

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In Re:

JOY GLOBAL, INC. f/k/a
HARNISCHFEGER INDUSTRIES, INC.

Debtor.

Civ. No. 01-039-LPS

JOY GLOBAL, INC. f/k/a
HARNISCHFEGER INDUSTRIES, INC.

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
WORKFORCE DEVELOPMENT,

Defendant.

ORDER

At Wilmington, this 22nd day of May, 2009, for the reasons set forth in the Opinion issued this same date, IT IS HEREBY ORDERED that:

1. Joy's Motion to Dismiss the Amended Proof of Claim (D.I. 340) is GRANTED.
2. DWD's Motion for Summary Judgment (D.I. 465) is DENIED.
3. Joy's Motion for Summary Judgment (D.I. 472) is DENIED.

Delaware counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.



UNITED STATES MAGISTRATE JUDGE