

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-4571

IN RE: EXXON MOBIL CORP. SECURITIES LITIGATION

Ohio Public Employees Retirement Fund,
State Teachers Retirement Fund of Ohio
and Antonio N. Martins,*

Appellants

*Pursuant to Rule 12(a), F.R.A.P.

Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 04-cv-01257)
District Judge: Honorable Freda L. Wolfson

Argued January 8, 2007

Before: McKEE, AMBRO, and FISHER, Circuit Judges

(Opinion filed August 27, 2007)

Daniel B. Allanoff, Esquire
Meredith, Cohen, Greenfogel & Skirnick
117 South 17th Street, 22nd Floor
Philadelphia, PA 19103

Erin K. Flory, Esquire
Steve W. Berman, Esquire
Hagen, Berman, Sobol & Shapiro
1301 5th Avenue, Suite 2900
Seattle, WA 98101

John C. Murdock, Esquire (Argued)
Murdock, Goldenberg, Schneider & Groh
35 East 7th Street, Suite 600
Cincinnati, OH 45202

Counsel for Appellants

James W. Quinn, Esquire
Joseph S. Allerhand, Esquire
John A. Neuwirth, Esquire
Weil, Gotshal & Manges
767 Fifth Avenue, 27th Floor
New York, NY 10153

Paul F. Carvelli, Esquire
McCusker, Anselmi, Rosen, Carvelli & Walsh
127 Main Street
Chatham, NJ 07928

Gregory S. Coleman, Esquire (Argued)
Marc S. Tabolsky, Esquire
Yetter & Warden, L.L.P.
221 West 6th Street, Suite 750
Austin, TX 78701

Counsel for Appellees

ORDER AMENDING PRECEDENTIAL OPINION

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the Precedential Opinion in the above case filed August 27, 2007, be further amended as follows:

On page 18, first full paragraph, lines 8–9, add “No.” between “L.” and “100”; and delete “; *Lampf*, 501 U.S. at 376.” Thus, the sentence should read:

See, e.g., Insider Trading and Securities Fraud Enforcement Act of 1988,
Pub. L. No. 100-704, 102 Stat. 4681.

On page 25, first full paragraph, line 4, change “BLACK’S at 1451 (emphasis added)” to “BLACK’S, *supra*, at 1451 (emphasis added).”

On page 27, second full paragraph, line 6, change “*Id.* at 364” to “501 U.S. at 364” so that the sentence reads:

501 U.S. at 364 (emphasis added).

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: November 20, 2007