IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THERMAL CORP. and THERMACORE, INC.,	)	
Plaintiffs,	)	C.A. No. 10-380 (JJF)(MPT)
v.	)	
MOMENTIVE PERFORMANCE MATERIALS INC.	)	
Defendant.	)	

MOMENTIVE'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT

Defendant Momentive Performance Materials Inc. ("Momentive") hereby moves to dismiss this action pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief may be granted. In the alternative, Momentive moves pursuant to Rule 12(e) for a more definite statement.

The grounds for this motion are set forth in Momentive's opening brief being filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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June 21, 2010
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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2010, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

David Phillip Primack
DRINKER BIDDLE & REATH LLP

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on June 21, 2010 upon the following individuals in the manner indicated:

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