

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.

Case No. 14-CV-1203

Plaintiffs,

v.

TAK INVESTMENTS, LLC and SHARAD
TAK,

Defendants.

SHARAD TAK'S RULE 12(C) MOTION FOR JUDGMENT ON THE PLEADINGS

Defendant Sharad Tak ("Tak"), by and through his attorneys, Godfrey & Kahn, S.C., moves the Court pursuant to Rule 12(c) of the Federal Rules of Civil Procedure and Civil L. R. 7 for judgment on the pleadings. Plaintiffs' claim against Tak for specific performance of the Final Business Terms Agreement is barred by the election of remedies doctrine: Plaintiffs seek to require Tak to transfer an equitable interest in Tak Investments, LLC, deeming the four Investment Notes cancelled, at the same time they seek to enforce the same notes.

No memorandum or other supporting papers will be filed in support of this motion. However, by reference, Tak adopts the principal and reply briefs also filed in this case on Tak Investments, LLC's motion for summary judgment.

Dated this 25th day of August, 2017.

GODFREY & KAHN, S.C.

By: s/ Jonathan T. Smies
Jonathan T. Smies
State Bar No. 1045422

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