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UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Deborah S. Hunt Clerk

100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000 www.ca6.uscourts.gov

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Ms. Rebekah Lynn Bailey Ms. Reena I. Desai Mr. Adam W. Hansen Mr. Paul J. Lukas Mr. Matthew H Morgan Nichols Kaster 80 S. Eighth Street, Suite 4600 Minnesota, MN 55402

Mr. James J. Oh Littler Mendelson 321 N. Clark Street, Suite 1000 Chicago, IL 60654

Ms. Tracy S. Pyles Littler Mendelson 21 E. State Street Suite 1600 Fifth Third Center Columbus, OH 43215

Mr. Andrew J. Voss Littler Mendelson 80 S. Eighth Street Suite 1300 IDS Center Minneapolis, MN 55402

> Re: Case No. 12-3107, Frank Foster v. Nationwide Mutual Insurance Co. Originating Case No.: 2:08-cv-20

Dear Counsel,

The court today announced its decision in the above-styled case.

Enclosed is a copy of the court's opinion together with the judgment which has been entered in conformity with Rule 36, Federal Rules of Appellate Procedure.

Yours very truly,

Deborah S. Hunt, Clerk

Cathryn Lovely Deputy Clerk

cc: John P. Hehman

Enclosures

Mandate to issue.