No. 10-2334

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

Jun 19, 2012

LEONARD GREEN, Clerk

Plaintiffs-Appellants,

V.

CASSENS TRANSPORT COMPANY, ET AL.,

Defendants-Appellees.

BEFORE: MOORE, COLE, and GIBBONS, Circuit Judges.

The court having received three petitions for rehearing en banc, and the petitions having been circulated not only to the original panel members but also to all other active judges of this court, and no judge of this court having requested a vote on the suggestion for rehearing en banc, the petitions for rehearing have been referred to the original panel.

The panel has further reviewed the petitions for rehearing and concludes that the issues raised in the petitions were fully considered upon the original submission and decision of the case.

Accordingly, the petitions are denied. Judge Gibbons would grant rehearing for the reasons stated in her dissent.

ENTERED BY ORDER OF THE COURT

Leonard Green, Clerk

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Filed: June 19, 2012

Mr. Jeffrey Charles Gerish Ms. Janet E. Lanyon Mr. Timothy R. Winship

Re: Case No. 10-2334, *Paul Brown, et al v. Cassens Transport Co., et al* Originating Case No.: 04-72316

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Beverly L. Harris En Banc Coordinator Direct Dial No. 513-564-7077

cc: Mr. Mark Frederick Horning Mr. Marshall David Lasser Mr. Gerald M. Marcinkoski Mr. Jeffrey T. Stewart Mr. Jerry R. Swift

Enclosure