

PUBLISH

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 99-11396

ARKWRIGHT MUTUAL INSURANCE CO.,

Plaintiff-Appellant,

versus

BANK OF AMERICA, N.A. (SOUTH),
f.k.a. NationsBank of Florida, N.A.,
NATIONSBANK, N.A. (SOUTH),

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(February 6, 2001)

Before GODBOLD, COX and MESKILL*, Circuit Judges.

BY THE COURT:

The parties' joint motion to dismiss this appeal with prejudice, due to settlement, with the parties bearing their own costs and attorneys' fees, is

GRANTED.

All remaining pending motions are DENIED AS MOOT.

On its own motion, the Court hereby WITHDRAWS its published opinion in this appeal. See Key Enterprises of Delaware, Inc. v. Venice Hospital, 9 F.3d 893, 894-5 (11th Cir. 1993) (en banc).

*Honorable Thomas J. Meskill, U.S. Circuit Judge for the Second Circuit, sitting by designation.