

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

TISSUE TECHNOLOGY, LLC, PARTNERS
CONCEPTS DEVELOPMENT, INC.,
OCONTO FALLS TISSUE, INC. and
TISSUE PRODUCTS TECHNOLOGY CORP.,

Plaintiffs,

v.

Case No. 14CV1203

TAK INVESTMENTS, LLC,

Defendant.

MOTION TO PERMIT AMENDMENT OF COMPLAINT

NOW COME the Plaintiffs, TISSUE TECHNOLOGY, LLC ("TTL"), PARTNERS CONCEPTS DEVELOPMENT, INC. ("PCDI"), OCONTO FALLS TISSUE, INC. ("OFTI") and TISSUE PRODUCTS TECHNOLOGY CORP. ("TPTC") (collectively referred to as the "OFTI Group"), by their attorneys, TERSCHAN, STEINLE, HODAN & GANZER, LTD., by Michael J. Ganzer, and pursuant to Rule 15 of the Federal Rules of Civil Procedure, hereby moves the Court for an Order permitting amendment of the Complaint and adding Sharad Tak as an additional Defendant. In so doing, the plaintiffs recognize the Court's Decision and Order dated December 2, 2016 with respect to the competing motions for summary judgment. Inasmuch as the contracts at issue herein relate back to the initial demand of the plaintiffs for transfer of a 27% interest in the defendant company and since the Court denied that motion, it is respectfully requested that the Court allow the plaintiffs to amend their complaint so as to seek a money damages judgment against the defendant in the amount of the Notes at risk and, in the alternative, seek judgment against the defendant as a result of the defendant's unjust enrichment.

In addition, the Plaintiffs seek to join Sharad Tak as an additional defendant since he was a party to the agreements at issue, having signed the Final Business Terms Agreement personally. He is, therefore, a party to the contract which the Plaintiffs seek to enforce.

This Motion is based upon the brief of the plaintiffs in support of this motion, the proposed amended complaint submitted herewith along with the Declaration of Ronald Van Den Heuvel. The plaintiffs further rely on the papers and proceedings hereto for had herein.

Dated this 9th day of January, 2017.

TERSCHAN, STEINLE, HODAN
& GANZER, LTD.
ATTORNEYS FOR PLAINTIFF,

ELECTRONICALLY SIGNED BY MICHAEL J. GANZER

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