

---

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 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):

**October 2, 2017**



**TRINITY INDUSTRIES, INC.**

\_\_\_\_\_  
(Exact name of registrant as specified in its charter)

**Delaware**

\_\_\_\_\_  
(State or other jurisdiction  
of incorporation)

**1-6903**

\_\_\_\_\_  
(Commission File No.)

**75-0225040**

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

**2525 N. Stemmons Freeway,  
Dallas, Texas**

\_\_\_\_\_  
(Address of principal executive offices)

**75207-2401**

\_\_\_\_\_  
(Zip Code)

Registrant's telephone number, including area code:

**214-631-4420**

Not Applicable

Former name or former address, if changed since last report

\_\_\_\_\_  
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:

- 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))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

---

**Item 8.01 Other Events.**

On October 2, 2017, Trinity Industries, Inc. issued a press release announcing that on September 29, 2017, the United States Court of Appeals for the Fifth Circuit (the "Fifth Circuit") reversed a June 9, 2015, \$682.4 million judgment (the "Judgment") entered against Trinity Industries, Inc. and Trinity Highway Products, LLC (together, the "Company") in a federal False Claims Act case styled Joshua Harman, on behalf of the United States of America, Plaintiff/Relator v. Trinity Industries, Inc., Defendant, Case 2:12-cv-00089-JRG and rendered judgment as a matter of law for the Company. The Judgment was entered against the Company following an October 2014 jury trial in United States District Court for the Eastern District of Texas, Marshall Division. The Company is monitoring any additional appellate steps that may be taken by Plaintiff in this matter.

A copy of the press release is attached hereto as Exhibit 99.1.

**Item 9.01 Financial Statements and Exhibits.**

(a) - (c) Not applicable.

(d) Exhibits:

Exhibit No. / Description

99.1 Press Release of the Company dated October 2, 2017.

## SIGNATURES

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.

*October 2, 2017*

Trinity Industries, Inc.

By: */s/ James E. Perry*

---

*Name: James E. Perry*

*Title: Senior Vice President and Chief Financial Officer*

NEWS RELEASE



TRINITY INDUSTRIES, INC.

## FOR IMMEDIATE RELEASE

### Trinity Industries, Inc. Wins at Fifth Circuit Court of Appeals

#### Fifth Circuit Reverses Judgment, Finds No False Claims Act Violation

DALLAS - October 2, 2017 - Trinity Industries, Inc. (NYSE:TRN) announced today that on September 29, 2017, the United States Court of Appeals for the Fifth Circuit (“Fifth Circuit”) ruled that Trinity Industries, Inc. and Trinity Highway Products, LLC (together, the “Company”) did not commit fraud, reversing the District Court’s \$682.4 million False Claims Act judgment and rendering judgment for the Company.

The Company is pleased with the panel’s unanimous opinion reversing the judgment. As the Fifth Circuit noted, the federal government has consistently reaffirmed the ET Plus® System meets all federal safety performance standards. This ruling confirms our long-standing belief that no fraud was committed.

Please refer to the Company’s Form 8-K issued contemporaneously with this Press Release as well as Note 18 to the financial statements in Trinity’s Form 10-K for the period ended December 31, 2016, and Form 10-Q for the period ended June 30, 2017, for additional information about Joshua Harman, on behalf of the United States of America, Plaintiff/Relator v. Trinity Industries, Inc., Defendant and the Company’s highway products and other litigation.

Information from the FHWA pertaining to the ET Plus® System may be found at: <http://www.fhwa.dot.gov/guardrailsafety/>.

Additional facts and product information related to the ET Plus® System may be found at: [www.etplusfacts.com](http://www.etplusfacts.com).

\*\*\*\*\*

#### COMPANY DESCRIPTION

Trinity Industries, Inc., headquartered in Dallas, Texas, is a diversified industrial company that owns complementary market-leading businesses providing products and services to the energy, chemical, agriculture, transportation, and construction sectors, among others. Trinity reports its financial results in five principal business segments: the Rail Group, the Railcar Leasing and Management Services Group, the Inland Barge Group, the Construction Products Group, and the Energy Equipment Group. For more information, visit: [www.trin.net](http://www.trin.net).

Trinity Highway Products, LLC is a subsidiary of Trinity Industries, Inc.

*Some statements in this release, which are not historical facts, are “forward-looking statements” as defined by the Private Securities Litigation Reform Act of 1995. Forward-looking statements include statements about Trinity's estimates, expectations, beliefs, intentions or strategies for the future, and the assumptions underlying these forward-looking statements. Trinity uses the words “anticipates,” “believes,” “estimates,” “expects,” “intends,” “forecasts,” “may,” “will,” “should,” “guidance” and similar expressions to identify these forward-looking statements. Forward-looking statements involve risks and uncertainties that could cause actual results to differ materially from historical experience or our*

*present expectations. For a discussion of such risks and uncertainties, which could cause actual results to differ from those contained in the forward-looking statements, see “Risk Factors” and “Forward-Looking Statements” in the Company's Annual Report on Form 10-K for the most recent fiscal year.*

**Investor Contact:**

Preston Bass  
Director, Investor Relations  
Trinity Industries, Inc.  
214/631-4420

**Media Contact:**

Jack Todd  
Vice President, Public Affairs  
Trinity Industries, Inc.  
214/589-8909

- END -