

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

WINDSTREAM CORPORATION;
WINDSTREAM BENEFITS COMMITTEE;
WINDSTREAM SYSTEMS OF THE
MIDWEST, INC.; and VALOR
TELECOMMUNICATIONS OF TEXAS, L.P.,
d/b/a Windstream Communications Southwest

PLAINTIFFS

v.

No. 4:09CV00953 JLH

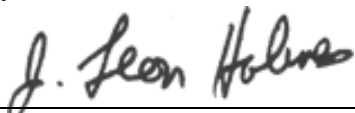
JOHNNY LEE; HOMER A. MEEKINS;
DORENE R. FULLER; DONALD H. REMPE;
DONALD F. ANTHOLZ; CHARLES J. MOORE;
JOSEPH P. WANSOLICH; THOMAS FARRELL
WATTS; and TYRONE M. KIMREY

DEFENDANTS

DECLARATORY JUDGMENT

Pursuant to the Opinion and Order entered separately today, judgment is entered in favor of Windstream Corporation, Windstream Benefits Committee, Windstream Systems of the Midwest, Inc., and Valor Telecommunications of Texas, L.P., d/b/a Windstream Communications Southwest, against Johnny Lee, Donald F. Antholz, Dorene R. Fuller, Tyrone M. Kimrey, Homer Meekins, Charles J. Moore, Donald H. Rempe, Thomas Farrell Watts, and Joseph P. Wansolich on plaintiffs' claim for declaratory judgment. It is therefore declared that the plaintiffs have the right unilaterally to modify, amend, or terminate the retiree benefits that are a part of or subject to the Windstream Plan; the amendments described in the Opinion and Order entered separately today do not violate the Windstream Plan or any other agreement with the defendants; and, therefore, those amendments are legally valid.

IT IS SO ORDERED this 26th day of February, 2013.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE