

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

SIEMENS INDUSTRY, INC.

PLAINTIFF/
COUNTER-DEFENDANT

v.

No. 5:15-cv-127-DPM

CITY OF MONTICELLO, ARKANSAS

DEFENDANT/
COUNTER-CLAIMANT/
THIRD-PARTY PLAINTIFF

v.

SIEMENS AG

THIRD-PARTY DEFENDANT

ORDER

For the reasons stated on the record at the 8 March 2016 hearing, the Court orders the following:


A. Monticello's motion for summary judgment, *No. 69*, is granted. Siemens Industry's cross motion by stipulation, *No. 93*, is denied. The Siemens Industry/Monticello contract is void for noncompliance with Ark. Code Ann. § 14-164-402(15)(D). Siemens Industry's amended complaint, *No. 7*, is dismissed with prejudice.

B. The Amended Final Scheduling Order, *No. 57*, is amended to reflect the following deadlines.

1. 25 March 2016 Deadline for jurisdiction-related motion from Siemens AG. The motion may also address mootness, or similar matters, based on the Court's March 8th ruling.
2. 25 March 2016 Siemens Industry and Monticello must file a stipulation or simultaneous briefs on the future shape of the case. Briefs must not exceed 10 pages.
3. 25 March 2016 Siemens Industry must produce the performance-contract-related complaints (or similar documents) it possesses.
4. 29 April 2016 Siemens Industry must produce the balance of the performance-contract-related complaints (or similar documents).

C. The Court notes and approves the parties' stipulation. *No* 96. Please advise chambers by 11 March 2016 on availability for oral argument on 25 May 2016.

So Ordered.



D.P. Marshall Jr.
United States District Judge
9 March 2016