

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

M. RANDY RICE, TRUSTEE FOR  
JODY L. CLARK,

Plaintiff,

vs.

No. 4:12-cv-00108-SWW

UNION PACIFIC RAILROAD COMPANY,

Defendant/Third-Party  
Plaintiff,

vs.

GUNDERSON RAIL SERVICES, LLC,  
D/B/A GREENBRIER RAIL SERVICES  
PINE BLUFF D/B/A GUNDERSON  
WHEEL SERVICES AND D/B/A  
GUNDERSON, INC.

Third-Party Defendant.

JUDGMENT

Pursuant to the Opinion and Order entered in this matter on this date, it is Considered, Ordered and Adjudged that the acts or omissions of Gunderson Rail Services, LLC, d/b/a Greenbrier Rail Services Pine Bluff d/b/a Gunderson Wheel Services and d/b/a Gunderson, Inc. (Gunderson) caused Jody L. Clark’s accident and that the negligence of Union Pacific Railroad Company (Union Pacific) contributed to Clark’s accident. Accordingly, Union Pacific and Gunderson must pay equal parts of the \$1,150,000 settlement to Plaintiff M. Randy Rice, Trustee for Clark. As Gunderson has already agreed and been ordered to pay \$575,000 of the settlement

in indemnification—one-half of the loss—Union Pacific is not entitled to further indemnification from Gunderson.

IT IS SO ORDERED this 8<sup>th</sup> day of June 2012.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE