

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WINDSTREAM, Corporation,)
WINDSTREAM NEBRASKA, Inc.,)
WINDSTREAM SYSTEMS OF THE)
MIDWEST, INC., and WINDSTREAM)
BENEFITS COMMITTEE,)

Plaintiffs,)

4:08CV3173

v.)

ROBERT BERGGREN, Individually and as)
a Representative of Persons Similarly)
Situated, LAURIE BAXTER, NEIL)
BRAUCH, LARRY CHUBB, VIRGINIA)
DANCZAK, KENNETH DARBY, ROY)
EDMONDS, DIANE GIEBELHAUS,)
KENNETH GRAHAM, BONNIE HATRA,)
HOWARD HIGHT, JUDY HIGHT,)
LONNIE HUSING, EDWARD JUNGCK,)
ERVIN MATHER, ROBERT SWAILS,)
MARY WADE, and DALE WEAVER,)

JUDGMENT

Defendants.)

In accordance with the Memorandum and Order on Cross Motions for Summary
Judgment:

IT IS ORDERED that judgment is entered against the defendants and in favor of the
plaintiffs, and the amendments to the benefits plans that were to become effective on December

31, 2008, and January 1, 2009, are indeed effective, enforceable, and within the plaintiffs' right to make.

Dated August 26, 2009.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge