

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
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April 06, 2018

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 15-14160-AA
Case Style: Quality Auto Painting Center v. State Farm Indemnity Company, et al
District Court Docket No: 6:14-md-02557-GAP-TBS
Secondary Case Number: 6:14-cv-06012-GAP-TBS

The enclosed order has been entered on petition(s) for rehearing.

Under the Eleventh Circuit Rule 35, the effect of granting rehearing en banc is to vacate the previous opinion and judgment of this court and to stay the mandate.

These appeals will be orally argued during the week of October 22, 2018. You will be notified by subsequent correspondence of the schedule for filing en banc briefs, the issue(s) which the court wishes the parties to focus on in their briefs, and the page limitations on them.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Tonya L. Searcy/aw, AA
Phone #: (404) 335-6180

REHG-1 Ltr Order Petition Rehearing

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 15-14160

D.C. Docket No. 6:14-md-02557-GAP-TBS

QUALITY AUTO PAINTING CENTER OF ROSELLE, INC.,
Traded as Prestige Auto Body,

Plaintiff - Appellant,

versus

STATE FARM INDEMNITY COMPANY,
STATE FARM GUARANTY INSURANCE COMPANY,
PROGRESSIVE FREEDOM INSURANCE COMPANY,
PROGRESSIVE GARDEN STATE INSURANCE COMPANY,
ALLSTATE NEW JERSEY INSURANCE COMPANY,
NATIONWIDE MUTUAL INSURANCE COMPANY,
HANOVER INSURANCE COMPANY,
21ST CENTURY CENTENNIAL INSURANCE COPANY,
21ST CENTURY ASSURANCE COMPANY,
21ST CENTURY PINNACLE INSURANCE, et al.,

Defendants - Appellees.

No. 15-14162

D.C. Docket No. 6:14-md-02557-GAP-TBS

ULTIMATE COLLISION REPAIR, INC.,

Plaintiff - Appellant,

versus

STATE FARM INDEMNITY COMPANY,
STATE FARM GUARANTY INSURANCE COMPANY,
PROGRESSIVE FREEDOM INSURANCE COMPANY,
PROGRESSIVE GARDEN STATE INSURANCE COMPANY,
ALLSTATE NEW JERSEY INSURANCE COMPANY,
NATIONWIDE MUTUAL INSURANCE COMPANY,
21ST CENTURY CENTENNIAL INSURANCE COMPANY,
21ST CENTURY ASSURANCE COMANY,
21ST CENTURY PINNACLE INSURANCE, et al.,

Defendants - Appellees.

No. 15-14178

D.C. Docket No. 6:14-md-02557-GAP-TBS

CAMPBELL COUNTY AUTO BODY, INC.,

Plaintiff - Appellant,

versus

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
STATE FARM FIRE & CASUALTY COMPANY,
LIBERTY MUTUAL INSURANCE COMPANY,
LIBERTY MUTUAL FIRE INSURANCE COMPANY,

SAFECO INSURANCE COMPANY OF AMERICA,
GRANGE PROPERTY AND CASUALTY INSURANCE COMPANY,
GRANGE MUTUAL CASUALTY COMPANY, et al.,

Defendants - Appellees.

No. 15-14179

D.C. Docket No. 6:14-md-02557-GAP-TBS

LEE PAPPAS BODY SHOP, INC.,
DAVID C. BROSIUS,
d.b.a. Martins Auto Body Works, Inc.,
ART WALKER AUTO SERVICES, INC.,
WHITEFORD COLLISION AND REFINISHING, INC.,

Plaintiffs - Appellants,

versus

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
STATE FARM FIRE & CASUALTY COMPANY,
UNITED SERVICES AUTOMOBILE ASSOCIATION,
USAA CASUALTY INSURANCE COMPANY,
USAA GENERAL INDEMNITY COMPANY, et al.,

Defendants - Appellees.

No. 15-14180

D.C. Docket No. 6:14-md-02557-GAP-TBS

CONCORD AUTO BODY, INC,

Plaintiff - Appellant,

versus

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,
STATE FARM FIRE & CASUALTY COMPANY,
AMERICAN FAMILY MUTUAL INSURANCE COMPANY,
SHELTER MUTUAL INSURANCE COMPANY,
FARMERS INSURANCE COMPANY,
NATIONWIDE AFFINITY INSURANCE COMPANY OF AMERICA,
NATIONWIDE INSURANCE COMPANY OF AMERICA,
ALLIED PROPERTY & CASUALTY INSURANCE COMPANY,
UNITED SERVICES AUTOMOBILE ASSOCIATION,
USSA CASUALTY INSURANCE COMPANY,
USAA GENERAL INDEMNITY COMPANY,
PROGRESSIVE ADVANCED INSURANCE COMPANY,
PROGRESSIVE DIRECT INSURANCE COMPANY,
PROGRESSIVE NORTHWESTERN INSURANCE COMPANY,
PROGRESSIVE CASUALTY INSURANCE COMAPNY,
PREGRESSIVE PERFERRED INSURANCE COMPANY, et al.,

Defendants - Appellees.

Appeals from the United States District Court
for the Middle District of Florida

Before ED CARNES, Chief Judge, TJOFLAT, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, NEWSOM, and BRANCH, Circuit Judges.*

Petitions for rehearing having been filed and a member of this Court in active service having requested a poll on whether this case should be reheard en banc, and a majority of the judges of this Court in active service who are not disqualified having voted in favor of granting rehearing en banc, IT IS ORDERED that this case will be reheard en banc. The panel's opinion is VACATED.

* Judges Marcus, Rosenbaum, Julie Carnes, and Jill Pryor having recused themselves, did not participate in the poll.