

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 07-1559

Equal Employment Opportunity Commission,

Appellee

v.

Allstate Insurance Company,

Appellant

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Chamber of Commerce of the United States and Equal Employment Advisory Council,

Amici on behalf of Appellant

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Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis  
(4:04-cv-01359-ERW)

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**ORDER**

Before LOKEN, Chief Judge, WOLLMAN, MURPHY, BYE, RILEY, MELLOY,  
SMITH, COLLOTON, GRUENDER, BENTON and SHEPHERD, Circuit Judges

Appellant Allstate Insurance Company's Petition for Rehearing En Banc has been considered by the Court, and the petition is granted. It is further ordered that the court's opinion and judgment of June 10, 2008 are hereby vacated.

September 08, 2008

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans