

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-1410

IN RE: CENDANT CORPORATION
SECURITIES LITIGATION

Sheldon Danuff, SKAT Capital LP
and Joel D. Zychick,

Appellants

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 98-cv-01664)
District Judge: Honorable William H. Walls

Argued March 9, 2006

Before: AMBRO and BECKER, * Circuit Judges,
and STAGG, ** District Judge

(Opinion filed: July 18, 2006)

ORDER AMENDING PUBLISHED OPINION

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the published Opinion in the above case filed July 18, 2006, be amended as follows:

*This case was argued before the panel of Judges Ambro, Becker, and Stagg. Judge Becker died before the filing of this Opinion. It is filed by a quorum of the panel. 28 U.S.C. § 46(d).

** Honorable Tom Stagg, Senior District Judge for the Western District of Louisiana, sitting by designation.

On page 9, second full paragraph (beginning “We face the question . . .”), third line, replace “requirement when” with “requirement, as” so that the line reads in full: “requirement, as it contains an extensive factual and”.

On page 11, note 4, last line, insert “(*per curiam*)” between “(3d Cir. 1982)” and “(applying separate-document”.

On page 12, carryover from note 4, fourth line, replace “judgment”). Put simply” with “judgment” (emphasis omitted)). Put simply”.

On page 17, middle paragraph, line seven, replace “2002 amendment” with “2002 amendments”.

On page 19, line nine, add another dot to the ellipsis, so that the line reads “provision [is] a mechanical change that must be”.

In note 7, last line on page 19 and first line on page 20, the double quotation mark after “Court” should be moved to after “problem,”, so those two lines read thus: “was a “final order of the Court’ does not resolve the Rule 58 problem,” since “the question whether an order is a final order is”.

On page 20, second paragraph, second line, replace “more simple” with “simpler”.

On page 25, middle paragraph, line six, replace “them, and they also” with “them, but they also”.

By the Court,

/s/ Thomas L. Ambro
Circuit Judge

Dated: August 30, 2006

DMM/cc: Jeffrey W. Golan, Esq.

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