

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 07-6379

FILED
Oct 21, 2009
LEONARD GREEN, Clerk

INDIANA STATE DISTRICT COUNCIL OF LABORERS AND HOD CARRIERS
PENSION AND WELFARE FUND, On Behalf of Itself and All Others Similarly
Situated, et al.,

Plaintiffs - Appellants,

ALASKA ELECTRICAL PENSION FUND, On Behalf of Itself and All Others
Similarly Situated,

Intervenor - Appellant,

v.

OMNICARE, INC; JOEL F. GEMUNDER; DAVID W. FROESEL, JR.; CHERYL
D. HODGES; EDWARD L. HUTTON; and SANDRA E. LANEY,

Defendants - Appellees.

Before: DAUGHTREY and GILMAN, Circuit Judges; MILLS, District Judge.

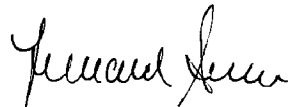
JUDGMENT

On Appeal from the United States District Court
for the Eastern District of Kentucky at Covington.

THIS CAUSE was heard on the record from the district court and was argued by
counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district
court is AFFIRMED IN PART, REVERSED IN PART, and the case is REMANDED for
further proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT



Leonard Green
Clerk