

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

AMERICAN COMMERCIAL  
BARGE LINE, LLC

PLAINTIFF/  
COUNTER-DEFENDANT

v.

No. 3:16-cv-13-DPM

KINDER MORGAN BULK TERMINALS, INC.;  
KINDER MORGAN OPERATING LP, "C";  
KINDER MORGAN RIVER TERMINALS, LLC; and  
KINDER MORGAN TRANSMIX COMPANY, LLC

DEFENDANTS

KINDER MORGAN BULK  
TERMINALS, LLC\*

COUNTERCLAIMANT

ORDER

American Commercial Barge Line and all the Kinder Morgan defendants have informally told the Court that they don't oppose Cemtech Materials' motion to intervene. In the circumstances presented, Cemtech Materials is entitled to intervene as of right and litigate about the cargo. FED. R. CIV. 24(a). The motion, No 8, is granted. Cemtech must file its complaint in intervention by 11 March 2016.

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\*The Court directs the Clerk to correct the docket to reflect that Kinder Morgan Bulk Terminals, LLC is the only counterclaimant.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

2 March 2016