

[PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 20-14846

DEBORAH LAUFER,

Plaintiff-Appellant,

versus

ARPAN LLC,
d.b.a. Americas Best Value Inn,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 1:19-cv-00200-AW-GRJ

Before JORDAN, NEWSOM, and ED CARNES, Circuit Judges.

BY THE COURT:

Some fifteen months after we issued our opinion in this case, *see Laufer v. Arpan LLC*, 29 F.4th 1268 (11th Cir. 2022),¹ Appellant informed us that our case was moot—and, indeed, that it had been moot at the time of our decision. Appellee has since confirmed that, yes, it had dissolved its limited liability company seven weeks before we decided the case, thereby eliminating any possibility of redress.

We aren't happy about being left in the dark for so long; we expect more from litigants and, in particular, their lawyers. Even so, we must agree that the case was moot at the time we issued our opinion. Accordingly, Appellant's motion to dismiss the appeal is GRANTED, and the panel's March 29, 2022 opinion is VACATED. *See IAL Aircraft Holding, Inc. v. F.A.A.*, 216 F.3d 1304, 1306–07 (11th Cir. 2000) (“[T]his court was without jurisdiction when the original decision and mandate issued. Under these circumstances, we are compelled to recall the mandate and vacate our earlier decision.”). The panel's March 31, 2023 order staying the issuance of the mandate is likewise VACATED, and this appeal is DISMISSED AS MOOT.

¹ And conspicuously, within three days of filing a similar motion to dismiss at the Supreme Court in a related case. On August 10, 2023, the Supreme Court denied that motion and carried the mootness issue with the merits.