

IN THE SUPREME COURT OF ALABAMA



March 22, 2024

SC-2022-0881

Ex parte BTC Wholesale Distributors, Inc.; Arhaan, LLC; Birmingham Wholesale, LLC; City Wholesale, Inc.; and The H.T. Hackney Co. PETITION FOR WRIT OF MANDAMUS (In re: Buffalo Rock Company v. PepsiCo, Inc., et al.) (Jefferson Circuit Court: CV-19-900217).

CERTIFICATE OF JUDGMENT

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on March 22, 2024:

Application Overruled. No Opinion. Cook, J. -- Shaw, Bryan, Mendheim, Stewart, and Mitchell, JJ., concur. Parker, C.J., and Wise and Sellers, JJ., dissent.

WHEREAS, the appeal in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on December 15, 2023:

Petition Granted in Part and Denied in Part; Writ Issued. Cook, J. -- Shaw, Bryan, and Mitchell, JJ., concur. Mendheim, J., concurs in part, concurs in the result in part, and dissents in part, with opinion. Parker, C.J., and Stewart, J., concur in part and dissent in part, with opinions. Sellers, J., concurs in part and dissents in part, with opinion, which Wise, J., joins.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Megan B. Rhodebeck, certify that this is the record of the judgment of the Court, witness my hand and seal.

Megan B. Rhodebeck

Clerk, Supreme Court of Alabama