

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 04-12420

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APR 27, 2006 THOMAS K. KAHN CLERK

BANKWEST, INC.,
ADVANCE AMERICA,
CASH ADVANCE CENTERS OF GEORGIA, INC.,

Plaintiffs-Appellants,

COMMUNITY STATE BANK,
FIRST AMERICAN CASH ADVANCE OF GEORGIA, LLC,
CASH AMERICA FINANCIAL SERVICES, INC., et al.,

Consolidated-Plaintiffs-Appellants,

versus

THURBERT E. BAKER, Attorney General of the State of Georgia,
CATHY COX, Secretary of State, for the State of Georgia,
in their official capacities,

Defendants-Consolidated-Defendants-Appellees.

On Appeal from the United States District Court
for the Northern District of Georgia

Before EDMONDSON, Chief Judge, TJOFLAT, ANDERSON, BIRCH,
DUBINA, BLACK, CARNES, BARKETT, HULL, MARCUS, WILSON,
PRYOR, and HILL, Circuit Judges.

The order granting en banc rehearing in this appeal, BankWest v. Baker, 433 F.3d 1344, 1345 (11th Cir. 2005), is VACATED, and the case is remanded to the panel for consideration and decision of the mootness issue raised by the Appellees' suggestion of mootness.