

**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

Filed: September 25, 2013

Mr. Laurence C. Acker
Mr. Robert E. Harrington III
Mr. Robert B. Thompson
Harrington, Thompson, Acker & Harrington
180 N. Wacker Drive, Third Floor
Chicago, IL 60606

Mr. Dan Himmelfarb
Mayer Brown
1999 K Street, N.W.
Washington, DC 20006

Mr. Joseph John Santoro
Gallagher Sharp
1501 Euclid Avenue, Sixth Floor
Cleveland, OH 44115

Re: Case No. 12-3689, *James Szekeres v. CSX Transportation, Inc.*
Originating Case No. : 1:08-cv-01153

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: Geri M. Smith

Enclosures

Mandate to issue.