

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 04-2097

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PSB BANCORP, INC; FIRST PENN BANK;  
DILWORTH PAXSON LLP.  
PSB BANCORP, INC and FIRST PENN BANK,

Appellant,

v.

CARL LINGLE; RAYMOND SILVERSTEIN,  
As Trustee Under an Irrevocable  
Trust Dated April 1, 1993; CONWELL LTD.,  
Partnership; GERALD LEHRFELD; JOAN LEHRFELD;  
JAY ROSEMAN; LYNN ROSEMAN

Appellee

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 02-cv-01165)  
District Judge: Honorable Edmund V. Ludwig

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Argued: September 23, 2004

Before: McKee , Aldisert and Greenberg, Circuit Judges.

**\*AMENDED**

(\*Filed February 15, 2005)

ORDER AMENDING NON-PUBLISHED OPINION

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The opinion filed February 11, 2005 is amended as follows:

Page 6, first paragraph, lines 6-7 change “Fischera v. Gording, 227 A.2d 1292, 1295 (Pa. Super Ct. 1980)” to read “Fichera v. Gording, 227 A.2d 642, 644 (Pa. 1967).”

Page 9, first paragraph, lines 7-8 change “Highmark, Inc. v. UPMC Health Plan, Inc., 276 F.3d sixteen0, sixteen1 (3d Cir. 2001)” to “Highmark, Inc. v. UPMC Health Plan, Inc., 276 F.3d 160, 161 (3d Cir. 2001).”

Ruggero J. Aldisert

Date: February 25, 2005

Circuit Judge