

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

ELM ONE CALL LOCATORS, INC.

PLAINTIFF
COUNTER-DEFENDANT

v.

No. 4:16-cv-113-DPM

WINDSTREAM SERVICES, LLC

DEFENDANT
COUNTER-CLAIMANT

ORDER

For the reasons stated on the record at the 16 August 2016 hearing, Elm One's motion for partial summary judgment, No 9, is denied. Windstream's motion for summary judgment, No 20, is granted in part and denied in part. Elm One's breach of contract claim is dismissed with prejudice. Its rescission claim remains.

So Ordered.

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

16 August 2016