

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FORT TOTTEN METRORAIL)	
ACCIDENT CASES)	
)	
LEAD CASE: <i>Jenkins v. Washington</i>)	Case No.:
<i>Metropolitan Area Transit Authority, et al.</i>)	1:10-mc-00314-RBW-JMF
)	
THIS DOCUMENT RELATES TO:)	
ALL REMAINING CASES)	
_____)	

**JOINT DEFENDANTS’ NOTICE IN RESPONSE TO THE
COURT’S REQUEST AT THE FEBRUARY 28, 2012 HEARING**

Pursuant to the Court’s request at the end of the February 28, 2012 sealed hearing among the four defendants, Alstom Signaling, Inc. (“Alstom”), Ansaldo STS USA, Inc. (“Ansaldo”) and Arinc, Inc. (“Arinc”) (collectively, “Joint Defendants”) respectfully advise the Court that they are reinstating the following previously-filed motions for summary judgment:

1. Joint Motion for Summary Judgment that WMATA’s superseding negligence was the cause of the June 22, 2009 Accident (Docket No. 425);
2. Alstom Motion for Summary Judgment (Docket No. 427);
3. Ansaldo Motion for Summary Judgment (Docket No. 426); and
4. ARINC Motion for Summary Judgment (Docket No. 428).

To conserve judicial resources, Joint Defendants respectfully request that the Court first schedule oral argument on their Joint Motion for Summary Judgment that WMATA’s superseding negligence was the cause of the June 22, 2009 Accident (Docket No. 425). A ruling for Joint Defendants on this motion would moot the Joint Defendants’ individual summary judgment motions and definitively decide allocation among the defendants.

Joint Defendants also respectfully request that the Court set aside two hours for argument on their joint motion, which will require an extensive review of the undisputed material facts showing WMATA's negligence between June 17 and June 22, 2009.

Dated: March 2, 2012

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Leslie Paul Machado, an attorney, hereby certify that, on March 2, 2012, this document was electronically filed with the Clerk of the Court and that, in the same manner, an electronic copy was served on all counsel of record.

/s/Leslie Paul Machado

Leslie Paul Machado