cl.** **188/165**; 108/180
(58) **Field of Search** 188/159, 161, 188/164, 165, 180, 41, 84; 104/250

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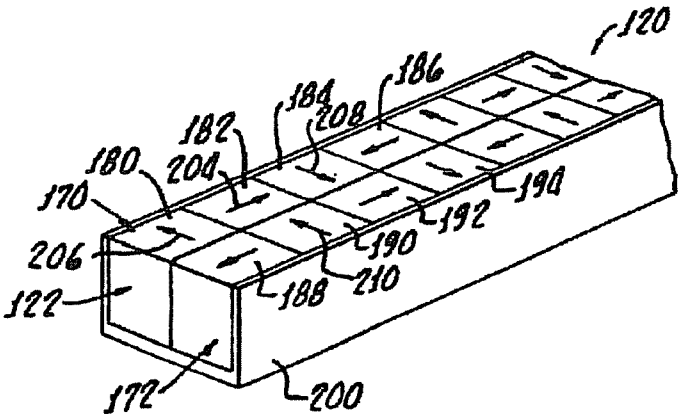
* cited by examiner

Primary Examiner—Jack Lavinder
Assistant Examiner—Bradley King
(74) *Attorney, Agent, or Firm*—Walter A. Hackler

(57) **ABSTRACT**

An eddy current brake includes a diamagnetic member, a first support wall and a second support wall with the first and second linear arrays of permanent magnets disposed on the walls facing one another. Apparatus is provided for moving at least one of the walls in order to control eddy current induced in the member in the passage of the member therepast to adjust the braking force between the magnets and the member. Apparatus is also provided for causing the velocity of the member to change the braking force between the magnets and the member.

10 Claims, 4 Drawing Sheets



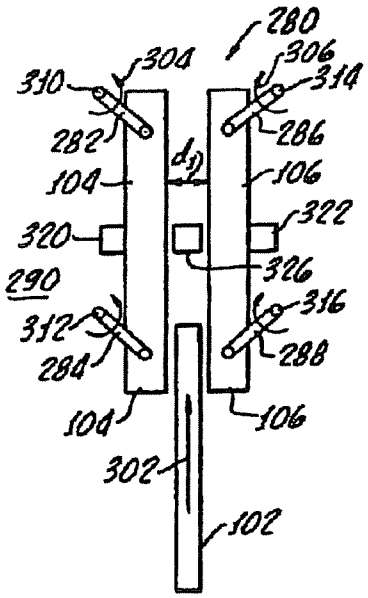
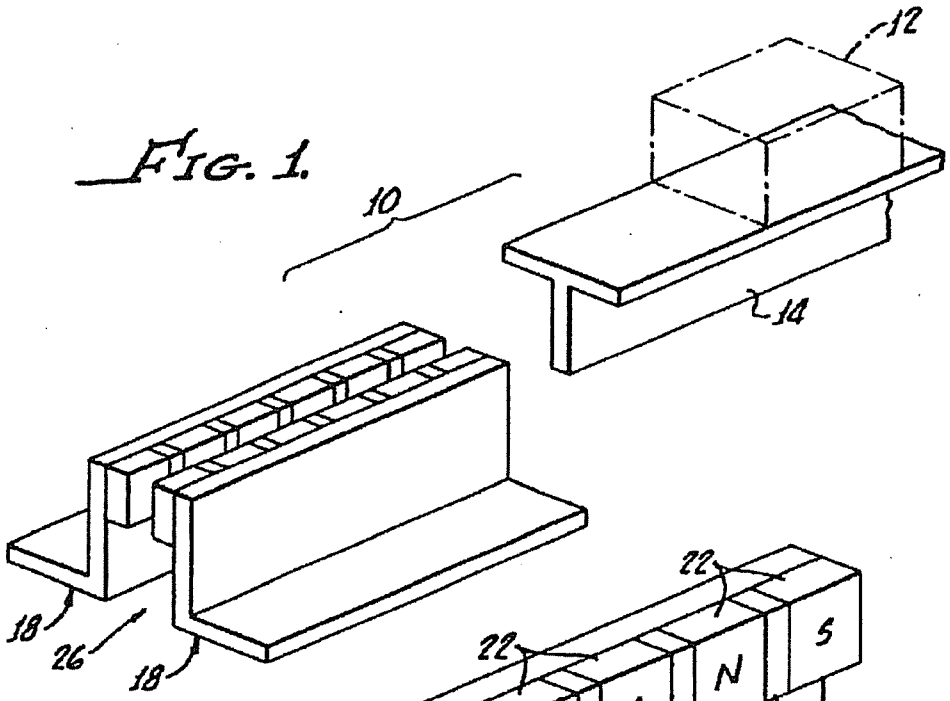


FIG. 1.



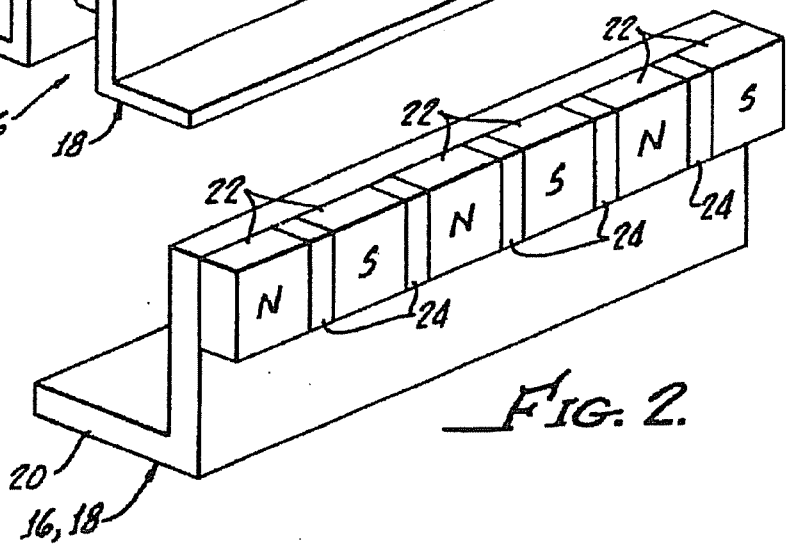


FIG. 2.

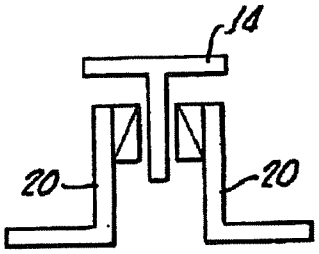


FIG. 3.

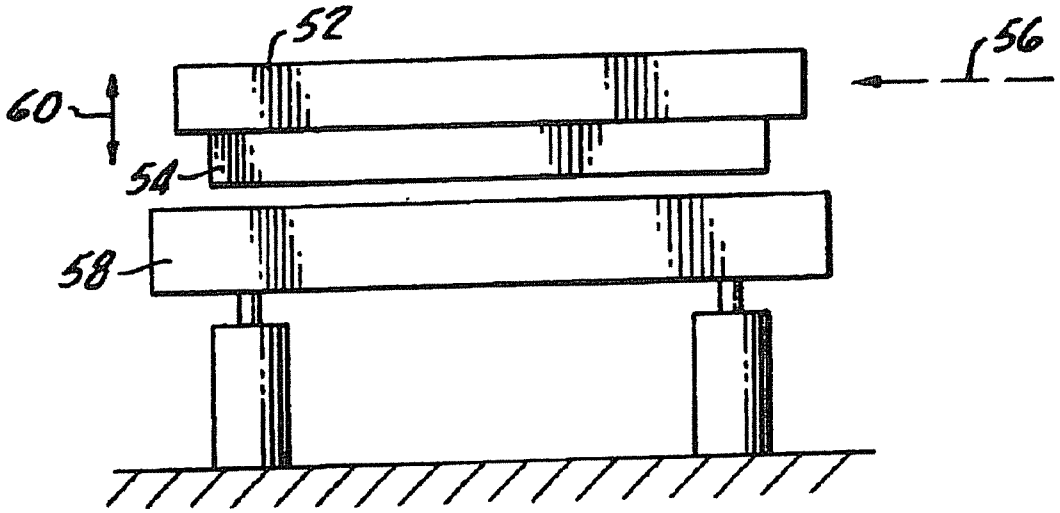


FIG. 4.

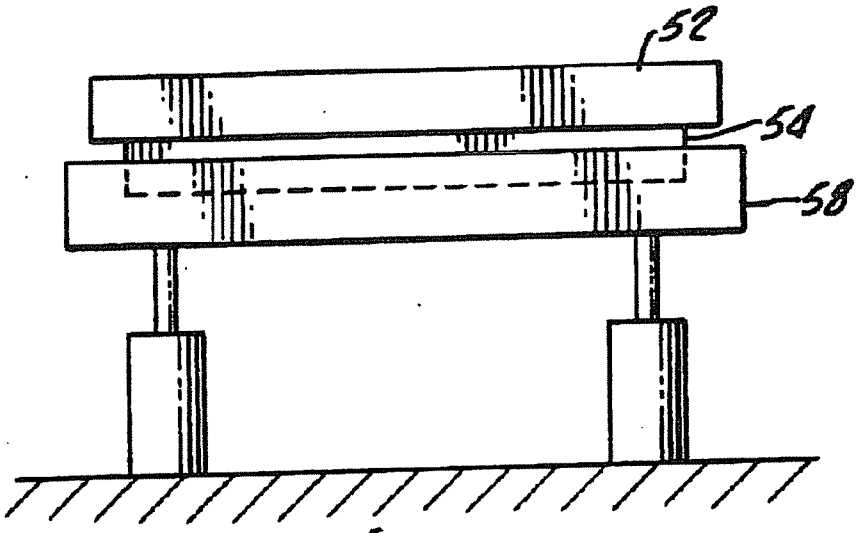


FIG. 5.

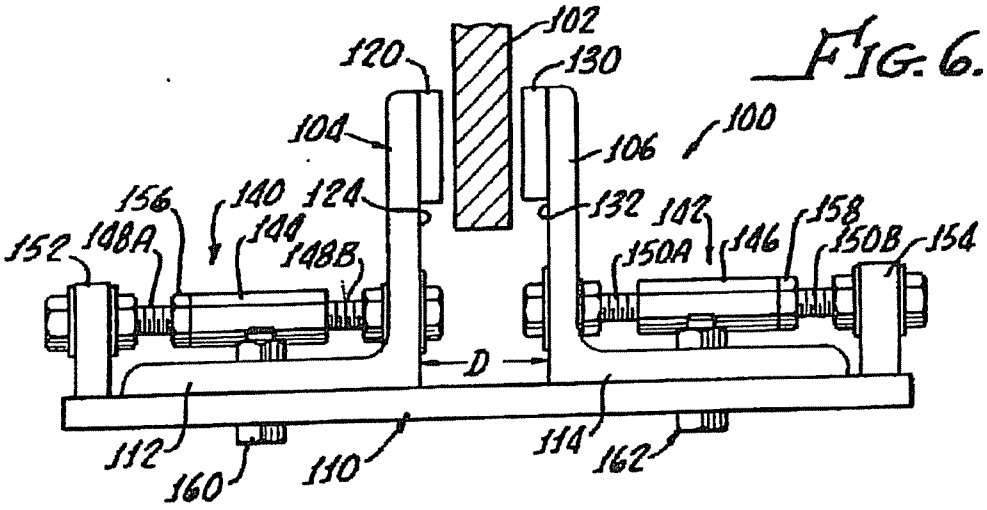


FIG. 6.

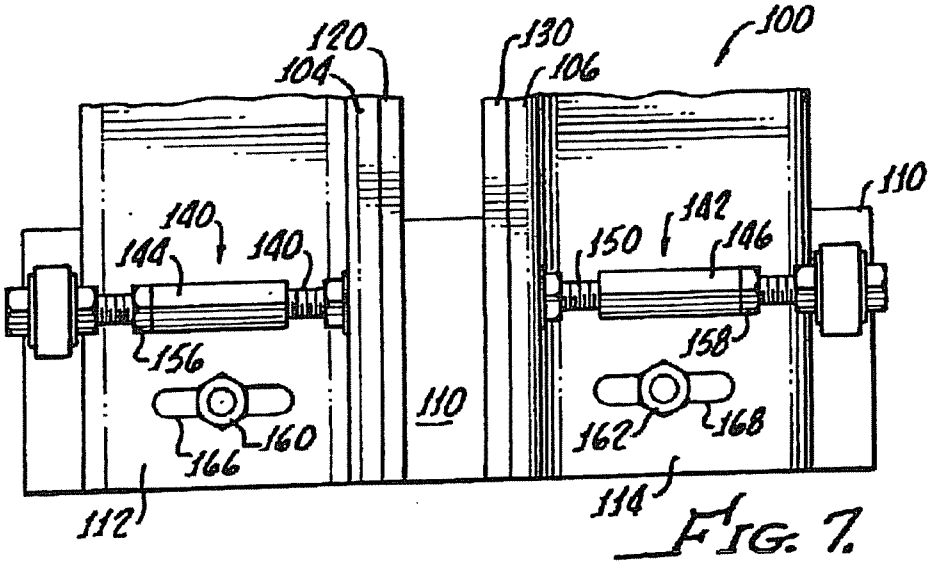


FIG. 7.

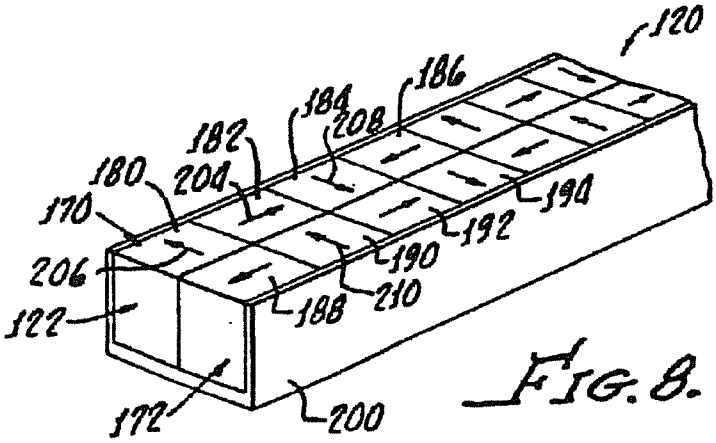


FIG. 8.

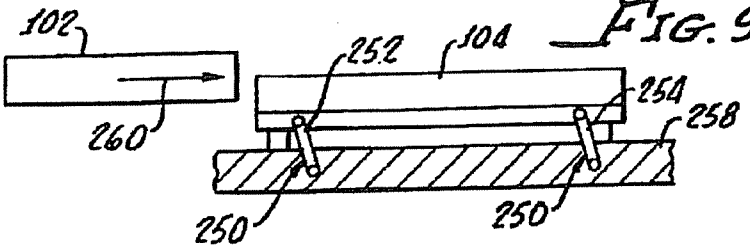


FIG. 9.

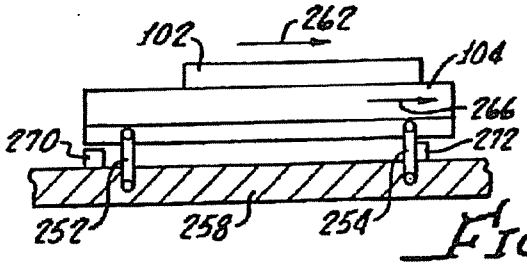


FIG. 10.

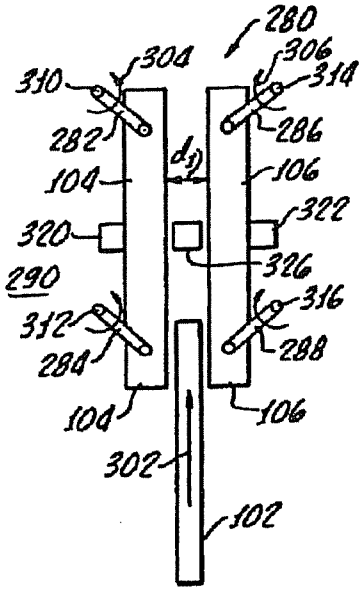


FIG. 11.

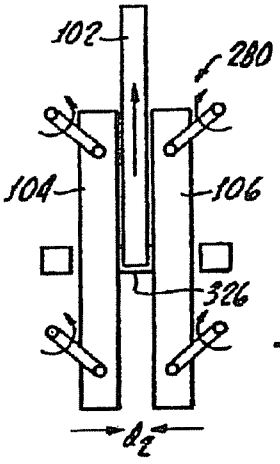


FIG. 12.

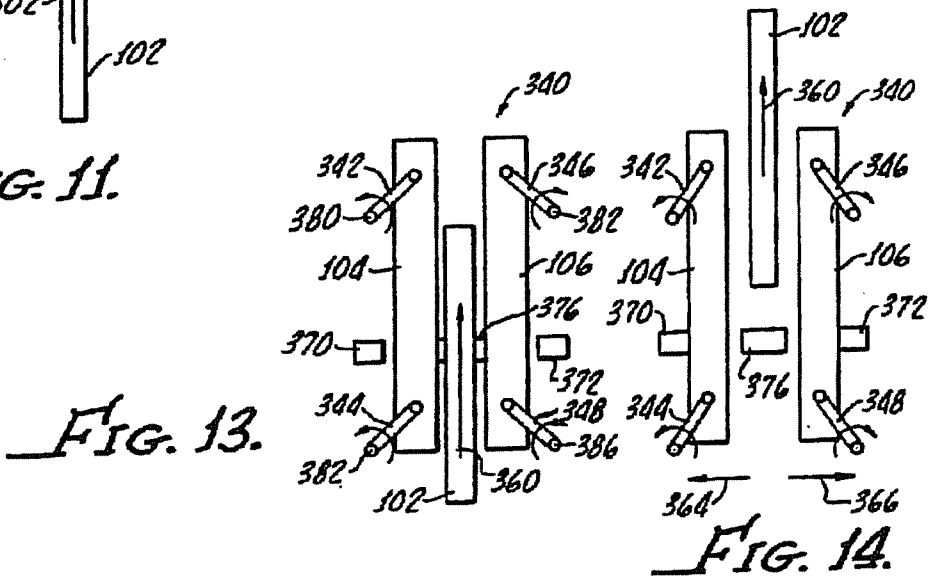


FIG. 13.

FIG. 14.

EDDY CURRENT BRAKE

The present application, is a continuation-in-part of U.S. patent application Ser. No. 09/447,206 filed Nov. 22, 1999.

The present invention is generally related to permanent magnet linear brakes and is more particularly directed to an eddy current brake and magnet system for providing adjustable braking for movable cars, for example, rail support cars, go cars, elevator cars, conveyer car, roller coaster cars among other.

Heretofore, eddy current braking system for providing deceleration of moving apparatus have utilized physically fixed magnets which provided no opportunity to adjust braking before or during passage of a diamagnetic member past a linear array of permanent magnets.

Accordingly, such prior art systems, when installed for decelerating a plurality of cars on a track, can not accommodate for variations in car weight and size.

The present invention provides for a unique permanent array arrangement and apparatus for adjusting braking force before and/or during passage of a car past a selected point.

SUMMARY OF THE INVENTION

An eddy current brake in accordance with the present invention generally includes a diamagnetic or non-magnetic member, a first support wall and a separate second support wall disposed in a spaced apart relationship with the first support wall for enabling the member to pass therebetween.

A first linear array of permanent magnets is disposed on the first wall on the side facing the second wall and a second linear array of permanent magnets is disposed on the second wall on the side facing the first wall. The first and second arrays are parallel with one another and spaced apart from one another for allowing passage of the member therebetween and causing eddy current to be induced in the member which results in the braking force between the magnets and the member. No magnetic connection, such as a yoke, is required between the walls or the arrays of permanent magnets. This feature enables adjustability of the distance between the member and the magnet arrays.

In accordance with the present invention, apparatus is provided for moving a least one of the first and second walls in order to control eddy current induced in the member during the passage of the member therepast in order to adjust braking force between the magnets and the member. In one embodiment of the present invention, the apparatus includes means for moving at least one of the first and second walls in a direction perpendicular to the member, and in another embodiment of the present invention, the apparatus includes means for moving at least one of the first and second walls in a direction parallel to the member.

Thus, it can be seen that the apparatus in accordance with the present: invention provides for changing the spaced apart relationship between the first and second walls in order to control eddy current induced in the member during passage and adjust a braking force between the magnets and member.

Accordingly, the amount of deceleration provided to a given car may be adjusted in accordance with the present invention. In addition, cars of various sizes and weights may be utilized and the eddy current magnetic brake in accordance with the present invention adjusted to provide the proper, or desired, deceleration. In one embodiment to the present invention, apparatus is provided for adjusting the eddy current induced in the member, and the braking force, as a function of velocity of the member between the arrays. Thus, cars having various velocities upon passing the brake, can be decelerated to a more uniform velocity exiting the brake in accordance with the present invention.

In this embodiment of the brake, the apparatus for adjusting eddy current includes a linkage mounting at least one of the first and second walls to a fixed foundation for enabling movement of the member therepast to change a distance between at least one of the first and second walls and the member. More particularly, the linkage may provide for changing a spaced apart relationship between the first and second walls.

An embodiment of the present invention includes linkage for enabling movement of the member to change a transverse relationship between at least one of the first and second walls of the member and another embodiment provides linkage for enabling movement of the member to change a parallel relationship between the first and second walls and the member.

Magnetic coupling and inducement of eddy current is effective through a linear array of permanent magnets which includes a channel and plurality of magnets disposed therein. The magnets may be arranged within the channel in two adjacent rows with each magnet in each row being arranged with a magnetic field at a 90° angle to adjacent magnets in each row along the channel. Each magnet in each row is also arranged with a magnetic field at an angle to another adjacent magnet in the adjacent row.

BRIEF DESCRIPTION OF THE DRAWINGS

The advantages and features of the present invention will be better understood by the following description when considered in conjunction with the accompanying drawings in which:

FIG. **1** is a perspective view of an eddy current brake in accordance with the present invention generally showing first and second spaced apart support walls and first and second linear arrays of permanent magnets along with a diamagnetic or nonmagnetic member attached to moving apparatus such as a car, represented by dashed line;

FIG. **2** is a perspective view of a first linear array of permanent magnets disposed upon a first support walk;

FIG. **3** is an elevational view of the brake shown in FIG. **1**;

FIG. **4** shows a selectively actuatable brake system disengaged;

FIG. **5** shows a system of FIG. **8** engaged;

FIG. **6** is an elevational view of an alternative embodiment according with the present invention further showing apparatus for moving at least one of the first and second walls in order to control the distance between permanent magnets and opposing walls for adjusting braking force between the magnets and a member;

FIG. **7** is plan view of the brake shown in FIG. **6**;

FIG. **8** is an enlarged view of a linear array of permanent magnets in accordance with the present invention generally including a channel and a plurality of magnets disposed therein in a particular arrangement as will be hereinafter described in greater detail;

FIGS. **9** and **10** show embodiment of the present invention similar to that shown in FIGS. **8** and **9** and further including apparatus for adjusting eddy current induced and the member, and braking force, is a function of velocity of the member between arrays of magnets;

FIGS. **11–14** are diagrams of alternative embodiments of the present invention which provide for linkage from at least

one of the first and second walls to a fixed foundation for enabling movement of the member past the first and second walls with the first and second magnet arrays thereon to change a perpendicular relationship between the first and second walls and the member.

DETAILED DESCRIPTION

For the ensuing description of a braking apparatus **10** for an object **12**, reference is made particularly to FIGS. **1–3**. The object **12** is shown in generalized form only and is contemplated for movement in the direction of the arrow. Affixed to the object **12** is a member, or fin, **14** which extends outwardly from the object **12** and also moves with the object in the direction of arrow **15**.

At some point along the path of movement there are mounted first and second laterally spaced magnet arrays **16** and **18**. Each array includes an elongated support wall **20** which may be any cross-section, such as, for example an L-shaped cross-section, and on a lateral surface thereof, there are provided a linear series of permanent magnets **22**, of any size, arrangement or configuration. For instance, the magnets may alternate in polarity as indicated by the identification letters "S" and "N". Also, the space **26** between the arrays is dimensioned and arranged with respect to the object path of movement, that the fin **14** will move along the space directly opposite the magnets and spacers, but remain out of physical contact with either the magnets or spacers.

When the fin **14** passes through the magnetic field existing in the space **26**, an electric current (eddy current) is induced in the fin **14** which, in this case, reverses as the fin passes from a magnet of one polarity to a magnet of opposite polarity. These eddy currents produce a force exerted on the fin **14** (and object **12**) of such direction as to reduce the velocity of movement of object **12** and fin **14**. It is this deceleration that produces the "braking" of the present invention.

Although the above-described first embodiment includes movement of the object and fin past fixedly located magnet arrays, the magnet arrays can just as well be moved past a stationary object and fin. All that is needed to achieve the braking effect is relative movement between the magnets and fin. Since usually the object is moving, in that case the magnet arrays would be carried by the object and the fin fixedly mounted adjacent the path of movement. The choice of which technique to employ depends upon the particular application.

In its more general aspects, the invention can be advantageously employed for braking a large variety of moving objects. As an excellent example, eddy current braking for elevators could be highly advantageous as an emergency measure where normal operation has somehow been interfered with or disrupted. Also, many amusement park rides could benefit by having eddy current braking devices to retard excessive speed as the "ride" vehicle takes a corner or drops at a severe angle.

FIGS. **4** and **5** illustrate an object **52** with a brake fin **54** interconnected therewith, that moves generally along a direction indicated by an arrow **56** which normally will pass by a magnet carrier **58** beyond the range of substantial magnetic interaction (FIG. **4**). The object **52** and fin **54** are provided with means **60** selectively actuatable for moving them toward the magnet carrier so as to effect magnetically coupling therewith (FIG. **5**) and achieve braking.

With reference to FIGS. **6** and **7**, there is shown an alternate embodiment **100** of the eddy current brake in accordance with the present invention generally including a diamagnetic or non-magnetic member **102**, a first support wall **104** and a second support wall **106**. Walls **104, 106** are separate from one another and disposed in a spaced apart relationship upon a base or foundation **110** via leg portions **112, 114** respectively. The spaced apart relationship enables the member **102** to pass between the walls **104, 106** and because **104, 106** are not fixed with respect to one another, a distance D therebetween can be adjusted as will be hereinafter discussed in greater detail.

A first linear array **120** of permanent magnets **122**, see FIG. **8**, is disposed on the first on a side **124** facing the second wall **106**.

A second linear array **130** of permanents (not individually shown) are disposed on the second wall **106** on a side **132** facing the first wall **104** with the first and second arrays **120, 130** being parallel with one another as shown in FIG. **10**. Apparatus **140, 142** is provided for moving the walls **104, 106** and change the spaced apart relationship between the first and second walls **104, 106** in order to control, or adjust, eddy current induced in the member **102** during passage of the member **102** past and between the walls **104, 106** and magnets **120, 130** thereby adjusting the braking force between the magnets arrays **120, 130** and the member **102**.

The apparatus **140, 142** may include adjusting nuts **144, 146** and bolts **148A, 148B, 150A, 150B** interconnected between the walls **104, 106** and brackets **152, 154** fixed to the base **110**.

Jam nuts **156, 158** prevent unwanted movement of the adjusting nuts **144, 146** and securing bolts **160, 162** extending through the base **110** and legs **112, 114** through slots **166, 168**, fix the walls **104, 106** in a desired spaced apart relationship after adjustment. The exact size of the walls **104, 106**, magnet arrays **120, 130**, member **102** and spacing D will be dependant upon velocity and weight of a car (not shown) attached to the member **102** and may be empirically determined.

It should be appreciated that the apparatus **140, 142** may include any number of configurations for adjustment of the walls **104, 106**. Such alternatives including single direction bolts, worm screws, jack screws, short in-line turn buckles, or other electrical, pneumatic, hydraulic system capable of providing the adjustment of spacing D, between the walls **104, 106**. Such configurations may eliminate a need for the securing bolts **160** and **162**.

Preferably, each magnet array **120, 130**, as illustrated by the array **120** in FIG. **12**, includes at least **1** row **170**, each having individual magnets **180, 182, 184, 186**. A second row **172** may include individual magnets **188, 190, 192, 194** respectively.

The magnet rows **170, 172** may be disposed in a tube, or channel **200** which may be formed of any suitable material such as aluminum, stainless steel, plastic; any number of magnets (not all shown) may be used.

The magnets **180, 194** are specifically arranged within the channel **200** with a specific magnetic field pattern. While two rows **170, 172** are shown, it should be appreciated that any suitable number of rows (not shown) may be utilized.

The channel **200** may be removably attached in any suitable manner to the wall **104**. Thus, as hereinabove noted, assembly of the brake **100** is facilitated. Another advantage of the preassembly of magnets **180–186** is the is the fact that alternative magnet configurations may be easily exchanged on the wall **104** in order to tailor magnetic braking characteristics.

More particularly, a magnet **182** in a row **170** is arranged with a magnetic field (indicated by the arrow **204**) which is

at an angle to the magnetic fields **206, 208** of adjacent magnets **180, 184** in the row **170**. A number of angular relationship between the adjacent magnets **180, 182, 184** such as, for example, 15°, 30°, 45° or 90°. When the angular relationship between adjacent magnet **180, 182, 184** is 90°, they may also be arranged with the magnetic field **104** at a 90° angle to a magnetic field **210** of the magnet **190** in the adjacent row **172**.

Preferably, the magnets **180–194** are epoxied into the channel **200** and thereafter attached to the wall **104** in any suitable manner. Also, the channel **200** may be open, as shown, or closed, (not shown) and be of any suitable shape for containing the magnets. Because the magnets may be assembled in the channel **200** before installation on the wall **104, 106**, assembly of the brake **100** is facilitated. In addition, change of magnetic field can be easily performed by changing of channels (not shown) having different magnet configurations therein.

The multi-row Halbach arrangement as shown in FIG. **8**, can be built with no backiron. The advantage is that most of the flux is confined to the member of fin **102** area, without needing backiron as is needed in the standard eddy current brake (not shown). The flux is concentrated between the magnet array and is small above and below the magnets. Significant weight improvements result because no backiron is used.

Multiple rows **170, 172** in proper alignment permit the use of the cubic Halbach arrangement in such a way that brakes of increasing power levels can be constructed while maintaining a fixed depth of magnet.

The Halbach array can achieve higher braking forces for the equivalent volume of magnetic material of a conventional ECB. The Halbach array reduces stray magnetic field through the inactive side of the array.

With reference to the diagrams shown in FIGS. **13** and **14**, apparatus **250** including links **252, 254** interconnecting the wall **104** with a foundation **258** provides for changing, controlling, or adjusting eddy current induced in the member **102**, and braking force, as a function of member **102** velocity between the walls **104, 106** and arrays **120, 130**. Only one wall **104** is shown in FIGS. **13, 14** for the sake of clarity.

As shown by the directional arrows **260, 262** in FIGS. **13, 14** respectively, movement of the member **102** past the wall **104** and array **120** attached thereto provides a reaction force as shown by the arrow **266** which raises the wall **104** from stops **270, 272** in order to change a transverse relationship between the wall **4** and array **120** and the member **104**. This transverse movement raises **104** increasing relative penetration of **102**, which increases the induced eddy currents and braking action.

Because the drag force is a function of velocity, when the walls **104** are mounted for pivoting on the links **252, 254**, the wall **104** is raised a specific height based upon the drag force generated causing rotation of the links **250, 254**. Thus, the penetration of the member **102** into the magnetic flux established by the arrays **120, 130** is self regulated.

When used in one orientation, as shown in FIGS. **9, 10**, the member **102** having a velocity in excess in a predetermined value would generate drag forces **266** sufficient to rotate, or pivot, the wall **104** to increase member **102** penetration and subsequently generating higher drag forces to reduce the excess velocity. As the velocity falls below the level necessary to generate drag force sufficient to fully rotate the wall **104** and pivot linkages **252, 254**, the wall **104** rotates back toward the default position. How far back it rotates is a self regulating function of the velocity/drag force in that instance.

Thus, the apparatus **250** can be utilized as an automatic "trim" brake actuating only when necessary and only with a force necessary to maintain the desired velocity of the member **102** and vehicle attached (not shown). Opposite linkages (not shown) would have the effect of lowering the wall **102** upon movement of the member **102** therepast, thereby having the effect of flattening the initial drag peak and providing flatter more uniform deceleration.

As diagramed in FIGS. **11** and **12**, apparatus **280** including pivoting links **282, 284, 286, 288** interconnected between a foundation **290** and the walls **104, 106** enable movement of the member as indicated by the arrow **302** to pivot the links **282, 284, 286, 288** in direction indicated by the arrows **304, 306** in order to, change a distance d_1 between the walls **104, 106**. The magnet arrays are not shown in FIGS. **11** and **12** for the sake of clarity in describing wall **104, 106** movement. Since the walls **104, 106** carry the magnet arrays **120, 130** the distance between the arrays **120, 130** is also varied. The links **282, 284, 286, 288** may include spring loaded pivots **310, 312, 314, 316** respectively in order to bias the walls **104, 106** against stops **320, 322** in a rest position.

As shown in FIG. **12**, movement of the member between the walls **104, 106** decreases the distance d_1 to d_2, thus increasing the induced eddy currents and increasing a braking action. A stop **326** defines the minimum distance d_2 of approach between the walls **104, 106**.

Similar linkage apparatus is shown in FIGS. **13** and **14** in connection with the walls **104, 106** and member **102**. In this instance, links **342, 344, 346, 348** are interconnected so that movement indicated by the arrow **360** of the member **102** causes a spread or widening as indicated by the arrows **364, 366** of the walls **104, 106**. Stops **370, 372, 376** limit the movement of the walls **104, 106** in a manner similar to that described in connection with the apparatus **280** shown in FIGS. **11, 12**.

Spring loaded pivots keep the walls **104, 106** initially biased against the stop **376**. This configuration lowers the magnetic coupling due to movement of the member **102** between the walls **104, 106** and, as hereinabove noted, has the effect of flattening the initial drag peak and provide a flatter more uniform deceleration. It should be appreciated that other means of opening and closing arrays and lowering the walls **104, 106** may be utilized which can include other mechanical, pneumatic, hydraulic or other components (not shown) to provide the same function.

Although there has been hereinabove described an eddy current braking apparatus in accordance with the present invention for the purpose of illustrating the manner in which the invention may be used to advantage, it will be appreciated that invention is not limited thereto. Accordingly, all modifications, variations or equivalent arrangements which may occur to those skilled in the art should be considered to be within the scope of the invention as defined in the appended claims.

What is claimed is:

1. An eddy current brake comprising:

a diamagnetic or non-magnetic member;

a first support wall;

a separate second support wall disposed in a spaced apart relationship with said first support wall for enabling the member to pass therebetween;

a first linear array of permanent magnets disposed on the first wall on a side of the first wall facing the second wall;

a second linear array of permanent magnets disposed on the second wall on a side of the second wall facing the

first wall, the first and second arrays being parallel with one another; and

apparatus for adjusting eddy current induced in the member, and braking force, as a function of velocity of the member between the arrays, said apparatus including linkages for enabling movement of the member therepast to change the spaced apart relationship between the first and second walls.

2. Eddy current braking apparatus comprising:

a diamagnetic or non-magnetic member;

a linear array of permanent magnets including a channel and a plurality of magnets disposed therein, the magnets being arranged within said channel in two adjacent rows, each magnet in each row being arranged with a magnetic field at a 90° angle to another adjacent magnets in each row along the channel, each magnet in each row also being arranged with a magnetic field at an angle to another adjacent magnet in the adjacent row; and;

means, mounting the linear array with respect to the member, for enabling passage past one another at a distance sufficient to cause eddy currents to be induced in the member resulting in a braking force between the linear array and the member.

3. The brake according to claim **2** further comprising a second linear array of permanent magnets including a second channel and a plurality of magnets disposed therein, the magnets being arranged within said second channel in two adjacent rows, each magnet in each row being arranged with a magnetic field at a 90° angle to adjacent magnets in each row along said second channel, each magnet in each row also being arranged with a magnetic field at a 90° angle to another adjacent magnet in the adjacent row; and

means, mounting the second linear array with respect to the member, for enabling passage past one another at a distance sufficient to cause eddy currents to be induced in the member resulting in a braking force between the linear array and the member.

4. The brake according to claim **3** further comprising a first support wall for, supporting the linear array, and second wall for supporting the second linear array and apparatus for moving at least one of the first and second walls in order to control the eddy current induced in the member during passage of the member therepast to adjust braking force between the magnets and the member.

5. The brake according to claim **4** wherein the apparatus includes means for moving at least one of the first and second walls in a direction perpendicular to the member.

6. The brake according to claim **4** wherein the apparatus includes means for moving at least one of the first and second walls in a direction parallel to the member.

7. The brake according to claim **3** further comprising a first support wall for supporting the linear array, a second wall, disposed in a spaced apart relationship with said first support wall, for supporting the second linear array and apparatus for changing the spaced apart relationship between the first and second walls in order to adjust eddy current induced in the member, and braking force, as a function of velocity of the member between the arrays.

8. The brake according to claim **7** wherein the apparatus for adjusting eddy current includes a linkage mounting at least one of the first and second walls to a fixed foundation, for enabling movement of the member therepast to change a distance between at least one of the first and second walls and the member.

9. The brake according to claim **7** wherein the apparatus for adjusting eddy current includes linkages, mounting the first and second walls to a fixed foundation, for enabling movement of the member therepast to change the spaced apart relationship between the first and second walls.

10. An eddy current brake comprising:

a diamagnetic or non-magnetic member;

a first linear array of permanent magnets;

a second linear array of permanent magnets disposed in a spaced apart relationship with said first linear array for enabling the member to pass therebetween, the first and second arrays being parallel with one another; and

apparatus for adjusting eddy current induced in the member, and braking force, as a function of velocity of the member between the arrays, said apparatus including linkages for enabling movement of the member therepast to change the spaced apart relationship between the first and second arrays.

* * * * *

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAFETY BRAKING CORPORATION, MAGNETAR TECHNOLOGIES CORP., and G&T CONVEYOR CO.,

Plaintiffs,

v.

SIX FLAGS THEME PARKS INC., TIERCO MARYLAND, INC., GREAT AMERICA LLC, KKI, LLC, MAGIC MOUNTAIN LLC, PARK MANAGEMENT CORP., RIVERSIDE PARK ENTERPRISES, INC., SIX FLAGS OVER GEORGIA II, L.P., SIX FLAGS ST. LOUIS LLC, TEXAS FLAGS, LTD., ASTROWORLD, L.P., DARIEN LAKE THEME PARK AND CAMPING RESORT, INC., ELITCH GARDENS, L.P., BUSCH ENTERTAINMENT CORP., CEDAR FAIR LP, PARAMOUNT PARKS, INC., KNOTT'S BERRY FARM, KINGS ISLAND COMPANY, CEDAR FAIR, UNIVERSAL CITY DEVELOPMENT PARTNERS LTD., UNIVERSAL CITY STUDIOS LLLP,

Defendants.

Civil Action No. 07-127-***

PLAINTIFFS' REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS

The United States District Court for the District of Delaware presents its compliments to the judicial authorities of Switzerland and requests assistance in obtaining evidence to be used in civil proceedings before this Court.

The request is made pursuant to, and in conformity with, Chapter I of the *Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters* ("the Hague Convention"), to which both the United States and the Swiss

Confederation are parties, the Regulation on Judicial Assistance in Civil Matters (ZRHO) and Rules 28 and 30 of the United States Federal Rules of Civil Procedure.

Specifically, this Court requests assistance in compelling testimony and documents from a witness located in the canton of Valais in relation to the above-named action. The Court asserts that the evidence sought is directly relevant and necessary to the issues in dispute. This Request fully complies with Swiss reservations under the Hague Evidence Convention. Trial in this action is scheduled to commence on February 2, 2009.

The particulars of this Hague Evidence Request are as follow:

1.	***Sender***	Hon. Mary Pat Thynge United States Magistrate Judge United States District Court for the District of Delaware 844 N. King Street, Room 6100 Wilmington, DE 19801 U.S.A. ***(CIV NO. 07-127-***)***
2.	***Central Authority of the Requested State:***	The Federal Justice and Police Department International Judicial and Extrajudicial Assistance Bundesrain 20 3003 Bern Switzerland Tel: 011-41-31-322-4310 Fax: 011-41-31-322-5380
3.	***Person to whom the executed request is to be returned***	***Plaintiffs' U.S. Legal Representative:*** Francis DiGiovanni Connolly Bove Lodge & Hutz LLP The Nemours Building 1007 North Orange Street P.O. Box 2207 Wilmington, DE 19899 U.S.A.

On behalf of:
Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the
District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
U.S.A.

4. In conformity with Article 3 of the Convention, the undersigned applicant has the honor to submit the following request:

5. Requesting judicial authority: Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the
District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
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To the competent authority of: The Swiss Confederation

6. Names and addresses of the parties and their representatives:

a. Plaintiffs

SAFETY BRAKING CORPORATION, a Delaware corporation with offices in California;

MAGNETAR TECHNOLOGIES CORPORATION, a Nevada corporation with offices in California;

G&T CONVEYOR COMPANY, a Florida corporation with offices in Florida and Texas;

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b. Defendants

SIX FLAGS THEME PARKS, INC., a Delaware corporation with offices in New York;

TIERCO MARYLAND, INC. a Delaware corporation;

GREAT AMERICA LLC, an Illinois company;

KKI, LLC, a Delaware company;

MAGIC MOUNTAIN LLC, a California company;

PARK MANAGEMENT CORP., a California company;

RIVERSIDE PARK ENTERPRISES, a Massachusetts company;

SIX FLAGS OVER GEORGIA II, L.P., a Delaware partnership;

SIX FLAGS ST. LOUIS LLC, a Missouri company;

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CEDAR FAIR LP, a Delaware partnership;

PARAMOUNT PARKS, INC., a Delaware corporation;

KNOTT'S BERRY FARM, a California partnership;

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7. Nature and purpose of the proceedings and summary of the facts:

PARTIES

Plaintiff/Counterdefendant Safety Braking Company ("Safety Braking") is a corporation organized and existing under the laws of Delaware, with a place of business in California. Plaintiff/Counterdefendant Magnetar Technologies Corporation ("Magnetar") is a Nevada corporation with a place of business in California. Plaintiff/Counterdefendant G&T Conveyor Co. ("G&T") is a Florida corporation with a place of business in Florida. Plaintiffs Safety Braking, Magnetar, and G&T are collectively referred to herein as "Plaintiffs."

Defendant/Counterclaimant Six Flags Theme Parks, Inc. ("SFTP") is a corporation organized and existing under the laws of Delaware. Defendant/Counterclaimant Tierco Maryland, Inc. ("Tierco") is a corporation organized and existing under the laws of Delaware. Defendant/Counterclaimant Great America LLC ("Great America"), is a company organized and existing under the laws of Illinois. Defendant/Counterclaimant KKI, LLC ("KKI") is a company organized and existing under the laws of Delaware. Defendant/Counterclaimant Magic Mountain LLC ("Magic Mountain") is a company organized and existing under the laws of the state of California. Defendant/Counterclaimant Park Management Corporation ("PMC") is a corporation

organized and existing under the laws of the state of California. Defendant/Counterclaimant Riverside Park Enterprises ("Riverside") is a company organized and existing under the laws of the commonwealth of Massachusetts. Defendant/Counterclaimant Six Flags Over Georgia II, L.P. ("SFOG") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Six Flags St. Louis LLC ("SFSL") is a company organized and existing under the laws of the state of Missouri. Defendant/Counterclaimant Texas Flags, Ltd. ("Texas Flags"), is a partnership organized and existing under the laws of the state of Texas. Defendant/Counterclaimant Astroworld, L.P. ("Astroworld") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Darien Lake Theme Park and Camping Resort, Inc. ("Darien Lake") is a corporation organized and existing under the laws of the state of New York. Defendant/Counterclaimant Elitch Gardens, L.P. ("Elitch Gardens") is a partnership organized and existing under the laws of the state of Colorado. Defendant/Counterclaimants SFTP, Tierco, Great America, KKI, Magic Mountain, PMC, Riverside, SFOG, SFSL, Texas Flags, Astroworld, Darien Lake, and Elitch Gardens are collectively referred to herein as "Six Flags."

Defendant/Counterclaimant Cedar Fair LP ("CFLP") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimant Paramount Parks, Inc. ("Paramount") is a corporation organized and existing under the laws of the state of Delaware. Knott's Berry Farm ("Knott's") is a partnership organized and existing under the laws of the state of California. Defendant/Counterclaimant Kings Island Company ("Kings") is a corporation organized and existing under the laws of the

state of Delaware. Defendant/Counterclaimant Cedar Fair ("CF") is a partnership organized and existing under the laws of the state of Ohio. Defendant/Counterclaimants CFLP, Paramount, Knott's, Kings, and CF are collectively referred to herein as "Cedar Fair."

Defendant/Counterclaimant Universal City Development Partners Ltd. ("UCDP") is a partnership organized and existing under the laws of the state of Florida. Defendant/Counterclaimant Universal City Studios LLLP ("UCS") is a partnership organized and existing under the laws of the state of Delaware. Defendant/Counterclaimants UCDP and UCS are collectively referred to herein as "Universal." Defendant/Counterclaimant Busch Entertainment Corp. ("Busch") is a corporation organized and existing under the laws of the state of Delaware.

ALLEGATIONS IN THE COMPLAINT

Plaintiffs initiated a civil lawsuit in the United States District Court for the District of Delaware against Defendants Six Flags, Cedar Fair, Universal, and Busch on March 1, 2007, pursuant to the Patent Laws of the United States, 25 U.S.C. § 1 *et seq.* Plaintiffs allege that Defendants Six Flags, Cedar Fair, Universal, and Busch have infringed, and continue to infringe, United States Patent Number 5,277,125 ("the '125 patent") (*Annex C*; Exhibit 1) through Defendants' use for commercial purposes roller coasters and other amusement devices incorporating all of the limitations of at least one claim within the '125 patent. Plaintiffs further allege that Defendants Universal and Cedar Fair have infringed, and continue to infringe, United States Patent Number 6,659,237 ("the '237 patent") (*Annex C*; Exhibit 2) through Universal and Cedar Fair's

use for commercial purposes roller coasters and other amusement devices incorporating all of the limitations of at least one claim of the '237 patent.

Plaintiffs seek a judgment that Defendants Six Flags, Cedar Fair, Universal, and Busch have infringed the '125 patent and that the infringement was deliberate and willful; that Defendants be permanently enjoined from making, using, selling, or importing within the United States all devices incorporating all of the limitations of at least one claim within the '125 patent; for damages; reasonable attorneys fees, and such other relief as the Court deems proper. Plaintiffs further seek a judgment that Defendants Cedar Fair and Universal have infringed the '237 patent and that the infringement was deliberate and willful; that Defendants Cedar Fair and Universal be permanently enjoined from making, using, selling, or importing within the United States all devices incorporating all of the limitations of at least one claim within the '237 patent; for damages; reasonable attorneys fees, and such other relief as the Court deems proper.

SIX FLAGS, CEDAR FAIR, AND UNIVERSAL'S DEFENSES AND COUNTERCLAIMS

In their Answer and Counterclaims, the Defendants denied that any devices used by Six Flags, Cedar Fair, or Universal infringe the '125 patent and assert that the '125 patent is invalid and unenforceable. The Cedar Fair and Universal Defendants denied that any devices used by Cedar Fair infringe the '237 patent and assert that the '237 patent is invalid and unenforceable. Defendants Six Flags, Cedar Fair, and Universal asserted several affirmative defenses, including equitable estoppel, laches, implied or actual contract, incorrect inventorship, and others.

As Counterclaims, Six Flags, Cedar Fair, and Universal sought dismissal of the Complaint of Plaintiffs; declaration of invalidity for the '125 patent and the '237 patent. Defendants Six Flags, Cedar Fair, and Universal seek a judgment that the '125 patent is invalid and unenforceable; that the '237 patent is invalid and unenforceable; declaration that Defendants Six Flags, Cedar Fair, and Universal have not infringed the '125 patent; declaration that Defendants Cedar Fair and Universal have not infringed the '237 patent; awarding Defendants their costs, including expert fees; and whatever other relief the Court may deem just.

BUSCH'S DEFENSES AND COUNTERCLAIMS

In their Answer and Counterclaims, Busch denied that any devices it used infringed the '125 patent. By way of affirmative defenses, Busch claimed non-infringement of the '125 patent, estoppel based on the prosecution of the '125 patent, failure to mark devices produced with the patent number, invalidity of the '125 patent, laches, and lack of subject matter jurisdiction and/or standing. By way of counterclaims, Busch alleged that that Plaintiffs/Counterclaim Defendants failed to name proper inventors in the '125 patent. Busch seeks for its counterclaims: declaration of invalidity for the '125 patent; declaration of non-infringement of the '125 patent by Busch; declaration that Kwangho Chung should have been named as an inventor of the '125 patent; declaration that Busch owns an interest in the '125 patent; denial of Plaintiffs' requests; attorneys' fees; any other relief the Court deems just.

STAGE OF THE PROCEEDINGS

Plaintiffs Safety Braking, Magnetar, and G&T commenced this action on March 1, 2007 when they filed their original Complaint. A First Amended Complaint was filed

by Plaintiffs on August 9, 2007, naming additional Defendants (named above), and dismissing other Defendants (not named above). Defendants Cedar Fair, Six Flags, and Universal filed their Answer and Counterclaims to that Complaint on August 23, 2007. Defendant Busch separately filed its Answer and Counterclaims on August 23, 2007. Responses to written interrogatories and requests for production of documents have been served by the parties. Trial is scheduled to commence on February 2, 2009.

THE WITNESS

The witness from whom testimony and documents are sought is Walter Bolliger, a Swiss resident, and President of Bolliger & Mabillard Consulting Engineers, Inc. ("B&M). B&M is a Swiss company that designs, sells, manufactures, and installs amusement rides around the world. Among those rides are several rides operated by Defendants that are believed to infringe either the '125 patent or the '237 patent. Among those rides are Goliath at Six Flags Over Georgia; Sheikra at Busch Gardens Africa in Florida; Griffon at Busch Gardens Europe in Virginia; Silver Bullet at Knott's Berry Farm; Patriot at Worlds of Fun; Nitro at Six Flags Great Adventure.

Should Walter Bolliger be unable to furnish the information sought in this request, or should he be unable to attend and give his testimony, B&M may name anyone knowledgeable about the requested subject matter to speak in his place, subject to the agreement of the parties in this litigation.

RELEVANCE OF THE EVIDENCE SOUGHT

Plaintiffs in this case have alleged infringement of the '125 patent and the '237 patent by the Defendants named above. Both patents claim the technology used in certain applications of eddy currents for the purposes of stopping a car mounted on a rail.

It is alleged that Defendants infringe one or more of the patents by way of operating for profit amusement rides incorporating eddy current brakes containing all limitations present in particular claims of the ‘125 patent and the ‘237 patent.

As manufacturer of several of the alleged infringing devices, it is expected that B&M would have within its possession documents and information regarding the technical specifications of the braking systems used in those amusement devices. Any documents would include, but not be limited to, technical or design drawings, project summaries, plans, notes, purchase agreements, documents relating to contractual negotiations as well as finalized contracts, installation plans, manufacturing plans, budgets, and research and design documentation. All of these documents may be necessary for Plaintiffs to be able to prove infringement of the ‘125 patent or the ‘237 patent by one or more devices operated by Defendants and designed and manufactured by B&M.

Plaintiffs assert that facts within the possession of Walter Bolliger, or whomever else may be designated by B&M at the approval of parties to this litigation, will establish that one or more amusement rides designed, manufactured, and sold by B&M and operated by one or more Defendant in this litigation contained all of the claim limitations for particular claims of the ‘125 patent and/or the ‘237 patent. The District Court asserts that the facts surrounding B&M’s design and manufacturing of particular amusement rides are essential to Plaintiffs’ ability to fully set forth their claims and defenses at trial. Justice cannot be completely served without Walter Bolliger’s testimony (or the testimony of someone appointed by B&M competent to provide information in the stated areas, at the agreement of all parties to the litigation).

8. Evidence to be obtained or other judicial act to be performed:

The District Court seeks both oral testimony and document production from the witness. The District Court further requests that the documents produced by the witness be made available for inspection and copying by the parties at least two weeks prior to the oral examination so that counsel may have an opportunity to supplement the questions to be put to the witness based on information disclosed in the documents.

For the reasons set forth above, the District Court believes that the witness will be able to provide evidence directly relevant to the main issues between the parties and without which the ends of justice could not be properly met. The District Court believes that this evidence is not available from any other source.

Questions to be put to Walter Bolliger are listed as *Annex A*. Documents sought for production are listed as *Annex B*. Documents supporting this Request and for use during the witness examination are attached as *Annex C*.

9.	***Identities and addresses of persons to be examined:***	Walter Bolliger c/o Bolliger & Mabillard Consulting Engineers, Inc. Chemin des Dailles 31 CH-1870 Monthey Switzerland
10.	***Questions to be put to the persons to be examined or statement of the subject matter about which they are to be examined:***	Please see attached list (*Annex A)*.
11.	***Documents or other property to be inspected:***	Please see attached list (*Annex B*).
12.	***Any requirement that the evidence be given on oath or affirmation and any specific form to be used:***	The witness should be examined under oath or affirmation, or in the alternative, should be instructed of the consequences for the giving of untruthful and false answers under the laws of Switzerland.

13. Special methods or procedure to be followed:

The District Court requests

(1) that the parties' representatives or their designees, interpreters, and a U.S. verbatim court reporter as well as a Swiss stenographer be permitted to attend and participate in the examination;

(2) that the parties' legal representatives or their designees be permitted to submit additional questions to the witness following responses to the questions attached hereto in *Annex A*;

(3) that the interpreters be permitted to assist with the witness examination, at Plaintiffs' expense;

(4) that a U.S. court reporter be permitted to record verbatim the witness examination at Plaintiffs' expense; and

(5) that the Swiss court ensure that any documents produced are authenticated in accordance with its normal practice and procedures.

The District Court additionally requests that the confidentiality of any evidence produced as a result of this Request be maintained pursuant to the laws of Switzerland. Finally, in conformity with Article 7 of the Hague Evidence Convention, the U.S. District Court requests that the Plaintiffs' designee in the United States, Connolly Bove Lodge & Hutz LLP (see contact information above), be advised of the date and location of the Swiss hearing to execute this Request. Connolly Bove Lodge & Hutz LLP may also be contacted if the Swiss authorities require clarification with respect to any aspect of this Request.

14. Request for notification of the times It is requested that testimony be taken at

	and place for the execution of the Request and identity of the person to be notified:	such place, date or time as ordered by the Swiss Court or as otherwise agreed to by the witness and the respective representatives of the Parties. When the time and place for execution of This request is ordered by the Swiss Court, It is requested that you provide notice Thereof to: ***Plaintiffs' U.S. designee:*** Francis DiGiovanni CONNOLLY BOVE LODGE & HUTZ LLP 1007 N. Orange St. PO Box 2207 Wilmington, DE 19899 U.S.A. Tel: +1.302.658.9141 Fax: +1.302.658.5614 Email: fdigiovanni@cblh.com
16.	***Specification of privilege or duty to refuse to give evidence under the laws of the State of origin:***	The witness may refuse to answer any question propounded pursuant to Section 13 above if such answer (1) would subject the witness to a real and appreciable danger of criminal liability in the United States, or (2) would disclose a confidential communication between the witness and his attorney.
17.	***The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be Borne by:***	Plaintiff Safety Braking Corporation ***c/o Plaintiffs' legal representative:*** Francis DiGiovanni, Esq. Geoffrey A. Zelley, Esq. CONNOLLY BOVE LODGE & HUTZ LLP 1007 N. Orange St. P.O. Box 2207 Wilmington, DE 19899 U.S.A. Tel: +1.302.658.9141

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Email: smiller@cblh.com

18. Date of Request: _____

19. Signature and seal of the Requesting Authority: _____

Hon. Mary Pat Thynge
United States Magistrate Judge
United States District Court for the District of Delaware
844 N. King Street, Room 6100
Wilmington, DE 19801
U.S.A.

Annex A: Questions to be put to Walter Bolliger (in English and in German)
Annex B: Documents Sought for Production (in English and in German)
Annex C: Documents to be Used During Witness Examination/Documents Supporting this Request (in English and German)

ANNEX A
Questions to be put to Walter Bolliger

Background Statement regarding questions to be put to the witness:

Plaintiffs assert that several amusement rides designed and manufactured by B&M, and operated by Defendants, infringe at least one claim of the '125 patent and the '237 patent, as listed in the Request, item 7. Each of these rides, it is alleged, contain all of the limitations of at least one claim in the '125 patent and/or the '237 patent. Walter Bolliger is the President of B&M, and as such, it is believed that he has direct knowledge, or at least has the ability to obtain direct knowledge, of the technical specifications of each of these rides, as well as their purchase prices and any contractual negotiations with Defendants. The testimony of Walter Bolliger may be necessary for the Plaintiffs to prove infringement of the '125 patent and/or the '237 patent by the Defendants.

Questions to establish background and foundational information regarding witness:

1. Please state your full name
2. Please state your home address.
3. Please state your date of birth.
4. Are you currently employed by B&M?
5. Please state B&M's address.
6. How long have you been employed by B&M?
7. What positions or titles have you held at B&M?
8. Please state your job responsibilities for each position or title held at B&M.
9. In what group or department within B&M did you hold each position?

10. During what time period did you hold each position?

11. As President of B&M, what are your duties?

12. Do you have knowledge of all roller coasters or other amusement rides designed and manufactured by B&M?

a. Questions to establish knowledge of rides designed and manufactured by B&M, currently operated by Defendants:

13. Do you have knowledge of a ride by the name of Goliath at Six Flags Over Georgia?

14. Did B&M design Goliath?

15. Did B&M manufacture Goliath?

16. Did B&M install Goliath?

17. Did B&M sell Goliath?

18. To whom was Goliath sold?

19. When did B&M begin design of Goliath?

20. When was Goliath manufactured?

21. When was Goliath sold?

22. When was Goliath installed?

23. What was the total contract cost for Goliath?

24. What portion of that cost was allocated to braking systems?

25. Does Goliath contain braking systems designed to slow the ride?

26. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

27. Are those permanent magnets in opposed arrays?

28. Is there a conductive metallic fin that extends from the cars of Goliath?

29. Where is that conductive metallic fin located on the car?

30. Where are those permanent magnets located in relation to the tracks of the ride?

31. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

32. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

33. Do these eddy currents create a braking force on the ride?

34. Does the ride contain cars?

35. Do the cars sit on parallel rails?

36. Do the cars have wheels?

37. Do the wheels allow the cars to roll on the rails?

38. Do you have knowledge of a ride by the name of Sheikra at Busch Gardens Africa in Florida?

39. Did B&M design Sheikra?

40. Did B&M manufacture Sheikra?

41. Did B&M install Sheikra?

42. Did B&M sell Sheikra?

43. To whom was Sheikra sold?

44. When did B&M begin design of Sheikra?

45. When was Sheikra manufactured?

46. When was Sheikra sold?

47. When was Superman Sheikra installed?

48. What was the total contract cost for Sheikra?

49. What portion of that cost was allocated to braking systems?

50. Does Sheikra contain braking systems designed to slow the ride?

51. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

52. Are those permanent magnets in opposed arrays?

53. Is there a conductive metallic fin that extends from the cars of Sheikra?

54. Where is that conductive metallic fin located on the car?

55. Where are those permanent magnets located in relation to the tracks of the ride?

56. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

57. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

58. Do these eddy currents create a braking force on the ride?

59. Does the ride contain cars?

60. Do the cars sit on parallel rails?

61. Do the cars have wheels?

62. Do the wheels allow the cars to roll on the rails?

63. Do you have knowledge of a ride by the name of Griffon at Busch Gardens Europe in Virginia?

64. Did B&M design Griffon?

65. Did B&M manufacture Griffon?

66. Did B&M install Griffon?

67. Did B&M sell Griffon?

68. To whom was Griffon sold?

69. When did B&M begin design of Griffon?

70. When was Griffon manufactured?

71. When was Griffon sold?

72. When was Griffon installed?

73. What was the total contract cost for Griffon?

74. What portion of that cost was allocated to braking systems?

75. Does Griffon contain braking systems designed to slow the ride?

76. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

77. Are those permanent magnets in opposed arrays?

78. Is there a conductive metallic fin that extends from the cars of Griffon?

79. Where is that conductive metallic fin located on the car?

80. Where are those permanent magnets located in relation to the tracks of the ride?

81. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

82. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

83. Do these eddy currents create a braking force on the ride?

84. Does the ride contain cars?

85. Do the cars sit on parallel rails?

86. Do the cars have wheels?

87. Do the wheels allow the cars to roll on the rails?

88. Do you have knowledge of a ride by the name of Silver Bullet at Knott's Berry Farm?

89. Did B&M design Silver Bullet?

90. Did B&M manufacture Silver Bullet?

91. Did B&M install Silver Bullet?

92. Did B&M sell Silver Bullet?

93. To whom was Silver Bullet sold?

94. When did B&M begin design of Silver Bullet?

95. When was Silver Bullet manufactured?

96. When was Silver Bullet sold?

97. When was Silver Bullet installed?

98. What was the total contract cost for Silver Bullet?

99. What portion of that cost was allocated to braking systems?

100. Does Silver Bullet contain braking systems designed to slow the ride?

101. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

102. Are those permanent magnets in opposed arrays?

103. Is there a conductive metallic fin that extends from the cars of Silver Bullet?

104. Where is that conductive metallic fin located on the car?

105. Where are those permanent magnets located in relation to the tracks of the ride?

106. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

107. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

108. Do these eddy currents create a braking force on the ride?

109. Does the ride contain cars?

110. Do the cars sit on parallel rails?

111. Do the cars have wheels?

112. Do the wheels allow the cars to roll on the rails?

113. Do you have knowledge of a ride by the name of Patriot at Worlds of Fun?

114. Did B&M design Patriot?

115. Did B&M manufacture Patriot?

116. Did B&M install Patriot?

117. Did B&M sell Patriot?

118. To whom was Patriot sold?

119. When did B&M begin design of Patriot?

120. When was Patriot manufactured?

121. When was Patriot sold?

122. When was Patriot installed?

123. What was the total contract cost for Patriot?

124. What portion of that cost was allocated to braking systems?

125. Does Patriot contain braking systems designed to slow the ride?

126. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

127. Are those permanent magnets in opposed arrays?

128. Is there a conductive metallic fin that extends from the cars of Patriot?

129. Where is that conductive metallic fin located on the car?

130. Where are those permanent magnets located in relation to the tracks of the ride?

131. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

132. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

133. Do these eddy currents create a braking force on the ride?

134. Does the ride contain cars?

135. Do the cars sit on parallel rails?

136. Do the cars have wheels?

137. Do the wheels allow the cars to roll on the rails?

138. Do you have knowledge of a ride by the name of Nitro at Six Flags Great Adventure?

139. Did B&M design Nitro?

140. Did B&M manufacture Nitro?

141. Did B&M install Nitro?

142. Did B&M sell Nitro?

143. To whom was Nitro sold?

144. When did B&M begin design of Nitro?

145. When was Nitro manufactured?

146. When was Nitro sold?

147. When was Nitro installed?

148. What was the total contract cost for Nitro?

149. What portion of that cost was allocated to braking systems?

150. Does Nitro contain braking systems designed to slow the ride?

151. Do any of those braking systems impart braking on the ride through the use of permanent magnets?

152. Are those permanent magnets in opposed arrays?

153. Is there a conductive metallic fin that extends from the cars of Nitro?

154. Where is that conductive metallic fin located on the car?

155. Where are those permanent magnets located in relation to the tracks of the ride?

156. When the ride passes over the magnets, does the conductive metallic fin pass between the arrays of magnets?

157. Does the movement of the conductive metallic fin through the arrays of magnets produce eddy currents?

158. Do these eddy currents create a braking force on the ride?

159. Does the ride contain cars?

160. Do the cars sit on parallel rails?

161. Do the cars have wheels?

162. Do the wheels allow the cars to roll on the rails?

ANNEX B

Documents Sought for Production

The District Court requests that Walter Bolliger produce the following documents in his possession, custody, or control and that they be made available for inspection and copying at least two weeks prior to Walter Bolliger's oral examination. The rides mentioned are those listed in the Letter of Request, in the section entitled "The Witness."

1. All technical drawings, specifications, discussions, and all other documents indicating the nature of the braking systems installed on the above-listed amusement rides.
2. All technical drawings, specifications, discussions, and all other documents indicating the nature of the above-listed amusement rides, indicating the relationship of the track to the car.
3. All contracts and documents evidencing discussions between B&M and the purchaser of each of the above-listed amusement rides that indicate costs and terms of purchase of each of the above-listed amusement rides.
4. All documents indicating the design, manufacture, and installation of above-listed amusement rides.
5. All contracts setting forth a royalty rate or fee for use of magnetic braking technology.
6. All contracts setting forth a royalty rate or fee for use of amusement ride technology.