

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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COMMODITIES EXPORT COMPANY,

Plaintiff/Counter-Defendant,

Case No. 09-CV-11060

v.

HON. ROBERT H. CLELAND

CITY OF DETROIT, UNITED STATES OF  
AMERICA,

Defendants/Cross-Defendants,

and

DETROIT INTERNATIONAL BRIDGE  
COMPANY,

Defendant/Counter-Plaintiff/Cross-  
Plaintiff/Third Party Plaintiff,

v.

WALTER LUBIENSKI and DEAN AYTES,  
Third Party Defendants.

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**DECLARATORY JUDGMENT AND PERMANENT INJUNCTION**

Pursuant to this court's Opinion and Order dated June 29, 2010, it is DECLARED, ADJUDGED, and DECREED that the Detroit International Bridge Company ("DIBC") is not a federal instrumentality or limited federal instrumentality or any type of arm, appendage, or agent of the federal government entitled to any immunity from state or local regulation.

IT IS FURTHER ORDERED that DIBC and its corporate affiliates are permanently enjoined from appropriating the status of "federal instrumentality." DIBC and its corporate affiliates are to cease and desist from representing that they are any kind of federal

instrumentality or other arm, appendage, or agent of the federal government, in state court, federal court, or elsewhere.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 31, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 31, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522