## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 16-5475

JAMES L. HALE, Plaintiff - Appellee,

v.

FILED Dec 29, 2016 DEBORAH S. HUNT, Clerk

BILL JOHNSON, President and CEO of the Tennessee Valley Authority, Defendant - Appellant.

Before: BOGGS, GILMAN, and DONALD, 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 Tennessee Valley Authority's interlocutory appeal is DENIED.

ENTERED BY ORDER OF THE COURT

14h & Min

Deborah S. Hunt, Clerk