

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LINDA BURKETTE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:02cv403-T
H.R. III, L.L.C., d/b/a	)	(WO)
HARDEE' S,	)	
	)	
Defendant.	)	

ORDER

Upon consideration of the opinion of the United States Court of Appeals for the Eleventh Circuit entered on March 17, 2005, wherein the final judgment of this court made and entered herein on July 23, 2003 (Doc. no. 44), was reversed; and the mandate of the United States Court of Appeals for the Eleventh Circuit issued on April 15, 2005, and received in the office of the clerk of this court on April 18, 2005 (Doc. no. 49), it is the ORDER, JUDGMENT, and DECREE of the

court that the final judgment of this court made and entered on July 23, 2003 (Doc. no. 44), is vacated.

It is further ORDERED that this cause is set for jury selection and trial on August 8, 2005, at 10:00 a.m. in Courtroom 2E of the Frank M. Johnson Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama.

The parties are encouraged to attempt, in the meantime, to settle this case.

Done, this the 19th day of April, 2005.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE