

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-16486

D.C. Docket No. 0:15-cv-60716-WPD

DR. DAVID S. MURANSKY,
individually and on behalf of all others similarly situated,
Plaintiff - Appellee,

JAMES H. PRICE,
ERIC ALAN ISAACSON,
Interested Parties - Appellants,

versus

GODIVA CHOCOLATIER, INC.,
a New Jersey corporation,
Defendant - Appellee.

Appeal from the United States District Court
for the Southern District of Florida

Before ED CARNES, Chief Judge, TJOFLAT, MARCUS, WILSON, WILLIAM
PRYOR, MARTIN, JORDAN, ROSENBAUM, NEWSOM, BRANCH, and
GRANT, Circuit Judges*:

* Judge Jill Pryor, having recused herself, did not participate in the poll.

A petition for rehearing en banc having been filed, a member of this Court in active service having requested a poll on whether this case should be reheard en banc, and a majority of the judges of this Court in active service having voted in favor of granting rehearing en banc, it is ORDERED that this case will be reheard en banc. The panel's opinion is VACATED.

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.call.uscourts.gov

October 04, 2019

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 16-16486-EE
Case Style: James Price v. Godiva Chocolatier, Inc., et al
District Court Docket No: 0:15-cv-60716-WPD

The enclosed order has been entered on petition(s) for rehearing.

Under the Eleventh Circuit Rule 35, the effect of granting rehearing en banc is to vacate the previous opinion and judgment of this court and to stay the mandate.

You will be notified by subsequent correspondence of the schedule for filing en banc briefs, the issue(s) which the court wishes the parties to focus on in their briefs, and the page limitations on them. We will communicate with you at a later time regarding report time and time limitations on oral argument should this case be designated for oral argument.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Elora Jackson, EE/jlt/
Phone #: (404) 335-6173

REHG-1 Ltr Order Petition Rehearing