## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

No. 07-3967

**FILED** 

Aug 27, 2008 LEONARD GREEN, Clerk

216 JAMAICA AVENUE, LLC, Plaintiff - Appellant,

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S & R PLAYHOUSE REALTY CO., Defendant - Appellee.

Before: KEITH and SUTTON, Circuit Judges; ACKERMAN, District Judge.

## **JUDGMENT**

On Appeal from the United States District Court for the Northern District of Ohio at Cleveland.

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 REVERSED and the case is REMANDED for further proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT

Leonard Green Clerk

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