

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Nos. 12-3450/3531

**FILED**  
**Aug 09, 2013**  
DEBORAH S. HUNT, Clerk

FINDLEY TRUCK LINE, INC.,  
Plaintiff-Appellee/Cross-Appellant,

v.

CENTRAL STATES, SOUTHEAST & SOUTHWEST AREAS PENSION FUND,  
Defendant-Appellant/Cross-Appellee.

Before: SUHRHEINRICH, MOORE, and GIBBONS, Circuit Judges.

**JUDGMENT**

On Appeal from the United States District Court  
for the Northern District of Ohio at Toledo.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's dismissal is AFFIRMED, but the district court's injunctive order is REVERSED.

**ENTERED BY ORDER OF THE COURT**



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Deborah S. Hunt, Clerk