

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

CARGILL, INC. \* CIVIL NO. 6:10-1079  
VERSUS \* MAGISTRATE JUDGE HILL  
LOCAL 27C INTERNATIONAL \* BY CONSENT OF THE  
CHEMICAL WORKER'S UNION PARTIES  
COUNCIL U F C W, ET AL

MEMORANDUM RULING

A dispute has arisen between the parties regarding the form of the judgment. Both parties have submitted proposed judgments and memoranda in support thereof. [rec. doc. 64, 65, 66, 67]. The Court has signed the judgment proposed by defendant. In doing so, the Court express no opinion on whether or not the award to plaintiffs should, or should not, be net of interim earnings, nor is the Court ruling on whether this issue was preserved before the arbitrator. The arbitrator has the retained authority to fashion the award to the plaintiffs in accord with the provisions of this Court's Judgment, the Collective Bargaining Agreement (CBA) and to exercise that discretion provided by the CBA. That issue was not before this Court and was not decided by the Court's Ruling and Judgment.

THUS DONE AND SIGNED this 19<sup>th</sup> day of July, 2011, at Lafayette, Louisiana.

  
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C. MICHAEL HILL  
UNITED STATES MAGISTRATE JUDGE