

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GARY T. WINNETT, FREDA JACKSON-CHITTUM, CASPER R. HARRIS, WILLIAM H. DAILEY, CALVIN E. GROGAN, KENNETH C. HAMMER, and CHARLES A. WATERFIELD, on behalf of themselves and others similarly situated,

Plaintiffs,

v.

CATERPILLAR, INC.,

Defendant/Third-Party Plaintiff,

v.

INTERNATIONAL UNION, UAW, et. al,

Third-Party Defendants.

Case No. 3:06-cv-00235
District Judge Trauger
Magistrate Judge Brown

Class Action

ORDER


For the reasons expressed in the accompanying Memorandum, the Motion for Preliminary Injunction (Docket No. 200) filed by the Caterpillar Logistics Services ("CLS") subclass is GRANTED. Caterpillar must provide the CLS subclass with the same level of retiree healthcare currently provided to Caterpillar retirees for whom the UAW had been the employees' collective bargaining representative at the time of their retirement from Caterpillar and who retired before January 1, 1992. Caterpillar is enjoined from deducting premium charges for the CLS subclass' retiree healthcare coverage and from charging the CLS subclass the following specific charges, which are not part of the 1998 "Caterpillar Hourly Retirees

Central Agreement Covered under the NetWork” Plan: premiums to maintain their retiree healthcare benefit; deductibles of \$300 (individual) or \$600 (family) before the health insurance applies; the retiree’s share of a 90/10 split and maximum out-of-pocket payments, which require the CLS subclass to pay 10% of the costs of their post-deductible health care until the amount reaches the out-of-pocket maximums of \$750 (individual) or \$1500 (family); and individual and family deductibles for dental services and new costs for their vision plan.

The injunction shall issue without bond.

It is so ordered.

Entered this 16th day of September, 2008.



Aleta A. Trauger  
United States District Judge