

**United States Court of Appeals**  
***For The Eighth Circuit***  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329  
**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

**VOICE (314) 244-2400**  
**FAX (314) 244-2780**  
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**MEMORANDUM**

**TO:** All Counsel of Record

**FROM:** Catherine M. Dolan

**DATE:** June 25, 2013

**Re:** 12-3220 Lyle Ridout v. JBS USA, LLC

On June 14, 2013, the Court issued an opinion in the referenced appeal. Please replace your opinion with the attached corrected opinion. The original opinion was corrected at page 7 in the last line of the first full paragraph, the word “termination” is deleted and replaced with the phrase “declining performance”. The last line will read:

“On this record a rational trier of fact could find that declining performance was not the true reason for Ridout’s termination.”

**cc:** All Circuit Judges  
St. Paul Clerk's Office  
West Publishing  
Missouri Lawyers Weekly

District Court/Agency Case Number(s): 4:11-cv-00174-RP