

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

**PUBLISH**

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

**January 17, 2019**

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

BILLY HAMILTON,

Plaintiff - Appellant/Cross-Appellee,

v.

NORTHFIELD INSURANCE  
COMPANY,

Defendant - Appellee/Cross-  
Appellant.

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

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OKLAHOMA ASSOCIATION FOR  
JUSTICE,

Amicus Curiae.

BILLY HAMILTON,

Plaintiff - Appellee,

v.

NORTHFIELD INSURANCE  
COMPANY,

Defendant - Appellant.

No. 17-7055  
(D.C. No. 6:16-CV-00519-RAW)  
(E.D. Okla.)

**ORDER**

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

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Notwithstanding our January 17, 2019 order *sua sponte* granting panel rehearing and vacating our December 18, 2018 opinion in 17-7049, we clarify that the opinion remains in effect as to the issues raised and resolved in 17-7055. The Clerk shall issue the mandate in 17-7055 forthwith. As stated in in our January 17, 2019 order, 17-7049 is reopened and remains abated.

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