

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 12-5057

FILED
Oct 25, 2012
DEBORAH S. HUNT, Clerk

KAREN AUDAY,
Plaintiff - Appellant,

v.

WET SEAL RETAIL, INC.,
Defendant - Appellee.

Before: SUTTON, GRIFFIN and WHITE, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Eastern District of Tennessee at Chattanooga.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment is VACATED, and the case is REMANDED to the district court for the purpose either of dismissing the case without prejudice or of allowing Auday to amend the complaint to substitute the Trustee as the plaintiff.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk