

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**January 17, 2019**

**Elisabeth A. Shumaker**  
**Clerk of Court**

**PUBLISH**

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

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BILLY HAMILTON,

Plaintiff - Appellant/Cross-  
Appellee,

v.

NORTHFIELD INSURANCE  
COMPANY,

Defendant - Appellee/Cross-  
Appellant.

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OKLAHOMA ASSOCIATION FOR  
JUSTICE,

Amicus Curiae.

No. 17-7049  
(D.C. No. 6:16-CV-00519-RAW)  
(E.D. Okla.)

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**ORDER**

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Before **TYMKOVICH**, Chief Judge, **McKAY**, and **CARSON**, Circuit Judges.

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This matter is before us on Appellant’s Petition for Rehearing En Banc (“Petition”). Upon careful consideration of the Petition and the amicus brief filed by the Oklahoma Association for Justice, we *sua sponte* grant panel rehearing and vacate the opinion issued December 18, 2018. Accordingly, the Petition is denied as moot, and this

matter is REOPENED and ABATED pending further order of the court.

Entered for the Court,  
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Chris Wolpert', with a long horizontal stroke extending to the right.

by: Chris Wolpert  
Chief Deputy Clerk