## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

## PANEL REPORT

Friday, October 16, 1981, Courtroom No. 1

WEICK, KENNEDY and UNTHANK

NO, 80-3486

Norfolk & Western Ry. Co. v. McDaniel Construction N.D. Ohio - Young, J.

Attached is an order in the above-entitled case, which is being circulated in lieu of a panel report. It is called to the particular attention of Judges Weick and Unthank.

Cornelia G. Kennedy

Attachment

cc: All Judges

10/21/81

Dear Judge Kennedy; I Carian, Paul C. Werch.

Copy to Judge Circhanh

CHAMBERS OF CORNELIA G. KENNEDY CIRCUIT JUDGE
U. S. COURTHOUSE
DETROIT. MICHIGAN 48226

John P. Hehman, Clerk United States Court of Appeals for the Sixth Circuit Cincinnati, OH 45202

Re: 80-3486, Norfolk & Western
Ry. v. McDaniel Construction
10/16/81

Dear Mr. Hehman:

Attached for signature and filing is an order in the above case.

Judges Weick and Unthank have concurred.

Sincerely,

Cornelia G. Kennedy

Att.

cc: Judge Weick
Judge Unthank