

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 05-4406

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ROSARIO LINDSEY, individually and as  
Executrix of the Estate of Charles Lindsey,  
Appellant

v.  
CATERPILLAR, INC.

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On Appeal from the United States District Court  
for the District of New Jersey  
No. 03-cv-05762  
District Judge: Honorable Garrett E. Brown, Jr., Chief Judge

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**ORDER AMENDING OPINION**

It appearing that the Clerk made a typographical error in the spelling of the name of counsel for Appellant, the precedential opinion filed on March 26, 2007 is hereby amended to correct that typographical error. Neil E. Durkin, not Neil E. Durking, argued on behalf of Appellant. The letter “g” is deleted from the listing of counsel’s name on page one. This amendment does not change the date of filing, March 26, 2007.

For the Court,

/s/ Marcia M. Waldron  
Clerk

Dated: March 29, 2007

lwc/cc: RGB      NED      JHK