#### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

## F&M FABRICATION CO., a Michigan corporation, d/b/a CLASSIC 2 CURRENT FABRICATION,

Plaintiff,

Case No. Hon.

VS.

SMOOTHIE FABRICATION, LLC, a North Carolina limited liability company,

Defendant.

MADDIN, HAUSER, ROTH & HELLER, P.C. By: Jonathan B. Frank (P42656) Of Counsel Attorney for Plaintiff 28400 Northwestern Hwy, Suite 200 Southfield, Michigan 48034 (248) 354-4030

#### **COMPLAINT FOR DECLARATORY RELIEF**

#### This is a case for a declaration that Defendant's copyright(s) is/are invalid and that,

in any event, Plaintiff is not infringing.

1. Plaintiff F&M Fabrication Co., d/b/a Classic 2 Current Fabrication, is a Michigan

corporation with its principal place of business in Redford, Michigan.

2. Plaintiff's website is <u>www.c2cfabrication.com</u>.

3. Defendant Smoothie Fabrication, LLC is a North Carolina limited liability company

with its principal place of business in Indian Trail, North Carolina.

4. Defendant's website is <u>www.smoothiefab.com</u>.

5. To the best of Plaintiff's information and belief, the members of Defendant LLC are North Carolina residents.

6. Both parties are in the business of manufacturing and selling aftermarket vehicle parts.

7. Defendant has asserted that Plaintiff is infringing on its copyright(s) related to the design of certain running boards.

8. Defendant sent a cease and desist letter threatening an action for copyright infringement. Exhibit A.

9. Defendant claims to have registered its copyright(s) with the United States Copyright Office.

10. In fact, Defendant is not entitled to any copyright protection for the random markings on its products that are generated by the machining process, nor for designs intended to achieve certain strength.

11. Plaintiff is not infringing on any valid copyright.

#### Jurisdiction and Venue

12. This Court has subject matter jurisdiction of the claims in this action pursuant to 28 U.S.C. §§ 1332 (diversity) and 1331 (federal question), the Copyright Act at 17 U.S.C. § 501, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2002.

13. Venue is proper in the judicial district pursuant to 28 U.S.C. § 1391(b)(2).

#### <u>COUNT I – DECLARATORY JUDGMENT OF INVALIDITY AND</u> <u>NON-INFRINGEMENT OF COPYRIGHT</u>

14. Plaintiff hereby references and incorporates the above paragraphs into this Count I as if fully set forth herein.

15. There is a substantial and continuing controversy between Plaintiff and Defendant, and a declaration of rights is both necessary and appropriate to establish that Defendant's copyright is invalid and that Plaintiff does not infringe any protectable work of Defendant. 16. Defendant's copyright is invalid because the running boards are "useful articles." Any design elements are purely functional and accomplish no aesthetic purpose.

17. In fact, the purported design elements are merely the product of a machining process and/or to accomplish a functional purpose, specifically strength.

18. A viewer cannot identify pictorial, graphic, or sculptural features within the design of the useful article.

19. The pictorial, graphic, or sculptural features of the design of the useful article do not exist independently of the utilitarian aspects of the useful article.

20. The copyright is therefore invalid under the doctrine of conceptual separability.

21. Plaintiff's running boards are likewise manufactured through a machining process that leaves marks on the final product.

22. Plaintiff's running boards are likewise designed to accomplish a functional purpose, specifically strength.

23. Plaintiff's running boards do not infringe on any valid copyright belonging to Defendant because they do not copy any protectable element of the works.

24. Defendant's cease and desist letter was sent in bad faith and in an effort to harass Plaintiff.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment as follows:

A. Declaring that Defendant's copyright(s) is/are invalid;

B. Declaring that the continued manufacture, sales, and distribution of Plaintiff's running boards will not infringe any right of Defendant; and

C. Awarding Plaintiff its costs, expenses, and reasonable attorneys' fees pursuant to 17 U.S.C. § 505.

3

Respectfully submitted,

MADDIN, HAUSER, ROTH & HELLER, P.C.

By: <u>/s/ Jonathan B. Frank</u> Jonathan B. Frank (P42656) Attorney for Plaintiff

Dated: January 16, 2017

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#### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

## F&M FABRICATION CO., a Michigan corporation, d/b/a CLASSIC 2 CURRENT FABRICATION,

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#### EXHIBIT LIST TO COMPLAINT FOR DECLARATORY RELIEF

Exhibit A: Cease and desist letter

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# **Exhibit** A

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 2 of 31 Pg ID 7



A Parimership of PCLCs

November 16, 2016

VIA EMAIL & FEDEX

To:

Nick Karres 29120 Badelt St Westland, MI 48185

Dave Karres 8757 Fremont St Westland, MI 48185 Frank Laiacono Classic Parts 4u 24536 Capitol Street Redford, MI 48239

Frank Laiacono 24540 Capitol Street Redford, MI 48239 Michael Laiacono Classic 2 Current Fabrication 24536 Capitol Street Redford, MI 48239

#### Re: Infringement of Smoothie Fabrication, LLC's Copyrights; Our file 1605-2016003

Dear Messrs. Nick and Dave Karres and Frank and Michael Laiacono :

This law firm represents Smoothie Fabrication, LLC in connection with certain of its intellectual property rights.

It has come to my attention that you have made unauthorized use of my client's copyrighted running board designs titled Running Board (the "Works") identified in Appendix A attached herein in the preparation of works derived therefrom. Smoothie Fabrication, LLC reserves all rights in the Works, which were first published between 1990-2000 ( See Appendix A for creation dates for each allegedly infringed item) and sold by Smoothie Fabrication, LLC since their creation. See Appendix A for dates upon which the infringing parties purchased the Works from Smoothie Fabrication, LLC, including corresponding order numbers. Copyrights have been filed with the Library of Congress (Case number 1-4028246661).

Your products itemized in Appendix B, which appear on the Classic Parts 4U and Classic 2 Current Fabrication eBay, Amazon, and Alibaba seller accounts are essentially identical to the Works and clearly used the Works as their basis. You neither asked for nor received permission to use the Works as the basis for the infringing items identified in Appendix B nor to make or distribute copies of them. Appendix B comprises a representative list of infringing items, and analogous relistings will constitute additional incidents of infringement.

Therefore, it appears that you have willfully infringed my client's rights under 17 U.S.C. Section 101 et seq. and could be liable for statutory damages as high as \$150,000 per incident of infringement as set forth in Section 504(c)(2) therein. Copyright law provides

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#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 3 of 31 Pg ID 8

Smoothie Fabrication November 16, 2016 Page 2

numerous remedies for copyright infringement, including, but not limited to, preliminary and permanent injunctive relief, money damages, provisions for the destruction or confiscation of infringing products and promotional materials—and where intentional infringement is shown, attorney's fees and treble money damages.

This letter constitutes Smoothie Fabrication, LLC's demand that you cease and desist any and all use of the Smoothie Fabrication, LLC's copyrighted materials attached herein. This letter is sent without prejudice to Smoothie Fabrication, LLC's rights and claims, all of which are expressly reserved. You should immediately forward this letter to your attorney.

Please immediately cease and desist from any and all infringing activity, including use of the Smoothie Fabrication, LLC's photographs and designs in conjunction with the sale, promotion, or marketing of your goods. Please indicate your understanding of this demand within ten (10) business days of receipt of this letter.

Very truly-yours

Rebeca E. Harasimowicz Attorney at law

C:\Users\rebeca\Desktop\20161111\_Smoothie Fab\_Cease and Desist Letter.docx

## **APPENDIX A**

# The Works being infringed

Creation				
Date	Order Date	Job #	Description	Ship Date
6/20/1991	1/11/16	16008	1941-46 CHEVY TRUCK	1/26/16
11/4/1998		16008-1	1947-54 CHEVY TRUCK	2/1/16
1/29/1996	2/1/16	16015	1953-56 FORD F100	2/11/16
9/18/2013		16015-1	1931-32 CHEVY CAR	2/18/16
6/25/1992	2/14/16	16026	1935-36 CHEVY MASTER	2/16/16
2/21/2006		16026-1	1948-52 FORD F1	2/16/16
8/17/2000	1.4 1	16026-2	1933-35-CHEVY STANDARD	2/17/16
7/19/1996		16026-5	1953-56 FORD F100 PANEL	3/9/16
7/17/1997	3/9/16	16050-1	1937-38 PONTIAC	3/11/16
12/22/2000		16050-2	1934 CHEVY MASTER	3/11/16
2/19/1991		16050-3	1937-39 FORD CAR	3/29/16
10/1/99		16050-5	1937-39 DODGE CAR	4/1/16
3/15/2002		16050-6	1942-47 FORD TRUCK	5/7/16
5/5/1990		16065-3	1934-36 CHEVY TRUCK	5/19/16
4/12/1990		16065-5	1936-38 DODGE TRUCK	5/19/16
11/15/1999		16084-3	1942-47 DODGE TRUCK	6/27/16
8/9/1993		16084-6	1940-41 PLYMOUTH	7/6/16
10/1/1998		16084-7	1938-39 FORD TRUCK	7/6/16
1/19/1993		16103-5	1940-41 FORD TRUCK	8/2/16

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 5 of 31 Pg ID 10 Page 1 of 2 **APPENDIX B** Prep Your Home My eBay Hi Michael! Daily Deals Gift Cards Sell Help & Contact Shop by Search. All Categories $\mathbf{\nabla}$ Search Advanced categon Back to search results ( Listed in category: eBay Motors > Parts & Accessories > Car & Truck Parts > Exterior > Other 1931 1932 Chevy Chevrolet Car Steel Running Board Set NEW PAIR Add to watch list Item New condition: Seller information Sale ends 05h 55m 09s classicparts4u (36541 } in: 99.7% Positive feedback Quantity: Last one / 1 sold 11 Follow this seller Was: US \$321.99 (2) Visit store: classicparts4u See other items You save: \$45.08 (14% off) Price: US \$276.91 Buy It Now Add to cart 1 watching Add to watch list Add to collection More than 49% Last item available Experienced seller sold Shipping: FREE Standard Shipping | See details item location: Westland, Michigan, United States S. T. O. Station and the Ships to United States See exclusions Delivery: Estimated on or before Fri. Nov. 18 to 64109 Payments: PayPal VISA Credit Cards processed by PayPal PayFal CREDIT Have one to sell? Sell now 6 months to pay on \$99+. Apply New | See Terms See details Returns: 30 days money back, buyer pays return shipping | See details Guarantee: See decaris Get the item you ordered or get your money back. Covers your purchase price and original shipping.



Seller assumes all responsibility for this listing.

#### Item specifics

Condition: Placement on Vehicle: Country of Manufacture: Part Brand:

Interchange Part Number:

New Left & Right United States ClassicParts4U 1931 1932

#### Brand:

Primary Color: Manufacturer Part Number: Surface Finish: Country/Region of Manufacture: ClassicParts4u Unfinished C-3132RB Non Coated Steel United States eBay item number. 201710428564

1485

**PERMIT** 

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 6 of 31 Pg ID 11 Page 1 of 3

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Back to search results () Listed in category: eBay Motors > Parts & Accessories > Car & Truck Parts > Exterior > Other



Have one to sell? Sell now

#### 1934 1935 1936 Chevy Pickup Truck 1/2 Ton and Panel Delivery Running Boards

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People who viewed this item also viewed



1936 1937 1938 CHEVY PICKUP TRUCK GMC \$93.95

Free shipping



ROCKER PANELS AND CAB CORNERS 99-06 \$99.00 + \$25.00



1937 1938 1939 Chevy Gmc 1958 - 1969 Toyota Land Stepside Truck Rear Roll \$167.69 Free shipping



Cruiser FJ40 rear quarter \$189.19

Free shipping



#### Feedback on our suggestions

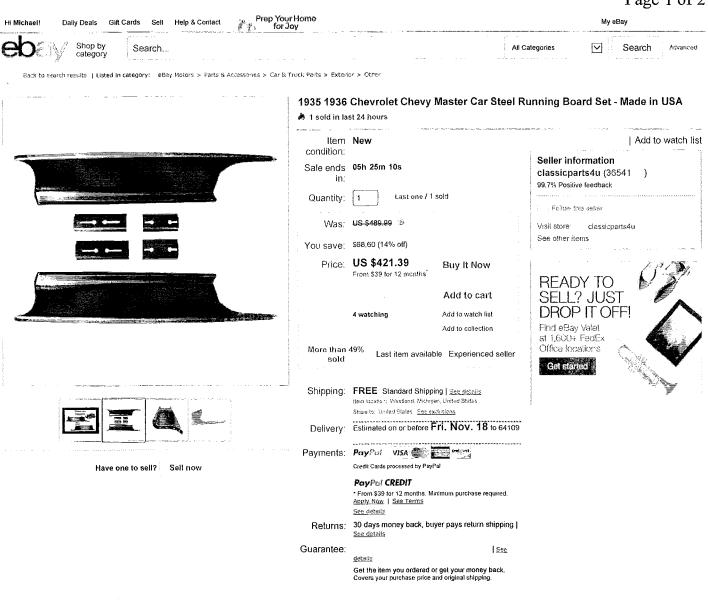
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#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 8 of 31 Pg ID 13 Page 1 of 2

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People who viewed this item also viewed



Chevrolet Chevy Master Car Steel Running Board Set \$429.99 Free shipping



1937 1938 Chevy Chevrolet Car Steel Running Board Set \$318.19 Free shipping



Small Block 2" Setback

\$299.27

Free shipping

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Chevrolet Chevy Car Firewall 1936 Chevrolet Standard 2 Door Sedan Auto Glass Kit \$390.00



**REBUILT CHEVY 4L60E** transmission w/ reciept \$1,000.00 + \$0.00



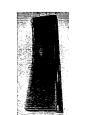
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People who viewed this item also viewed



Dodge Pickup Truck Steel Running Board Set 36,37,38 \$429.99 Free shipping



Dodge Pickup Truck Steel Running Board Set 36,37,38 \$535.00



1936-38 DODGE TRUCK 1937-38 PLYMOUTH \$139.99

.....

Free shipping



\*Dodge Passenger Car Firewall - 3" Set-Back / \$380.00



Dodge Steel Running Board Set 35,36 1935-1936 - Made \$535.00



Feedback on our suggestions

1935 - 1936 Dodge & Plymouth Car Poly Gas Tank \$269.99 Free shipping

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Shipping and payments

Seller assumes all responsibility for this listing.

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#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 11 of 31 Pg ID 16 Page 1 of 2 Prep Your Home for Joy My eBay Daily Deals Gift Cards Sell Help & Contact Hi Michael! Shop by Search. All Categories $\mathbf{\nabla}$ Search Advanced categon Back to search results | Listed in category: eBay Motors > Parts & Accessories > Car & Truck, Parts > Exterior > Other 1937,1938,1939 Dodge Passenger Steel Running Board Set - Made in USA 16 Gauge Item New Add to watch list condition: Seller information Compatibili See compatible vehicles 1937-1939 Dodge classicparts4u (36541 ) ty: 99,7% Positive feedback **Running Boards** Sale ends 05h 35m 15s in Follow this selier Quantity Last one / 1 sold 1 Visit store: classicparts4u See other items US \$449.99 Was: You save: \$63.00 (14% off) Price: US \$386.99 Buy It Now From \$35 for 12 months Add to cart Add to watch list Add to collection More than 49% Last item available Experienced seller sold Shipping-FREE Standard Shipping | See details Item incution Westland, Michigan, United States Ships to United States See exclusions Estimated on or before Fri. Nov. 18 to 64109 Delivery: Have one to sell? Sell now Payments: PayPal VISA econe all Credit Cards processed by PayPal PayPal CREDIT \* From \$35 for 12 months. Minimum purchase required. Apply Now | See Terms <u>See details</u> 30 days money back, buyer pays return shipping [ Returns: See details Guarantee: See details Get the item you ordered or get your money back. Covers your purchase price and original shipping. Report item Description Shipping and payments eBay item number: 401211904040 Seller assumes all responsibility for this listing Compatibility To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model. My Vehicles Model Engine Year lake -Select-V -Select-V All Trims ☑ Go Select a vehicle or ✓ All Engines Save to My Vehicles to finds parts faster Manage vehicles [show all compatible vehicles] This part is compatible with 3 vehicle(s) Year Make Model Trim Notes Engine 1939 Base Dodge Deluxe 1938 Dodge Deluxe Base Base 1937 Dodge Deluxe Portions of the information contained in this table have been provided by classicparts4u Item specifics Brand: Condition: New ClassicParts4u Unfinished Country/Region of Manufacture: United States Primary Color:

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Back to search results | Listed in category: eBay Motors > Parts & Accessories > Car & Truck, Parts > Exterior > Other



Have one to sell? Sell now

1937 1938 1939 Ford Car Steel Running Board Set NEW PAIR!! Made in USA | Add to watch list Item New condition: Seller information Compatibili See compatible vehicles classicparts4u (36541 ) ty 99.7% Positive feedback Sale ends 05h 45m 18s in: Follow this seller Last one / 1 sold Quantity: 1 Visit store: classicparts4u See other items Was: US \$445.99 🎯 Take me therêt You save: \$62.44 (14% off) Price: US \$383.55 The chocolate flavor you love. Now in a pudding cup. Buy It Now From \$35 for 12 months Add to cart 2 watching Add to watch list Add to collection More than 49% Last item available Experienced seller sold Chocolate Flavor Shipping: FREE Standard Shipping | Sea details itera location. Westland, Michican United States Ships to: United States See exclusions Estimated on or before Fri. Nov. 18 to 64109 Delivery: Payments: PayPal VISA se va Credit Cards processed by PayPal PayPal CREDIT

\* From \$35 for 12 months. Minimum purchase required. Apply Now | See Terms See details Returns: 30 days money back, buyer pays return shipping } See details Guarantee: See details

Get the item you ordered or get your money back Covers your purchase price and original shipping.

People who viewed this item also viewed



Ford Car Steel Running Board Set 1937,1938,1939

\$383.55 Free shipping



1988-1998 CHEVROLET C/K 1500 CAB CORNERS

\$33.72 Free shipping Feedback on our suggestions

Report item Description Shipping and payments eBoy iten: sumber 201704121947 Seller assumes all responsibility for this listing. Compatibility To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model. My Vehicles ł Year Make Model Trim Engine

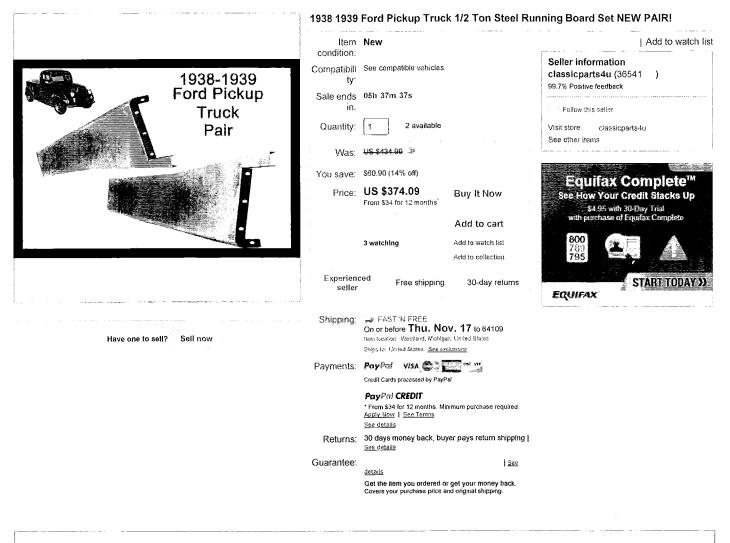
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37 1938 Chevy Chevrolet			
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se shipping			

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								eBay item number	142165609986
Se	ller assumes all responsibility for thi	s listing.							
	Compatibility								
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#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 14 of 31 Pg ID 19 Page 1 of 3

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Back to search results () Listed in category: eBay Motors > Parts & Accessories > Car & Truck Parts > Exterior > Other



People who viewed this item also viewed Feedback on our suggestions 1940-1941 Ford Truck 1939 1940 1941 1942 1946 Ford Pickup Truck 1/2 TON 1942 1946 1947 Ford Pickup 1947 Dodge Pickup Truck Steel Running Board Set Truck Complete Front Floor \$392.15 \$85.49 \$451.49 Free shipping Free shipping Free shipping Report item Description Shipping and payments sBay item number. 142162820182 Seller assumes all responsibility for this listing Compatibility To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model Year Make Model Trim [-Select-♥ [-Select-♥ All Trims] My Vehicles Engine All Engines Go Go Select a vehicle or)



People who viewed this item also viewed

1940-1941 Ford Truck

Ford Pickup Truck 1/2 TON Steel Running Board Set \$392.15 Free shipping



1938 1939 Ford Pickup Truck 1/2 Ton Steel Running \$374.09 Free shipping



Rock Hard 4x4 Heavy Duty Rear Frame Brace Kit 76-86 \$49.95 + \$10.00



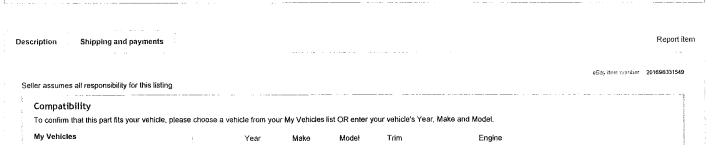
1942 1946 1947 Ford Pickup Truck Complete Front Floor \$85.49 Free shipping

m<sup>2</sup> outfitters

Smittybilt 2761 Security

Storage Vault Textured Black \$369.99

Free shipping



Feedback on our suggestions

### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 16 of 31 Pg ID 21 Page 1 of 2

Shop by Search				Ail	Categories	Search Adva
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A DESCRIPTION OF A DESC	Looming Board Pair	Quantity:	1 2 available			
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		You save:	\$73.50 (14% off)		·	
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Have one to sell?	Sell now		PayPart CREDIT * From \$41 for 12 months. Minin Apply New   See Terms See details	num purchase required.		
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ller assumes all responsibility for this listing						· · · · · · · · · · · · · · · · · · ·
Item specifics						
Condition:	New	Brand	:	ClassicParts4u		
Placement on Vehicle: Surface Finish:	Left, Right Non Coated Steel		y Color: acturer Part Number:	Unfinished F-3947RB		
Country/Region of Manufacture: Country of Manufacture: Part Brand:	United States United States ClassicParts4U	Interch	nange Part Number: Part Number:			944,1945,1946,1947

Top quality running board set made in the US from 16 gauge steel. Complete set of left and right hand running boards Non ribbed smooth boards allow you to finish as desired. Bolts up nicely to original mounting points AND FITS THE FOLLOWING 1/2 TON TRUCKS: 1939 FARGO PICKUP TRUCK, 1940 FARGO PICKUP TRUCK, 1941 FARGO PICKUP TRUCK, 1942 FARGO PICKUP TRUCK, 1943 FARGO PICKUP TRUCK, 1944 FARGO PICKUP TRUCK, 1945 FARGO PICKUP TRUCK, 1946 FARGO PICKUP TRUCK, 1947 FARGO PICKUP TRUCK, YOU WONT FIND THEM ANY CHEAPER THEN THIS SO DONT MISS OUT.

On Feb-08-03 at 12:07:21 PST, seller added the following information:

#### After purchasing, pay instantly with your credit card through PayPal!

AICA	

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 17 of 31 Pg ID 22 Page 1 of 2



Get the item you ordered or get your money back. Covers your purchase price and original shipping.

People who viewed this item also viewed Feedback on our suggestions 1914-1936 Gery Pickup Anning Beard Set 1934 1935 1936 Chevy 1937 1938 Pontiac Steel 1947 48 49 50 51 52 53 54 1948 1949 1950 1951 1952 1941 1942 1946 1947 1948 1934 Chevrolet Chevy Pickup Truck 1/2 Ton and Running Board Set 37,38 -55 CHEVY PICKUP TRUCK Ford Panel Truck Steel Ford Mercury Passenger Master Steel Running Board \$369.79 \$396.88 \$293.25 \$369.79 \$214.99 \$369.79 Free shipping Free shipping Free shipping Free shipping Free shipping Free shipping

Report item Description Shipping and payments eBay item number: 401210858840 Seller assumes all responsibility for this listing Last updated on Oct 30, 2016 16:16:57 PDT. View all revisions Item specifics South States of the second s Condition: New Brand: ClassicParts4u Placement on Vehicle: Left, Right Primary Color: Unfinished Surface Finish: Non Coated Steel Manufacturer Part Number: P-3947RB Country/Region of Manufacture: United States Interchange Part Number: 1939,1940,1941

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 18 of 31 Pg ID 23 Page 1 of 3

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				· ·	t A stat to success list
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Have one to sell? Sell now	item fo	E Standard Shippin cabon Westland, Michiga to: United States <u>See arc</u>	er, United States		
	Delivery: Estin	nated on or before F	ri. Nov. 18 to 64109		
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People who viewed this item also viewed Feedback on our suggestions 1940-1941 Ford Truck ng Boards -1942 1946 1947 Ford Pickup 1938 1939 Ford Pickup 1939 1940 1941 1942 1946 1940 1941 Ford Pickup Truck 1/2 Ton Steel Running Truck Complete Front Floor Truck 1/2 TON Steel 1947 Dodge Pickup Truck \$392.15 \$374.09 \$451.49 \$85.49 Free shipping Free shipping Free shipping Free shipping Report item Description Shipping and payments eBay item number. 401207048315

Seller assumes all responsibility for this listing.

Last updated on Oct 14, 2016 23:55:03 PDT. View all revisions

#### Pg ID 24 Page 1 of 2 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 19 of 31 Prep Your Home j for Joγ Hi Michael! Daily Deals Gift Cards My eBay Sell Help & Contact Shop by Advanced All Categories $\square$ Search Search. category Back to search results (Listed in category: eBay Motors > Parts & Accessories > Car & Truck Parts > Exterior > Other 1941 1942 1946 Chevy Pickup Truck & Panel Truck Gmc Steel Running Board Set Pair 👼 1 viewed per hour | Add to watch list Item New 1911-1838 Cherr Pickin Track 1/2 Ton & Pines Pinek condition: Seller information Compatibili See compatible vehicles classicparts4u (36541 ) ty: 99.7% Positive feedback Time left: 29d 20h 12/11, 6:40PM Follow this seller Quantity: 3 available 1 Visit store: classicparts4u See other items Price: US \$464.99 Buy It Now From \$42 for 12 months -Add to cart av Add to watch list 5169 1234 5389 editation of bhA EARN HOW TO Experienced Free shipping 30-day returns seller RN \$30 BACK as a statemient credit if you are approved for a new eBay Extras MasterCard® account Shipping: FREE Standard Shipping | See details Item location Westland, Michigan United States Loom97(919 Ships to United States See exclusions Estimated on or before Fri. Nov. 18 to 64109 Delivery: Payments: PayPal VISA Credit Cards processed by PayPal Have one to sell? Sell now PayPal CREDIT \* From \$42 for 12 months. Minimum purchase required. Apply Now | See Terms See details 30 days money back, buyer pays return shipping ( Returns: See details Guarantee: See details Get the item you ordered or get your money back. Covers your purchase price and original shipping Report item Description Shipping and payments eBay item number: 201715936427 Seller assumes all responsibility for this listing. Compatibility To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model. My Vehicles Year Make Model Trim -Select-♥ -Select-♥ -Select-♥ All Trims Engine All Engines ✓ Go Select a vehicle or Save to My Vehicles to finds parts faster Manage vehicles www.ell.eemeetible.uobioloot

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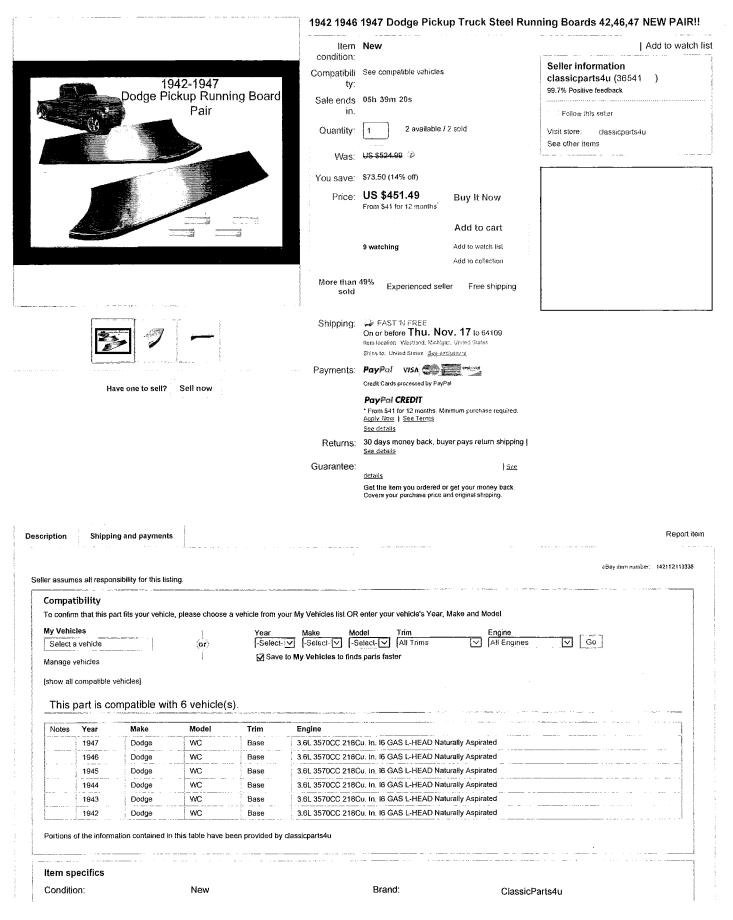
#### This part is compatible with 7 vehicle(s).

otes	Year	Make	Model	Trim	Engine	
	1946	Chevrolet	Truck	All	All	
	1946	GMC	Truck	All	All	
	1945	Chevrolet	Truck	All	All	
	1945	GMC	Truck	All	All	
	1944	Chevrolet	Truck	All	Ali	
	1943	Chevrolet	Truck	All	All	
	1942	Chevrolet	Truck	All	All	

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 20 of 31 Pg ID 25 Page 1 of 2

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# 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 21 of 31 Pg ID 26 Page 1 of 3 Hi Michael! Daily Deals Gift Cards Sell Help & Contact Prep Your Home for Joy My eBay ED Shop by category Search All Categories Y Search Advanced

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Shop by X) Search. All Categories  $\mathbf{\nabla}$ Search Advanced category Back to search results | Listed in category: eBay Motors > Parts & Accessories > Car & Truck, Parts > Exterior > Other 1947 48 49 50 51 52 53 54 55 CHEVROLET CHEVY GMC TRUCK STEEL RUNNING **BOARDS PAIR** CHEAPEST ON E-BAY FOR THE PAIR!!! A 1 watched in last 24 hours 1 Add to watch list Item New condition: Seller information Compatibili Sea compatible vehicles classicparts4u (36540 ) tv 99.7% Positive feedback Sale ends 06h 30m 17s in: Follow this setter Last one / 1 sold Quantity: 1 Visit store: classicparts4u See other items Was: US-\$340.99 You save: \$47.74 (14% off) Price: US \$293.25 Buy It Now Add to cart FedEx Office offers convenient Add to watch list 15 watching hours for your holiday shipping. Add to collection It's how the holidays arrive. More than 49% Experienced seller Free shipping sold Find location + 🖵 PAST 'N FREE Shipping: On or before Thu. Nov. 17 to 64109 item location. Westland, Michigan, United States Ships to: United States See exclusions Have one to sell? Sell now Payments: PayPol VISA 💭 🔤 🔤 Credit Cards processed by PayPal PayPai CREDIT 6 months to pay on \$99+. Apply flow | See Terms See details Returns: 30 days money back, buyer pays return shipping ! See details Guarantee: See details Get the item you ordered or get your money back. Covers your purchase price and original shipping.

People who viewed this item also viewed



1947 48 49 50 51 52 53 54 55 CHEVY PICKUP TRUCK \$293.25 Free shipping



1947-54 Chevrolet Chevy Pickup Truck Taller Stock \$137.59 Free shipping



47 48 49 50 - 55 Chevy Truck Headlamp Headlight \$33.99 Free shipping



1947 1948 1949 1950 1951 1952 1953 1954 CHEVY \$92.87 Free shipping



1958 CHEVY CHEVROLET TRUNK PAN ALL MODELS \$143.40 Free shipping



Feedback on our subgestions

1961 1962 1963 1964 1965 1966-1970 SCOUT 80 & \$84.06 Free shipping

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eBay item number 201704164916

Report item

Seller assumes all responsibility for this listing.

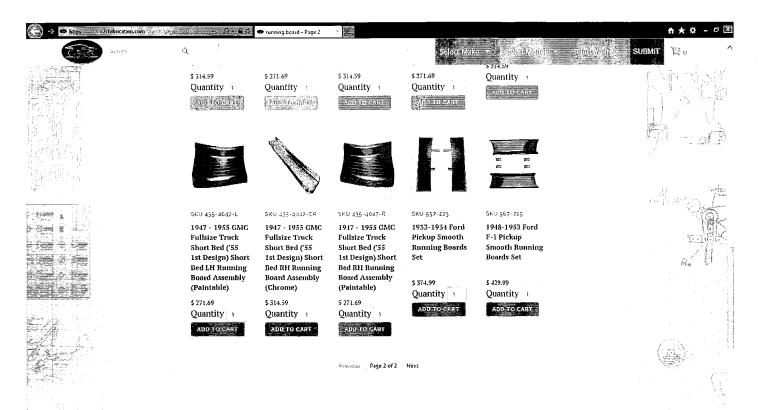
Shipping and payments

#### Compatibility

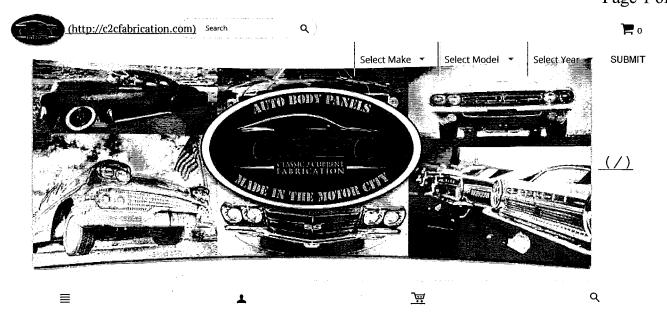
Description

To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model.

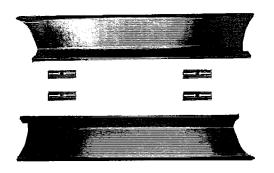
Website listing



2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 24 of 31 Pg ID 29 Page 1 of 2



Home (/) / Products (/collections/all) / 1948-1952 Ford F-1 Pickup Smooth Running Boards Set



## 1948-1952 Ford F-1 Pickup Smooth Running Boards Set SKU 567-225

Like 0

\$ 429.99

1

Tweet G+1

Quantity

View fullsize image

Email us about this product (mailto:sales@c2cfabrication.com?Subject=1948-1952 Ford F-1 Pickup Smooth Running Boards Set)

#### Ford F-1 Pickup Smooth Running Boards, Set

1948-1952 Ford F-1 Pickup Smooth Running Boards, Set 16ga with Adapters

ADD TO CART

Running Board

Years: 1948,1950,1951,1952

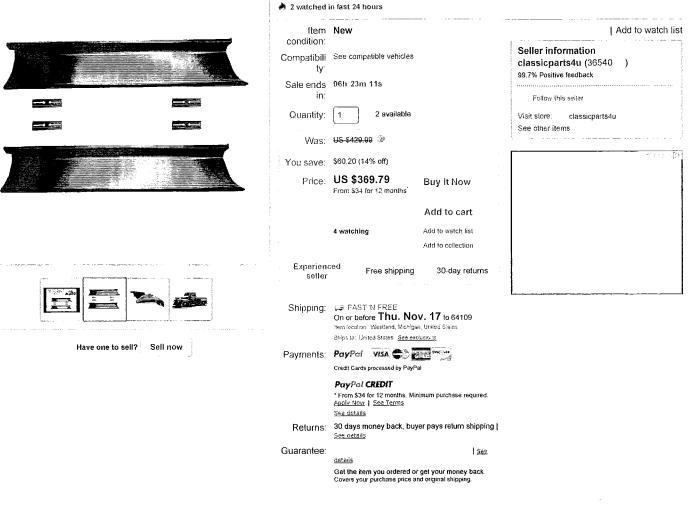
Ford Pickup

Make/Model Years Shipping Material

Ford Pickup

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 25 of 31 Pg ID 30 Page 1 of 3

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	1948 1949 1950 1951 1952 Ford F-1 Pickup T CHEAPEST ON E-BAY!!!	ruck Steel Running Boards New pair!!



People who viewed this item also viewed



2002-2008 Dodge Ram Quad Cab & Club Cab 4Door \$171.99 Free shipping



1949 50 51 FORD DRIVER SIDE FULL LENGH FRONT \$108.78 Free shipping



1947-54 Chevrolet Chevy Pickup Truck Taller Stock \$137.59 Free shipping

Description

Shipping and payments

#### Report item

Feedback on our suggestions

## eBay ken number: 142173222089

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Compatibility

To confirm that this part fits your vehicle, please choose a vehicle from your My Vehicles list OR enter your vehicle's Year, Make and Model.

Shop by category Search			AII (	alegories	Search Advance
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	Item	New			Add to watch I
1953-1956	condition: Sale ends in:	05h 23m 12s		classicp	formation arts4u (36541 ) live feedback
Ford F-100 Panel Truck	Quantity:	1 4 available		Follow	this seller
Running Boards	Was:	<del>US \$389.99</del> 🍻		Visit store:	classicparts4u
	You save:	\$54.60 (14% off)		See other i	tems
	Price:	US \$335.39 From \$31 for 12 months	Buy It Now	- 111 - 111	av
			Add to cart		189 1234 6189
344 (*1.345 1*)		2 watching	Add to watch list		ARN HOW TO
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	Payments:	PayPal VISA			
Have one to sell? Sell now		PayPat CREDIT * From \$31 for 12 months. Min Apply Now   See Terms See details			
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		Get the item you ordered or Covers your purchase plice an	get your money back. nd original shipping.		
cople who viewed this item also viewed					Feedback on our suggestions
ord F-100 Pickup Truck 1951 - 1956 FORD TRUCK teel Running Board SET 53 F100 F-100 Pickup STEEL					
318.19 \$146.19					

Description Shipping and payments

Seller assumes all responsibility for this listing.

#### Item specifics

Condition: Country of Manufacture: Part Brand: Placement on Vehicle:

#### New United States ClassicParts4U Left, Right

Brand: Primary Color: Manufacturer Part Number: Surface Finish:

ClassicParts4u Unfinished F-5356RBP Non Coated Steel

#### Report ilem

eBey item number 142159472759

2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 27 of 31 Pg ID 32

#### Home page













Q

Extended Cab

Quantity 3

88

Panel

\$ 29.99

Universal Rocker

Silverado Pickup Gab Corner 4dr Crew Cab LH

\$ 32.98 Quantity





ABD TO CAR

5KU 320-013-1

1956-1971 Dodge

Pickup (C-Series )

Cab Pickup Cab

Corner LH

Quantity 🚯

ADD IC CACHE

S 19.20







**Complete** Front

Floor Pan

Quantity 1

AUL TO GART

SKU 570-020-1

1980-98 Ford F-150

Outer Rocker Panel,

00

\$ 79.99

88





SKU 580-012-1

1999-2011 Ford

Pickup Truck

Cab Corner 2dr

Quantity : +

ADD TO CART

No.

\$ 45.11

Standard Cab LH







5KU 588-225

1953-1956 Ford

F-100 Pickup

Floor Pan, RH

Quantity 1

ADD TO CAPT.

88

\$ 64.99

Quantity 1



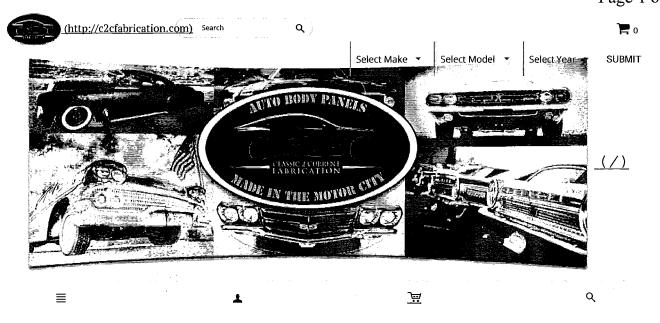


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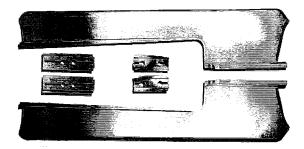
SUBMIT



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Home (/) / Collections (/collections) / Items That Ship For Free (/collections/free-shipping) / 1953-1956 Ford F-100 Pickup Smooth Steel Running Board Set



View fullsize image

Email us about this product (mailto:sales@c2cfabrication.com?Subject=1953-1956 Ford F-100 Pickup Smooth Steel Running Board Set) 1953-1956 Ford F-100 Pickup Smooth Steel Running Board Set

#### SKU 568-225

#### \$ 399.99

Tweet G+1 Like 1

Quantity 1

ADD TO CART

#### Ford F-100 Pickup Smooth Steel Running Board Set

1953-1956 Ford F-100 Pickup Smooth Steel Running Board Set

For Years: 1953, 1954, 1955, 1956 Ford F-100 Pickup Running Board Set

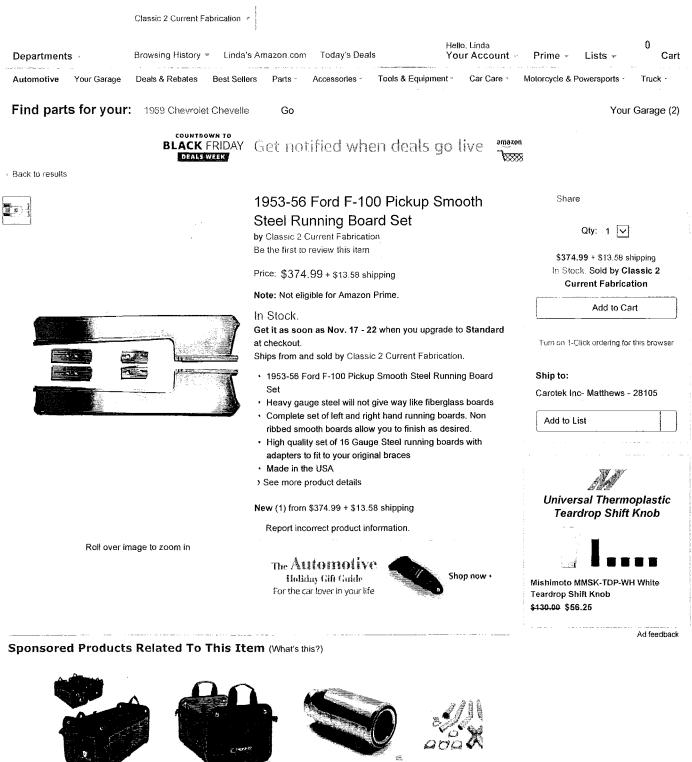
- Heavy 16 Gauge Steel
- Complete set of left and right Running Boards with adapters to fit your original braces
- Non-ribbed
- Made in USA

#### FREE SHIPPING

Make/Model Years Shipping Material

Ford F-100 Pickup

## 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 29 of 31 Pg ID 34 Page 1 of 4



TrunkCratePro TC-PRO01 Multipurpose 11 Pocket Premium Cargo Trunk Organizer for ... 183 \$38.87



by TRUNKZY - Premium Storage Container for Car, SUV, Truck or... 59 \$27.97

Exhaust Tip Stainless Steel 3 Rd Double Wall 2

Inlet Wesdon Exhaust Tip 4

\$29.99

Exhaust X Pipe Diameter Dual 3.00" Diameter Outlets WXPK:

\$139.99 Ad feedback

## 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 30 of 31 Pg ID 35

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eb Shop by category Search		· · · · · · · · · · · · · · · · · · ·	<i>م</i>	ul Categories 💟 Search Advanced
Back to search results   Listed in category: eBay Motors > Parts & Accessories > Car &	Truck Parts > Exter	er > Other		
	56 CHEAPEST	1955 1956 Ford Pick ON E-BAY!!! in last 24 hours	up Truck F-10	0 Steel Running Board SET 53 54 55
		New		Add to watch lis
Made In The U.S.A.	condition: Compatibili ty:	See compatible vehicles		Seller information classicparts4u (36542 ) 99 7% Positive feedback
	Sale ends	05h 02m 13s		Follow this seller
	Quantity:	1 Last one / 1 solo	ń	Visit store, classicparts4u
	Wast	<del>US \$369.9</del> 9 (3)		See other items
	You save:	\$51.80 (14% off)		and the second s
	Price:	US \$318.19 E From \$29 for 12 months	Buy It Now	533 1-354 1-384 1234 1-384 1-384 110 1-110 1-110
		F	Add to cart	LEARN HOW TO
		3 watching A	dd to watch list	EARN \$30 BACK
	-		dd to collection	as a statement oredit if you are approved for a new eBay Extras MasterOard® account.
	More than sold	49% Last item available	Experienced seller	
Have one to sell? Sell now	Shipping:	FAST 'N FREE On or before Thu. Nov. Item Incetion Weatland, Michigan, U	inited States	
	Payments:	Ships to United States See evolusion		
		Credit Cards processed by PayPal		
		Payra CREDIT * From \$29 for 12 months, Minimu <u>Apply Now</u>   <u>See Tenns</u> <u>See details</u>	um purchase required	
	Returns:	30 days money back, buyer ( See details	pays return shipping	ł
	Guarantee:	<u>details</u> Get the item you ordered or ge Covers your purchase price and o	<u>S≇∈</u> t your money back. original shipping.	



Report item

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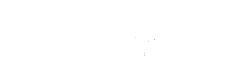
Shipping and payments

Compatibility

Description

eBay item number. 201711531150

#### 2:17-cv-10129-SJM-SDD Doc # 1-2 Filed 01/16/17 Pg 31 of 31 Pg ID 36



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