Case: 12-6056 Document: 131-1 Filed: 04/10/2014 Page: 1 (1 of 2)

FILED

Apr 10, 2014

) DEBORAH S. HUNT, Clerk

ORDER

Nos. 12-6056/6057/6182

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

MAXWELL'S PIC-PAC, INC., ET AL.,

Plaintiffs-Appellees/Cross-Appellants,

V.

TONY DEHNER, IN HIS OFFICIAL CAPACITY AS COMMISSIONER OF THE KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ET AL.,

Defendants-Appellants/Cross-Appellees,

LIQUOROUTLET LLC, DOING BUSINESS AS THE PARTY SOURCE,

Intervenor-Appellant/Cross-Appellee.

BEFORE: COOK and STANCH, Circuit Judges; and CARR, District Judge.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision on the cases. The petition then was circulated to the full court.** Less than a majority of the judges voted in favor of rehearing en banc.

Therefore, the petition is denied.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk

The Honorable James G. Carr, Senior United States District Judge for the Northern District of Ohio, sitting by designation.

^{*}Judge Gibbons recused herself in these cases.

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UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

Deborah S. Hunt Clerk 100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988

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Filed: April 10, 2014

Mr. Christopher Wilson Brooker Wyatt, Tarrant & Combs 500 W. Jefferson Street Suite 2800 Louisville, KY 40202

Re: Case No. 12-6056/12-6057/12-6182, *Maxwell's Pic-Pac, Inc, et al v. Tony Dehner, et al* Originating Case No. : 3:11-cv-00018

Dear Mr. Brooker,

The Court issued the enclosed Order today in these cases.

Sincerely yours,

s/Beverly L. Harris En Banc Coordinator Direct Dial No. 513-564-7077

cc: Ms. Vanessa L. Armstrong

Ms. La Tasha A. Buckner

Mr. Kevin L. Chlarson

Mr. Peter F. Ervin

Mr. Kenneth S. Handmaker

Mr. Anthony S. Kogut

Mr. Mark Stephen Pitt

Mr. Loren Teller Prizant

Mr. John Brooken Smith

Enclosure