

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

STACY NOVICK,

Plaintiff,

v.

Case No. 2:15-cv-3043

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Terence P. Kemp

MICHELLE L. FRANK, et al.,

Defendants.

ORDER

On September 22, 2016, the Court granted Defendants' Motion to Dismiss [ECF No. 7]. (Op. & Order at 1 [ECF No. 20].) The Court held that Plaintiff's breach of contract claim was barred by claim preclusion. (*Id.* at 10.) Plaintiff appealed the decision, and on June 6, 2017, the United States Court of Appeals for the Sixth Circuit issued an order directing the Court to vacate the decision and dismiss Plaintiff's complaint for lack of subject matter jurisdiction. (Sixth Cir. Order at 3 [ECF No. 24].) Thus, in accordance with the Sixth Circuit's order, this action is **DISMISSED** without prejudice for lack of subject matter jurisdiction.

**IT IS SO ORDERED.**

7-3-2017  
DATE

  
EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE