

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

April 4, 2017

**Before**

DIANE P. WOOD, *Chief Judge*

RICHARD A. POSNER, *Circuit Judge*

JOEL M. FLAUM, *Circuit Judge*

No. 15-3034

THOMAS M. JAMES,

*Plaintiff-Appellant,*

*v.*

LORENZO ELI and NICOLAS P.  
VILLANUSTRE,

*Defendants-Appellees.*

Appeal from the United States District  
Court for the Southern District of  
Indiana, Indianapolis Division.

No. 1:13-cv-541-WTL-TAB

William T. Lawrence,  
*Judge.*

## AMENDED ORDER

We hereby amend this Court's order of March 31, 2017, granting the petitions for panel rehearing as follows:

Before the Court are petitions for rehearing en banc filed on February 8, 2017, by Defendants-Appellees Lorenzo Eli and Nicholas P. Villanustre. We construe those petitions to include requests for panel rehearing. So construed, all members of the original panel have voted to GRANT panel rehearing.

In light of this vote, the opinion and judgment issued on January 25, 2017, are hereby VACATED, and the briefs filed previously by the parties are STRICKEN.

After reviewing the briefs and the record, we have determined that the Court would benefit from counseled briefs from the Plaintiff-Appellant. See FED. R. APP. P.

34(a)(2)(C). We have also concluded that this case should be set for oral argument. Accordingly, we will recruit counsel for Thomas M. James. Further orders designating counsel and setting a schedule for briefing and oral argument will follow.