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Exhibit No. _____
Worldwide Court
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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No. 98-2294

Ecolab, Inc.,

(MJD/JGL)

Plaintiff,

v.

Gardner Manufacturing Co., Inc.,
and Guardian Pest Control, Inc.

ORDER

Defendants.

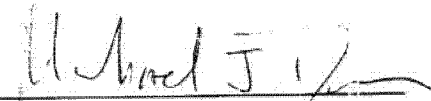
Douglas J. Williams and Matthew J. Goggin, Merchant & Gould, for and on behalf of Plaintiff.

Russell J. Barron and Joan L. Eads, Foley & Lardner, and James T. Nikolai, Nikolai & Mersereau, P.A., for and on behalf of Defendants.

This matter is before the Court upon Ecolab's motion to exclude the late-filed expert report and improper testimony of R. Bruce Den Uyl.

IT IS HEREBY ORDERED that Ecolab's motion is GRANTED in part and DENIED in part. The motion is granted as follows: that portion of the report beginning with the last paragraph of page six through the last paragraph of page seven, continuing on page eight, shall be excluded. The remainder of the motion is DENIED.

Date: January 13, 2003


Michael J. Davis
United States District Court

1-13-03
FILED _____
RICHARD D. SLETTEN CLERK
JUDGMENT ENTD. _____
DEPUTY CLERK _____

