

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-10192

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
March 9, 2006
THOMAS K. KAHN
CLERK

D.C. Docket No. 02-21417 CV-CMA

AMADEO BIANCHI,

Plaintiff-Appellant,

versus

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, CHAUFFEURS, AND
WAREHOUSEMEN, LOCAL 390,
a labor organization,
ROADWAY EXPRESS, INC.,
a foreign corporation,

Defendants-Appellees.

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

(March 9, 2006)

Before HULL, MARCUS and HILL, Circuit Judges.

PER CURIAM:

In vacating the jury verdict this day in No. 04-16596, for plaintiff-appellee Amadeo Bianchi, and in ordering this day that judgment for defendant-appellant Roadway Express, Inc. be entered, the award of attorneys' fees in the instant case, No. 05-10192, is therefore unauthorized. The judgment of the district court affirming the magistrate judge's order of July 1, 2004, granting Bianchi attorneys' fees against defendant-appellee, International Brotherhood of Teamsters, Chauffeurs and Warehousemen, Local 390, is reversed.

REVERSED.