

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

DANIEL D. DORNEANU,)	Civil Action No. 2:21-cv-1142-DCN-MHC
)	
Plaintiff,)	
)	
vs.)	
)	
GRACO INC. AND GRACO)	
MINNESOTA INC.,)	
)	
Defendants.)	

DEFENDANTS' RESPONSES TO LOCAL RULE 26.01 INTERROGATORIES

Defendants Graco Inc. and Graco Minnesota Inc. (collectively "Graco" or "Defendants"),
file their Responses to Local Rule 26.01 Interrogatories as follows:

(A) State the full name, address, and telephone number of all persons or legal entities
who may have a subrogation interest in each claim and state the basis and extent of that interest.

Response: Defendants are not aware of any subrogation interest in any claim being asserted.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

Response: All of Plaintiff's claims, other than those for equitable relief, should be tried to a
jury.

(C) State whether the party submitting these responses is a publicly-owned company and
separately identify (1) any parent corporation and any publicly held corporation owning ten
percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a
parent; and (3) each publicly owned company in which the party owns ten percent (10%) or more
of the outstanding shares.

Response: Graco, Inc. is a publicly owned company: (1) Defendant Graco, Inc. does not have a parent entity and there is no publicly held corporation owning ten percent (10%) or more of Graco Inc.'s stock; (2) Defendant Graco, Inc. is not a parent to a publicly-owned company; (3) Defendant Graco, Inc. does not own ten percent or more of the outstanding shares of any publicly owned company.

Defendant Graco Minnesota, Inc. is not a publicly owned company: (1) Defendant Graco Minnesota, Inc. is a wholly owned subsidiary of Graco, Inc., which is a publicly owned company; (2) Defendant Graco Minnesota, Inc. is not a parent to a publicly-owned company; (3) Defendant Graco Minnesota, Inc. does not own ten percent or more of the outstanding shares of any publicly owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civ. Rule 3.01 (D.S.C.).

Response: Venue is not appropriate in the Charleston Division of the United States District Court for the District of South Carolina for the reasons set forth in Defendants' Motion to Dismiss or Transfer. *See* ECF No. 14.

Venue for Plaintiff's purported patent infringement claims is improper in the District of South Carolina because a patent infringement action "may be brought in the judicial district where the defendant resides, or where the defendant has committed acts of infringement and has a regular and established place of business." 28 U.S.C. § 1400(b). Defendants do not reside in South Carolina and do not have a regular and established place of business in South Carolina. If the Court is not inclined to dismiss Plaintiff's Complaint for improper venue, Defendants have

respectfully requested that the Court transfer this matter to a jurisdiction where venue is proper, namely the United States District Court for the District of Minnesota.

(E) Is this action related in whole or in part to any other matter filed in this district whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

Response: Defendants are unaware of any similar or related cases.

This the 27th day of May, 2021.

Respectfully submitted,

s/ Tim F. Williams

Tim F. Williams (Fed. Id. 6276)
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