

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-4457

MERRILL MEST; BETTY MEST; SUE HALLOWELL
(Individually and as Trustee of the Trust);
WAYNE HALLOWELL (Individually and as Trustee of the Trust); SEAN
HALLOWELL; AMBER HALLOWELL a minor, by her next friend and parent, Wayne
Hallowell); THE HALLOWELL FARMS PARTNERSHIP; THE WAYNE Z.
HALLOWELL FAMILY REVOCABLE TRUST,

Appellants,

v.

CABOT CORPORATION;
CABOT PERFORMANCE MATERIALS,

Appellees.

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 01-cv-04943)
District Judge: Honorable Cynthia M. Rufe

Argued November 8, 2005
Before: FUENTES GARTH and *ROTH, Circuit Judges.

(Opinion Filed May 31, 2006).

ORDER AMENDING OPINION

Kindly delete from the opinion any and all references to the Appendix or
Supplemental Appendix.

*Judge Roth assumed senior status on May 31, 2006

Also delete the following Mest v. Cabot cites to the underlying opinion of the District Court:

Page 8 (two cites)
Page 13-14
Page 15
Page 20
Page 22 (two cites)

By the Court,

/s/ Julio M. Fuentes
Circuit Judge

Dated: June 5, 2006

DMM/cc: Gary A. Bryant, Esq.
Michael C. Davis, Esq.
Peter K. Killough, Esq.
Neil S. Witkes, Esq.