

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Ledford v. Peeples

630 F.3d 1345 (11th Cir. 2011) (en banc) · No. 06-10715 · Decided September 23, 2011

OPINION

PER CURIAM.

[PUBLISHED] IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT
U.S. CIRCUIT COURT OF APPEALS 'ELEVENTH CIRCUIT' NO. 06-10715 JOHNNIE CLERK HMMY
LED FORD, LARRY O'DELL, BRYAN WALKER, DYNAVISON GROUP, LLC, SIGNATURE
LEASING, LLC, _ Plaintiffs-Appellants Cross-Appellees, VICTOR SHELBY PEEPLES, JR.,
PFLC, LLC, INTERNAL MANAGEMENT, INC., Defendants-Appellees Cross-Appellants.

Appeal from the United States District Court for the Northern District of Georgia Before
DUBINA, Chief Judge, TJOFLAT, EDMONDSON, CARNES, BARKETT, HULL, MARCUS,
WILSON, PRYOR and MARTIN, Circuit Judges. BY THE COURT: Upon the majority vote of
the judges in this Court in active service, on January 19, 2011, this Court vacated this panel's prior
opinion and granted rehearing en banc. _S_630 F.3d 1345 (11th Cir.

2011) (en banc); 605 F.3d 871 (11th Cir. 2010), vacated and reh'g en banc granted, 630 F.3d 1345.
We granted rehearing en banc to consider only the district court's denial of Appellees' motion for
sanctions. After review and given that the Appellees' panel brief limited their cross appeal on
sanctions to paragraphs 64 and 90 of the complaint, the en banc court cannot say that Appellees in
their cross appeal have shown that the district court abused its discretion in denying sanctions.

The Court did not reconsider en banc the portions of the panel's May 6, 2010 opinion affirming
the district court's grant of summary judgment to Appellees, and therefore the Court remands the
case to the panel to reissue Parts I, II, IV, and V of the panel's May 6, 2010 opinion, which was
previously reported as Ledford v. Peeples, 605 F.3d 871, 877-900, 903-19 (11th Cir.

2010). AFFIRMED AS TO CROSS APPEAL. 2