

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

<p>FILED          U.S. COURT OF APPEALS          ELEVENTH CIRCUIT          APR 27, 2006          THOMAS K. KAHN          CLERK</p>
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No. 04-12420

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BANKWEST, INC.,  
ADVANCE AMERICA,  
CASH ADVANCE CENTERS OF GEORGIA, INC.,

Plaintiffs-Appellants,

COMMUNITY STATE BANK,  
FIRST AMERICAN CASH ADVANCE OF GEORGIA, LLC,  
CASH AMERICA FINANCIAL SERVICES, INC., et al.,

Consolidated-Plaintiffs-Appellants,

versus

THURBERT E. BAKER, Attorney General of the State of Georgia,  
CATHY COX, Secretary of State, for the State of Georgia,  
in their official capacities,

Defendants-Consolidated-Defendants-Appellees.

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On Appeal from the United States District Court  
for the Northern District of Georgia

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Before EDMONDSON, Chief Judge, TJOFLAT, ANDERSON, BIRCH,  
DUBINA, BLACK, CARNES, BARKETT, HULL, MARCUS, WILSON,  
PRYOR, and HILL, Circuit Judges.

The order granting en banc rehearing in this appeal, BankWest v. Baker, 433 F.3d 1344, 1345 (11th Cir. 2005), is VACATED, and the case is remanded to the panel for consideration and decision of the mootness issue raised by the Appellees' suggestion of mootness.