

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-14478
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT DEC 26, 2006 THOMAS K. KAHN CLERK

D. C. Docket No. 05-00230-CV-WS-B

COCA-COLA BOTTLING CO., CONSOLIDATED, Inc.

Plaintiff-Appellant,

versus

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
CHAUFFEURS,
WAREHOUSEMAN & HELPERS LOCAL 991,

Defendant-Appellee.

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

(December 26, 2006)

Before BIRCH, WILSON and PRYOR, Circuit Judges.

PER CURIAM:

In view of this Court's ruling in a companion case, Coca-Cola Bottling Co., Consolidated v. International Brotherhood of Teamsters, Chauffeurs, Warehouseman & Helpers Local 991, No. 06-11338 (11th Cir. Dec. 13, 2006), wherein the merits involved in this case were considered, we VACATE the judgment of the District Court, and REMAND this case (involving only the issue of attorneys fees) to the District Court for reconsideration in light of our decision in No. 06-11338.

VACATED and REMANDED.