

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 09-6381

SUSAN LEWIS,  
Plaintiff - Appellant,

v.

HUMBOLDT ACQUISITION CORPORATION, INC.,  
dba Humboldt Manor Nursing Home,  
Defendant - Appellee.

Before: BATCHELDER, Chief Judge; MARTIN, BOGGS, MOORE, COLE, CLAY,  
GIBBONS, ROGERS, SUTTON, COOK, McKEAGUE, GRIFFIN, KETHLEDGE, WHITE,  
STRANCH, and DONALD, Circuit Judges.

**JUDGMENT**

On Appeal from the United States District Court  
for the Western District of Tennessee at Jackson.

UPON CONSIDERATION of the petition for rehearing en banc, the supplemental briefs,  
and arguments of counsel,

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district  
court against Lewis is REVERSED and the case is REMANDED for a new trial.

**ENTERED BY ORDER OF THE COURT**



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Leonard Green, Clerk

**FILED**  
***May 25, 2012***  
LEONARD GREEN, Clerk