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ALLSTAR TIRE & WHEEL, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

ALLSTAR TIRE & WHEEL, INC., a California Corporation;) Case: SACV-08-00563 AHS (JTLx)
Plaintiff,)
vs.) **PLAINTIFF ALLSTAR TIRE &**
WHEEL PROS, INC., a Delaware) **WHEEL, INC.'S**
Corporation, and DOES 1 through 10,) **REPLY TO DEFENDANT'S**
inclusive;) **COUNTERCLAIM**
Defendants.)
)

Plaintiff and Counterclaim Defendant ALLSTAR TIRE & WHEEL, INC. (“Plaintiff”) hereby replies to the allegations in the Counterclaim of Defendant WHEEL PROS, INC. (“Defendant”) as set forth in its Answer to Plaintiff’s Complaint and Counterclaim.

1. Plaintiff admits that Defendant's Counterclaim purports to arise under 28 U.S.C. §§ 2201 and 2202 and 28 U.S.C. § 1338(a), and that an actual case or controversy exists between Plaintiff and Defendant as Plaintiff has asserted in its Complaint that Defendant infringed, and is currently infringing, U.S. Patent No. D503,369 ("the '369 Patent"), but denies the remaining allegations of paragraph 1.

2. Plaintiff admits that Defendant's Counterclaim purports to be brought for a judgment of the '369 Patent, but denies the remaining allegations of paragraph 2.

3. Denied.

4. Denied.

PRAAYER FOR RELIEF

WHEREFORE, in addition to the relief sought in Plaintiff's Complaint For Patent Infringement, Plaintiff prays for relief as follows:

1. For a judicial determination that Defendant shall take nothing by reason of its Counterclaims;

2. For an order dismissing Defendant's Counterclaims with prejudice;

3. For an order awarding Plaintiff its costs of suit incurred in defense against the Counterclaims; and

4. For an award of such other and further relief as this Court deems just and proper.

DATED: July 16, 2008

Respectfully submitted,

JAFARI LAW GROUP

By: /David V. Jafari/
David V. Jafari

Attorneys for Plaintiff,
Allstar Tire & Wheel, Inc.