

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 03-1788

JOHN D'IORIO;
DIANE D'IORIO

v.

MAJESTIC LANES INC.,
a New Jersey Corporation,

Appellant

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

(D.C. No. 01-cv-00809)

District Judge: The Honorable Harold A. Ackerman

ARGUED MARCH 9, 2004

Before: SLOVITER, NYGAARD, Circuit Judges and OBERDORFER, District Judge*

(Filed June 16, 2004)

*. Hon. Louis F. Oberdorfer, Senior District Judge, United States District Court for the District of Columbia, sitting by designation.

Anthony S. McCaskey, Esq. (Argued)
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Counsel for Appellant

Scott K. McClain, Esq. (Argued)
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Counsel for Appellee

ORDER AMENDING SLIP OPINION

It is now ordered that the published Opinion in the above case filed June 3, 2004,
be amended as follows:

On page 2, the seventh line of the second paragraph under section I, delete
“arbitration”, and insert “trial *de novo*”. The sentence should now read:

Following the passage of the thirty-day limitation on demands for
trial *de novo*, D'Iorio filed a document styled as a “Notice of
Withdrawal of Demand for Trial *De Novo*,” requesting that the
District Court withdraw his demand for a trial *de novo* and reinstate
the arbitration award.

By the Court

/s/ Richard L. Nygaard
Circuit Judge

Dated: 6/16/2004