

Filed December 6, 2001

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 00-4141

IN RE: GI NAM

CITY OF PHILADELPHIA

v.

GI NAM

MARVIN KRASNY, CHAPTER 7 TRUSTEE; FREDERIC
BAKER, ASSISTANT U. S. TRUSTEE,

Trustee,

CITY OF PHILADELPHIA,
Appellant.

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 00-cv-00347)

District Judge: Honorable Stewart Dalzell

Argued: July 27, 2001

Before: ROTH, BARRY and FUENTES,
Circuit Judges

ORDER AMENDING OPINION

IT IS ORDERED that the slip opinion in the above case,

filed on November 20, 2001, be amended as follows:

Remove the word "not" from the conclusion of Part V, on

page 21, so that it is amended to read:

"For the foregoing reasons, we will reverse the decision of the District Court and remand this case for further proceedings consistent with this opinion. We hold that in light of the statute's plain language, its history, and applicable case laws, 11 U.S.C. § 523(a)(7) does except from discharge in a Chapter 7 bankruptcy a bail bond forfeiture judgment entered against a family surety for failure to produce the defendant for trial."

By the Court,

/s/Jane R. Roth
Circuit Judge

Date: December 6, 2001

A True Copy:
Teste:

Clerk of the United States Court of Appeals
for the Third Circuit