

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION at PIKEVILLE

CIVIL ACTION NO. 7:08-226-KKC

GRIZZLY PROCESSING, LLC,

PLAINTIFF

v.

JUDGMENT

WAUSAU UNDERWRITERS
INSURANCE COMPANY,

DEFENDANTS

**** * * * * *

In accordance with the Opinion and Order entered contemporaneously with this Judgment, the Court hereby ORDERS, ADJUDGES, and DECLARES as follows:

- 1) Wausau's Motion for Summary Judgment (DE 14) is GRANTED;
- 2) Judgment is entered for Wausau on its First Claim for Declaratory Relief filed in its Counterclaim and the remaining claims in the Counterclaim are DISMISSED as moot;
- 3) Wausau has no duty to defend or indemnify Grizzly in the state court tort action asserted against Grizzly in Floyd Circuit Court (Civil Action No. 07-CI-01384);
- 4) Grizzly's Complaint is DISMISSED with prejudice;
- 5) this judgment is FINAL and APPEALABLE; and
- 6) this matter is STRICKEN from the active docket of this Court.

Dated this 11th day of March, 2010.



Signed By:

Karen K. Caldwell *KKC*

United States District Judge