

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 15-3943

In re: MORNING SONG BIRD FOOD LITIGATION.

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**FILED**  
Aug 04, 2016  
DEBORAH S. HUNT, Clerk

LAURA CYPHERT; MILT CYPHERT; BARBARA  
COWIN; ELLEN LARSON; DAVID KIRBY,

Plaintiffs - Appellants,

v.

THE SCOTTS MIRACLE-GRO COMPANY,

Defendant - Appellee.

Before: SUHRHEINRICH, McKEAGUE, and DONALD, 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 judgment of the district court is  
AFFIRMED.

**ENTERED BY ORDER OF THE COURT**



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Deborah S. Hunt, Clerk