

CUMMINS INC  
Form 8-K  
May 13, 2010

CUMMINS ENGINE COMPANY, INC

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549**

**FORM 8-K**

**CURRENT REPORT**

PURSUANT TO SECTION 13 OR 15(d) OF THE  
SECURITIES EXCHANGE ACT OF 1934

**Date of Report (Date of earliest event reported): May 11, 2010**

**CUMMINS INC.**

(Exact name of registrant as specified in its charter)

**Indiana**

(State or other Jurisdiction of  
Incorporation)

**1-4949**

(Commission File Number)

**35-0257090**

(I.R.S. Employer Identification  
No.)

**500 Jackson Street  
P. O. Box 3005  
Columbus, IN 47202-3005  
(Principal Executive Office) (Zip Code)**

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Registrant's telephone number, including area code: **(812) 377-5000**

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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**Item 5.07. Submission of Matters to a Vote of Security Holders.**

On May 11, 2010, Cummins Inc. (the Company) held its 2010 annual meeting of shareholders (the Annual Meeting). At the Annual Meeting, the Company's shareholders voted on the following proposals:

- The election of nine directors for a one year term to expire at the Company's 2011 annual meeting of shareholders; and
- The ratification of the appointment of PricewaterhouseCoopers LLP as the Company's auditors for 2010.

As of the March 15, 2010 record date for the determination of the shareholders entitled to notice of, and to vote at, the Annual Meeting, 200,963,878 shares of the Company's common stock, \$2.50 par value per share, were outstanding and entitled to vote, each entitled to one vote per share. Approximately 88.88% of all votes were represented at the Annual Meeting in person or by proxy. The following are the final votes on the matters presented for shareholder approval at the Annual Meeting:

Election of Directors

**Name**

**For**

**Against**

**Abstain**

**Broker Non-Votes**

Robert J. Bernhard

167,043,992

413,217

287,648

10,879,990

Dr. Franklin R. Chang-Diaz

166,959,243

509,559

276,055

10,879,990

Robert K. Herdman

167,008,647

456,950

279,260

10,879,990

Alexis M. Herman

163,746,703

3,821,176

176,978

10,879,990

N. Thomas Linebarger

166,480,082

1,082,673

182,102

10,879,990

William I. Miller

161,191,730

6,377,301

175,826

10,879,990

Georgia R. Nelson

165,973,738

1,513,304

257,815

10,879,990

Theodore M. Solso

156,916,479

10,677,688

150,690

10,879,990

Carl Ware

166,883,099

590,291

271,467

10,879,990

Ratification of PricewaterhouseCoopers LLP

**For**

**Against**

**Abstain**

172,675,450

5,675,713

273,684

**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: May 13, 2010

CUMMINS INC.

**/s/ Marsha L. Hunt**

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Marsha L. Hunt  
Vice President - Corporate Controller  
(Principal Accounting Officer)