

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

William K. Suter
Clerk of the Court
(202) 479-3011

June 27, 2011

Clerk
United States Court of Appeals for the Seventh
Circuit
219 S. Dearborn Street, Room 2722
Chicago, IL 60604

Re: Steven J. Thorogood, et al.
v. Sears, Roebuck & Company
No. 10-1087
(Your No. 10-2407)

Dear Clerk:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Smith v. Bayer Corp.*, 564 U. S. ___ (2011).

The judgment or mandate of this Court will not issue for at least twenty-five days pursuant to Rule 45. Should a petition for rehearing be filed timely, the judgment or mandate will be further stayed pending this Court's action on the petition for rehearing.

Sincerely,



William K. Suter, Clerk