

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TISSUE TECHNOLOGY, LLC, et al.
Plaintiff(s),

v.

MOTION HEARING
Case No. 14-C-1203

TAK INVESTMENTS, LLC, et al.,
Defendant(s).

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: September 5, 2017
Deputy Clerk: Cheryl

Time Called: 10:00 a.m.
Time Concluded: 10:28 a.m.
Tape: 090517

Appearances:

Plaintiff(s): Michael J. Ganzer

Defendant(s): Jonathan T. Smies

The Court states that the matter is set for court trial on September 18, 2017.

The Court inquires as to why the case should be dismissed now as the record is very confusing.

Mr. Smies responds.

Mr. Ganzer responds that they will be prepared for trial on 9/18. Ganzer states that Tak's ownership interest has been transferred.

The Court comments on the election of remedies. The Court states that this case needs factual development. The business agreements, transaction, and notes are confusing and the record is unclear. The Court believes two claims survive at this time, the specific performance claim and the breach of promissory notes claim.

Mr. Ganzer responds.

The Court denies the motions. The case will proceed to trial on 9/18. The Court gives directions regarding exhibits and instructs them to confer on joint exhibits and to talk to the clerk.

Mr. Smies states that the plaintiff can't prevail on both claims. The Court responds. Mr. Ganzer responds.

The Court directs the parties to file pretrial documents, including exhibit lists by Wednesday, September 13, 2017.