

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

March 9, 2021

Lyle W. Cayce  
Clerk

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No. 19-20023

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MICHAEL J. HEWITT,

*Plaintiff—Appellant,*

*versus*

HELIX ENERGY SOLUTIONS GROUP, INCORPORATED; HELIX  
WELL OPS, INCORPORATED,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:17-CV-2545

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ON PETITIONS FOR REHEARING EN BANC

(Opinion April 20, 2020, 5 Cir., 2020, 956 F.3d 341, withdrawn)  
(Opinion December 21, 2020, 5 Cir., 2020, 983 F.3d 789)

Before OWEN, *Chief Judge*, and JONES, SMITH, STEWART, DENNIS,  
ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, COSTA,  
WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, and WILSON,  
*Circuit Judges.*

PER CURIAM:

A member of the court having requested a poll on the petition for rehearing en banc filed January 18, 2021, and a majority of the circuit judges in regular active service and not disqualified having voted in favor,

IT IS ORDERED that this cause shall be reheard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs. Pursuant to 5th Circuit Rule 41.3, the panel opinion in this case dated December 21, 2020, is VACATED.

IT IS FURTHER ORDERED that the petition for rehearing en banc filed May 18, 2020, is DENIED AS MOOT.