

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 08-5950

WORLDWIDE EQUIPMENT, INC.,
Plaintiff/Counterclaim Defendant - Appellant,

FILED
May 17, 2010
LEONARD GREEN, Clerk

v.

UNITED STATES OF AMERICA,
Defendant/Counterclaim Plaintiff - Appellee.

Before: MERRITT, COOK, and WHITE, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Eastern District of Kentucky at Pikeville.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court granting summary judgment to the United States of America on both the claim and counterclaim is VACATED and the case is REMANDED for further proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT



Leonard Green, Clerk