

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 16a0225n.06

Case No. 15-1517

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

FILED
Apr 27, 2016
DEBORAH S. HUNT, Clerk

CAROLYN SEBESTYEN,)
)
Plaintiff-Appellant,)
)
v.)
)
LEIKIN, INGBER & WINTERS, P.C.; PAUL)
M. INGBER,)
)
Defendants-Appellees.)

ON APPEAL FROM THE UNITED
STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF
MICHIGAN

BEFORE: SUTTON and KETHLEDGE, Circuit Judges; BECKWITH, District Judge.*

PER CURIAM. The district court, bound by then-governing Sixth Circuit precedent, held that the defendants’ unaccepted offer of judgment “rendered this case moot.” *Sebestyen v. Leikin, Ingber & Winters, P.C.*, No. 13-cv-15182, 2015 WL 1439881, at *6–7 (E.D. Mich. Mar. 27, 2015). After the plaintiff appealed, the Supreme Court came out the other way, holding that “an unaccepted settlement offer or offer of judgment does not moot a plaintiff’s case.” *Campbell-Ewald Co. v. Gomez*, 136 S. Ct. 663, 672 (2016). In light of *Campbell-Ewald*, we vacate the district court’s order and remand for further proceedings.

* The Honorable Sandra S. Beckwith, Senior United States District Judge for the Southern District of Ohio, sitting by designation.