

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 13-3887

RICHARD K. ROSE,  
Plaintiff - Appellant,

**FILED**  
**Sep 08, 2014**  
DEBORAH S. HUNT, Clerk

v.

STATE FARM FIRE & CASUALTY COMPANY,  
Defendant - Appellee.

Before: SILER, GILMAN, and GIBBONS, Circuit Judges.

**JUDGMENT**On Appeal from the United States District Court  
for the Southern District of Ohio at Columbus.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's grant of summary judgment to State Farm on Rose's breach of contract and bad faith claims is REVERSED and REMANDED to the district court for further proceedings consistent with the opinion of this court. IT IS FURTHER ORDERED that Rose's claim on his Motion to Alter and Amend Judgment under Rule 59(e) is DENIED AS MOOT.

**ENTERED BY ORDER OF THE COURT**  
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Deborah S. Hunt, Clerk