

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**MODINE MANUFACTURING COMPANY,**  
*Plaintiff-Appellant,*

v.

**BORGWARNER, INC.,**  
*Defendant-Appellee.*

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2014-1059

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Appeal from the United States District Court for the Eastern District of Wisconsin in No. 12-CV-00815, Judge J. P. Stadtmueller.

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**JUDGMENT**

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JONATHAN H. MARGOLIES, Michael Best & Friedrich LLP, of Milwaukee, Wisconsin, argued for plaintiff-appellant. With him on the brief was KATHERINE W. SCHILL. Of counsel on the brief was DENNIS J. ABDELNOUR, Kirkland & Ellis, LLP, of Chicago, Illinois. Of counsel was RACHEL N. FARRINGTON, Michael Best & Friedrich LLP, of Milwaukee, Wisconsin.

RICHARD W. HOFFMANN, Reising Ethington P.C., of Troy, Michigan, argued for defendant-appellee. With him

on the brief were MICHAEL J. DRUZINSKI, and E. COLIN  
CICOTTE.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, \* *Chief Judge*, LOURIE and  
CLEVINGER, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

June 10, 2014  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

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\* Sharon Prost assumed the position of Chief Judge  
on May 31, 2014.