

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

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 2nd day of June, two thousand and seventeen.

Before: Amalya L. Kearse,
Dennis Jacobs,
Raymond J. Lohier, Jr.,
Circuit Judges.

Sean John, individually and on behalf of all
others similarly situated,

Plaintiff - Appellant,

JUDGMENT

Docket No. 16-986

Joseph Bassolino, individually and on behalf of
all others similarly situated,

Consolidated Plaintiff,

v.

Whole Foods Market Group, Inc.,

Defendant – Appellee.

The appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is VACATED and the case is REMANDED for further proceedings consistent with the Court's opinion.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


