

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-12374

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APRIL 28, 2011 JOHN LEY CLERK

D.C. Docket Nos. 1:09-md-02036-JLK,
1:10-cv-20820-JLK

In Re: CHECKING ACCOUNT OVERDRAFT LITIGATION

DORIS POWELL-PERRY,
Individually and on behalf of all other similarly situated,
CURNIE SANDERS,

Plaintiffs-Appellees,

versus

BRANCH BANKING AND TRUST COMPANY,

Defendant-Appellant.

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

(April 28, 2011)

Before PRYOR and COX, Circuit Judges, and WATKINS,* District Judge.

PER CURIAM:

After oral argument in this case, the United States Supreme Court decided *AT&T Mobility LLC v. Conception*, No. 09-893, 2011 WL 1561956 (April 27, 2011).

The district court's order denying the motion to compel arbitration is VACATED, and this case is remanded to the district court for reconsideration in light of the Supreme Court's opinion.

VACATED AND REMANDED.¹

*Honorable W. Keith Watkins, United States District Judge for the Middle District of Alabama, sitting by designation.

¹ This is an unlimited remand.