

THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 02-2135

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RICHARD A. MCCURDY, JR.; DANIEL L. WOODALL, JR.; SAMUEL STATEN, SR., IN THEIR FIDUCIARY CAPACITIES AS TRUSTEES OF THE LABORERS DISTRICT COUNCIL PREPAID LEGAL FUND; ANTHONY DEPAUL; JOHN R. SMITH, JR., IN THEIR FIDUCIARY CAPACITIES AS TRUSTEES OF THE LABORERS DISTRICT COUNCIL HEAVY AND HIGHWAY HEALTH AND WELFARE FUND; WADE STEVENS, JR., AS TRUSTEE AD LITEM; JAMES F. SASSAMAN; ANTHONY SAMANGO, IN THEIR FIDUCIARY CAPACITIES AS TRUSTEES OF THE LABORERS' DISTRICT COUNCIL CONSTRUCTION INDUSTRY PENSION FUND; THE LABORERS' DISTRICT COUNCIL CONSTRUCTION INDUSTRY PENSION FUND; JAMES R. DAVIS; MILTON CAMPBELL; JAMES N. HARPER; WILLIAM A. GEPPERT, JR.; THE LABORERS' DISTRICT COUNCIL HEAVY AND HIGHWAY HEALTH AND WELFARE FUND; WILLIE BRIGHT; WALTER P. PALMER, JR.; JOSEPH BARILOTTI, IN THEIR FIDUCIARY CAPACITIES AS TRUSTEES OF THE LABORERS' DISTRICT COUNCIL EDUCATION AND TRAINING FUND; THE LABORERS' DISTRICT COUNCIL EDUCATION AND TRAINING FUND; JOHN J. REITH; THE LABORERS' DISTRICT COUNCIL PREPAID LEGAL PLAN; THE LABORERS' DISTRICT COUNCIL OF THE METROPOLITAN AREA OF PHILADELPHIA AND VICINTY; LABORERS INTERNATIONAL UNION OF NORTH AMERICA; THOMAS E. CURRY; ROBERT E. LAVELLE, SR.; HARRY I. HOPKINS, IN THEIR FIDUCIARY CAPACITIES AS TRUSTEES OF THE LABORERS'-EMPLOYERS' COOPERATION AND EDUCATION TRUST; CONTRACTORS ASSOCIATION OF EASTERN PENNSYLVANIA INDUSTRY ADVANCEMENT PROGRAM

v.

NET CONSTRUCTION, INC.,

Appellant

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

(D.C. Civil No. 00-cv-00109)

District Judge: The Honorable Robert F. Kelly

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Submitted Under Third Circuit LAR 34.1(a)

January 21, 2003

BEFORE: BECKER, Chief Judge, NYGAARD, and AMBRO, Circuit Judges.

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JUDGMENT

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This cause came to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on January 21, 2003.

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the judgment of the said District Court entered on March 27, 2002, be, and the same is hereby, affirmed.

Costs taxed against appellant

All of the above in accordance with the opinion of this Court.

ATTEST:

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Acting Clerk

Date: February 7, 2003