

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

GARY T. WINNETT, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:06-0235
)	Judge Trauger
CATERPILLAR INC.,)	
)	
Defendant,)	

JUDITH K. KERNS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:06-1113
)	Judge Trauger
CATERPILLAR INC.,)	
)	
Defendant.)	

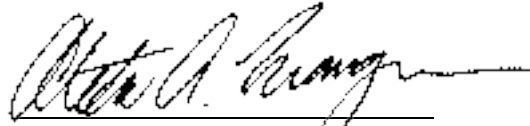
ORDER

For the reasons expressed in the accompanying Memorandum, the defendant’s Motion to Reconsider in *Winnett* (Docket No. 475) is **GRANTED**, and the plaintiffs’ claims in that case are now all **DISMISSED** and the injunction issued on October 16, 2008 is hereby **DISSOLVED**. The defendant’s Motion to Reconsider in *Kerns* (Docket No. 266) is **DENIED**, and the court’s liability findings in that case are unchanged.

It is further **ORDERED** that a telephone conference will be held with counsel on January 31, 2011 at 2:30 CST to discuss how to proceed as to the remaining issues in these cases.

It is so ordered.

Enter this 12th day of January 2011.

A handwritten signature in black ink, appearing to read "Aleta A. Trauger", written over a horizontal line.

ALETA A. TRAUGER
United States District Judge