

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-13338

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 5, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 06-00341-CV-J-33TEM

DEBRA TAYLOR JOHNSON,

Plaintiff-Appellant,

versus

STEIN MART, INC.,

Defendant-Appellee.

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

(May 5, 2008)

Before BIRCH, DUBINA and HILL, Circuit Judges.

PER CURIAM:

Having carefully considered the record, the briefs of the parties, and having heard oral argument, we **VACATE** and **REMAND** to allow the district court to

complete the record. The district court should be guided by our prior decision in Snook v. Trust Co. Of Ga. Bank of Savannah, N.A., 859 F.2d 865 (11th Cir. 1988).

Appellant's Motion to Certify Question to Florida Supreme Court is therefore

DENIED.