UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FORD MOTOR COMPANY,

Plaintiff,

v.

VERSATA SOFTWARE, INC. *et al.*

Defendants.

Case No. 15-cv-10628
(*consolidated with Case No. 15-11624*)
Hon. Matthew F. Leitman

_____/

ORDER AMENDING ORDER RESOLVING PLAINTIFF'S MOTION TO COMPEL IDENTITY OF ASSERTED COMBINATION TRADE SECRETS (ECF No. 786)

On September 28, 2021, the Court issued an order resolving Plaintiff Ford Motor Company's motion to compel Defendants to identify the elements of their asserted combination trade secrets. (*See* Order, ECF No. 786.) On page five of the Court's order, it identified the elements of the "MCA" trade secret as follows:

> The elements of the MCA trade secret are: (1) Automatic Generation of Accurate and Augmented Configurations (*i.e.* Feature Strings) as Baselines for Parts and Materials Forecasting, (2) Use of Feature Optionalities in Feature String Generation to Isolate Parts Cost, and (3) Inclusion of Dynamic Effectivity for Feature Strings. The content of each of these elements of the MCA trade secret shall be determined solely with reference to the corresponding section of Dr. Malek's expert report describing that element. More specifically, the content of the Automatic Generation of Accurate and Augmented Configurations (*i.e.* Feature Strings) as Baselines for Parts and Materials Forecasting element of the MCA trade secret shall be determined solely with reference to section 9.2.1 of Dr.

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> Malek's report. (*See id.,* PageID.29649-29651.) The content of the Automatic Generation of Accurate and Augmented Configurations (*i.e*. Feature Strings) as Baselines for Parts and Materials Forecasting element of the MCA trade secret shall be determined solely with reference to section 9.2.2 of Dr. Malek's report. (*See id.,* PageID.29651-29653.) Finally, the content of the Inclusion of Dynamic Effectivity for Feature Strings element of the MCA trade secret shall be determined solely with reference to section 9.2.3 of Dr. Malek's report. (*See id*., PageID.29653.)

(*Id.*, PageID.56266.)

On February 25, 2022, Versata informed the Court that the paragraph quoted above contained a typographical error. More specifically, the order erroneously repeated the name of the first element of the MCA trade secret – "Automatic Generation of Accurate and Augmented Configurations (*i.e*. Feature Strings) as Baselines for Parts and Materials Forecasting" – twice. Versata asked the Court to amend the September 28 order to accurately describe the second element of the MCA trade secret, and Versata told the Court that Ford did not object to that amendment.

Accordingly, the paragraph on page five of the Court's September 28, 2021, order is hereby amended and shall read as follows:

> The elements of the MCA trade secret are: (1) Automatic Generation of Accurate and Augmented Configurations (*i.e.* Feature Strings) as Baselines for Parts and Materials Forecasting, (2) Use of Feature Optionalities in Feature String Generation to Isolate Parts Cost, and (3) Inclusion of Dynamic Effectivity for Feature Strings. The content of each of these elements of the MCA trade secret shall be determined solely with reference to the corresponding

> section of Dr. Malek's expert report describing that element. More specifically, the content of the Automatic Generation of Accurate and Augmented Configurations (*i.e.* Feature Strings) as Baselines for Parts and Materials Forecasting element of the MCA trade secret shall be determined solely with reference to section 9.2.1 of Dr. Malek's report. (*See id.,* PageID.29649-29651.) The content of the Use of Feature Optionalities in Feature String Generation to Isolate Parts Cost element of the MCA trade secret shall be determined solely with reference to section 9.2.2 of Dr. Malek's report (*See id.,* PageID.29651-29653.) Finally, the content of the Inclusion of Dynamic Effectivity for Feature Strings element of the MCA trade secret shall be determined solely with reference to section 9.2.3 of Dr. Malek's report. (*See id*., PageID.29653.)

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: February 28, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 28, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
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