

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 10-6028

ROBERT G. BACK,
Plaintiff - Appellant,

FILED
Sep 13, 2012
DEBORAH S. HUNT, Clerk

v.

NESTLÉ USA, INC.,
Defendant - Appellee.

Before: KETHLEDGE and STRANCH, Circuit Judges; GWIN, District Judge.

JUDGMENTOn Appeal from the United States District Court
for the Eastern District of Kentucky at Lexington.THIS CAUSE was heard on the record from the district court and was submitted
on the briefs without oral argument.IN CONSIDERATION WHEREOF, it is ORDERED that the district court's
judgment granting summary judgment to Nestlé is AFFIRMED.**ENTERED BY ORDER OF THE COURT**_____
Deborah S. Hunt, Clerk