

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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February 06, 2026

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 24-10084-U

Case Style: Rani Bolton, et al v. Inland Fresh Seafood Corporation of America, Inc., et al

District Court Docket No: 1:22-cv-04602-LMM

**EN BANC BRIEFING NOTICE**

For purpose of the upcoming en banc rehearing in the above referenced case, the court desires for counsel to focus their briefs on the following question:

Should the Court overrule *Mason v. Continental Group, Inc.*, 763 F.2d 1219 (11th Cir. 1985), which imposed an administrative exhaustion requirement for plaintiffs bringing fiduciary-breach and statutory claims under ERISA?

Briefing Deadlines

The appellants' en banc brief is due **March 18, 2026**.

The appellees' en banc brief is due within 30 days after the service of the last appellant's brief. The appellants' en banc reply brief, if any, is due within 21 days after the service of the last appellee's brief. This is the only notice you will receive regarding the due date for briefs and appendices. All parties must submit 10 briefs in paper to the clerk's office. Counsel is not required to submit the additional copies of the previously filed briefs. **NO EXTENSIONS WILL BE GRANTED.**

Form

Please see FRAP 32(a) and the corresponding circuit rules for information on the form of briefs and 11<sup>th</sup> Cir.R.40-9 for filing of an en banc amicus brief.

Brief Compliance Check Program

The Brief Compliance Check Program automatically checks briefs for compliance with the Federal Rules of Appellate Procedure and Eleventh Circuit Rules when they are filed electronically and identifies critical deficiencies that may need to be corrected. To check a brief

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Oral argument will be held in Atlanta in June 2026. Each side will have 20 minutes for argument.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Briefing Notice 1 - Appellant