United States District Court,
D. Oregon.

HUNTCO SUPPLY, LLC, an Oregon limited liability company,
Plaintiff.
v.
STARLITE MEDIA LLC, a Delaware limited liability company,
Defendant.

CV No. 3:07-CV-00401-BR

Aug. 21, 2008.

John F. Neupert, Michelle E. Barton, Miller Nash LLP, Portland, OR, for Plaintiff.

J. Peter Staples, Susan J. Pitchford, Chernoff, Vilhauer, McClung & Stenzel, LLP, Portland, OR, Christopher H. Strate, St. Onge Steward Johnston & Reens LLC, Stamford, CT, for Defendant.

ORDER ON CLAIM CONSTRUCTION

ANNA J. BROWN**, District Judge.**

IT IS HEREBY ORDERED as follows:

The Court heard argument on July 3, 2008, on Plaintiff's Markman Brief, Starlite's Memorandum in Support of Defendant's Proposed Claim Construction, Plaintiff's Response to Starlite's Memorandum in Support of Defendant's Proposed Claim Construction, and Defendant's Reply to Plaintiff's Markman Brief. Plaintiff was represented by its attorneys Michelle E. Barton and John F. Neupert, of Miller Nash LLP. Defendant was represented by its attorneys Christopher Strate of St. Onge Steward Johnston & Reens LLC, and Susan Pitchford of Chernoff, Vilhauer, McClung & Stenzel, LLP.

The Court having heard argument on the parties' proposed claim constructions of the disputed claims (Claims 1 and 14) of U.S. Patent No. 6,068,120 (the "'120 Patent"), and provided the parties with constructions of certain claim terms as set forth below, it is now hereby

ORDERED that the disputed claims of the 120 Patent are construed as follows or are found to not require construction by the Court:

Claim No.	Claim Element	Claim Construction
1	"a frame having a cross rod component terminating at first and second ends"	" at first and second ends" means- the cross rod component crosses a portion of the width of the

		enclosure in between the first and second ends.
1	"an upwardly extending rod component connected to said cross rod component, said upwardly extending rod component being shaped so as to flank a side of the vehicle for lateral support thereof"	upwardly extending rod component-a rod generally extending upwards from the cross rod component and shaped so as to flank a side of the vehicle for lateral support thereof
1	"and a rigid shell pivotally mounted to the cross rod component between its first and second ends to swing between an open position for insertion and removal of the vehicle, and a closed position wherein said shell is lowered to at least substantially enclose the vehicle to resist theft of the vehicle or components thereof"	No construction necessary.
14	"a base for supporting the vehicle"	No construction necessary.
14	"a shell pivotally mounted to said base and movable between an open position and a closed position"	No construction necessary.
14	"and a cage surrounding the vehicle beneath said shell to resist removal of the vehicle from the enclosure"	No construction necessary.

I hereby certify that I served the foregoing Order on Claim Construction on:

Mr. J. Peter Staples

Ms. Susan J. Pitchford

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by the following indicated method or methods:

[x] **CM/ECF system transmission.**

[ ] **E-mail.** As required by Local Rule 5.2, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.

[ ] **Facsimile communication device.**

[ ] **First-class mail, postage prepaid.**

[ ] **Hand-delivery.**

[ ] **Overnight courier, delivery prepaid.**

DATED this 18th day of August, 2008.

/s/MICHELLE E. BARTON

Michelle E. Barton, OSB No. 045530

Of Attorneys for Plaintiff

D.Or.,2008.
Huntco Supply, LLC v. Starlite Media LLC

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