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

SOUTHERN BAKERIES, LLC

PLAINTIFF

V.

Case No. 4:12-CV-4071

BAKERY, CONFECTIONARY, TOBACCO WORKERS AND GRAIN MILLERS INTERNATIONAL, LOCAL NO. 111

DEFENDANT

JUDGMENT

This matter comes before the Court upon cross motions for summary judgment filed by Plaintiff Southern Bakeries, LLC and Defendant Bakery, Confectionary, Tobacco Workers and Grain Millers International, Local No. 111. ECF Nos. 19 and 22. For the reasons set forth in the Memorandum Opinion of even date, the Court finds that Defendant's Motion for Summary Judgment (ECF No. 22) should be and hereby is **GRANTED**. The Court further finds that Plaintiff's Motion for Summary Judgment (ECF No. 19) should be and hereby is **DENIED**. The Court upholds the April 10, 2012 arbitration decision.

Defendant asserts in a reply brief that it should be awarded costs and attorney's fees but has not filed a formal motion requesting such. This issue is not before the Court, and Plaintiff's Motion to Strike this issue from the reply brief is **DENIED**. ECF No. 32. Should Defendant file a motion for attorney's fees, Plaintiff will have the opportunity to respond.

IT IS SO ORDERED, this 27th day of February, 2014.

/s/ Susan O. Hickey Susan O. Hickey United States District Judge