

PRECEDENTIAL

IN THE UNITED STATES COURT
OF APPEALS
FOR THE THIRD CIRCUIT

NOS. 03-1465 and 03-1473

* MYRNA MOORE; SHEILA YOUNG;
RAYMOND CARNATION; WILLIAM MCKENNA;
RICHARD SAFFORD

v.

CITY OF PHILADELPHIA;
JOHN MORONEY, SGT.; FRANK BACHMEYER, LT.;
WILLIAM COLARULO, CAPT.; CULLEN, LT.;
WILSON, LT.; FRANK HOGAN, LT.; DAVID
HOGAN, LT.; FRANK MACH, SGT.;
JOHN HEWITT, SGT.; JOSEPH JACKSON, SGT.

Raymond Carnation;
William McKenna,
Appellants in No. 03-1465

* (Amended per Clerk's 4/14/03 Order)

MICHAEL MCKENNA
Appellant in No. 03-1473

v.

CITY OF PHILADELPHIA; HOGAN, LT.;
CULLEN, LT.; WILSON, LT.; MORONEY, SGT.;
FRANK BACHMEYER, LT.; WILLIAM
COLARULO, CAPT.; JOSEPH O'CONNOR,
INSPECTOR; FRANK MACK; JOSEPH
JACKSON; JOHN HEWITT

On Appeal From the United States
District Court
For the Eastern District of Pennsylvania
(D.C. Civil Action Nos. 99-cv-01163
and 98-cv-05835)
District Judge: Hon. Mary A. McLaughlin

Argued April 24, 2006

BEFORE: FUENTES, STAPLETON and
ALARCON,* Circuit Judges

(Opinion Filed August 30, 2006)

* Hon. Arthur L. Alarcon, Senior United States Circuit Judge
for the Ninth Circuit, sitting by designation.

Elliott Schulder
Gregory M. Lipper (Argued)
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004
Attorneys for Appellants

Romulo L. Diaz, City Solicitor
Elise M. Bruhl, Deputy City Solicitor, Appeals (Argued)
City of Philadelphia Law Department
1515 Arch Street - 17th Floor
Philadelphia, PA 19102-1595

ORDER AMENDING PUBLISHED OPINION

STAPLETON, Circuit Judge:

It is now ORDERED that the published Opinion in the above matter filed August 30, 2006, be amended as follows:

1. On the first page of the caption and on pages 5 through 15, 21 through 24, 26, 28 through 30, and 32 through 37, “Maroney” should be replaced with “Moroney.”
2. On pages 13 through 15, “Colarudo” should be replaced with “Colarulo.”

By the Court,

/s/ Walter K. Stapleton
United States Circuit Judge

DATED: September 13, 2006