

United States Court of Appeals  
For the Seventh Circuit  
Chicago, Illinois 60604

July 25, 2018

*By the Court\*:*

No. 17-1727

SCOTT SCHMIDT,  
*Petitioner-Appellant,*

*v.*

BRIAN FOSTER,  
*Respondent-Appellee.*

Appeal from the United States District  
Court for the Eastern District of Wisconsin.

No. 13-CV-1150

**Charles N. Clevert, Jr.**  
*Judge.*

**ORDER**

Respondent-Appellee Brian Foster's petition for rehearing en banc is **GRANTED**. The panel's opinion and judgment issued May 29, 2018 are **VACATED**. By separate order, the court will set a date for oral argument en banc.

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\* Circuit Judge Michael B. Brennan did not participate in the consideration of this petition for rehearing or rehearing en banc.