

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 14-3882

PETER C. NEWBERRY,  
Plaintiff - Appellant,

v.

MARC H. SILVERMAN, D.D.S.;  
SILVERMAN DENTAL, LLC,  
Defendants - Appellees.

**FILED**  
**May 29, 2015**  
DEBORAH S. HUNT, Clerk

Before: GILMAN, ROGERS, and SUTTON, Circuit Judges.

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

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 of the district court with regard to Newberry's fraud claim is VACATED and REMANDED to the district court for further proceedings consistent with the opinion of this court. IT IS FURTHER ORDERED that the judgment of the district court is AFFIRMED on all other grounds.

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