

PRECEDENTIAL

UNITED STATES COURT OF APPEAL
FOR THE THIRD CIRCUIT

Nos. 05-2785/4828

ELAINE L. CHAO, SECRETARY OF LABOR,
UNITED STATES DEPARTMENT OF LABOR

v.

COMMUNITY TRUST COMPANY,

Appellant.

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
District Court No. 05-mc-00018
District Judge: Hon. Mary A. McLaughlin

Argued on March 9, 2006

Before: ALDISERT, and ROTH*, Circuit Judges
RODRIGUEZ**, District Judge

(Opinion filed January 19, 2007)

ORDER AMENDING OPINION

*Judge Roth assumed senior status on May 31, 2006.

**The Honorable Joseph H. Rodriguez, Senior United States District Judge for the District of New Jersey, sitting by designation.

ROTH, Circuit Judge:

IT IS ORDERED that the published Opinion in the above case filed January 19, 2007, be amended as follows:

On page 22, L.19, delete the following: “Koresko, however, did not consider Shaw vis-à-vis the GLBA because the subjects of the subpoena in that case were not financial institutions. For that reason, Koresko and Penn-Mott were not able to invoke the GLBA as a defense. Therefore, Koresko is distinguishable on this point.” and **replace** with the following: “ Koresko, however, did not consider Shaw vis-à-vis the GLBA. Therefore, Koresko is distinguishable.

By the Court,

/s/ Jane R. Roth
Circuit Judge

Dated: March 7, 2007

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