

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 06-2166 and 06-2229

IN RE: HECHINGER INVESTMENT COMPANY
OF DELAWARE, INC., ET AL.
Debtors

HECHINGER INVESTMENT COMPANY OF DELAWARE, INC.

v.

UNIVERSAL FOREST PRODUCTS, INC.,
Appellant No. 06-2166

IN RE: HECHINGER INVESTMENT COMPANY
OF DELAWARE, INC., ET AL.
Debtors

HECHINGER INVESTMENT COMPANY OF DELAWARE, INC.

v.

UNIVERSAL FOREST PRODUCTS, INC.

Hechinger Liquidation Trust, as successor in
interest to Hechinger Investment Company of
Delaware Inc., et al., Debtors in Possession,

Appellant No. 06-2229

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil No. 05-cv-00497)
District Judge: Honorable Kent A. Jordan

Argued on March 28, 2007

Before: RENDELL and CHAGARES, Circuit Judges.*

ORDER AMENDING OPINION

It is hereby ORDERED that the Opinion of this court filed in the above-referenced matter on June 7, 2007, is hereby amended to correct typographical errors, as follows: Beginning at the top of page 4, the text of the counsel listing shall be DELETED, and the following replacement text shall be inserted in its place:

Michael S. McElwee [ARGUED]
Varnum, Riddering, Schmidt & Howlett
333 Bridge Street, N.W., Suite 1700
Grand Rapids, MI 49504
*Counsel for Appellant/Cross Appellee
Universal Forest Products, Inc.*

Joseph L. Steinfeld, Jr. [ARGUED]
Karen M. Scheibe
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2600 Eagan Woods Drive, Suite 220
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*Counsel for Appellee/Cross Appellant
Hechinger Investment Company of Delaware, Inc.;
and Hechinger Liquidation Trust, as successor in interest to
Hechinger Investment Company of Delaware Inc., et al.,
Debtors in Possession*

* The Honorable Maryanne Trump Barry participated in the oral argument and panel conference and joined in the decision on this case, but discovered facts causing her to recuse from this matter prior to filing of the Opinion. The remaining judges are unanimous in this decision, and this Opinion and Judgment are therefore being filed by a quorum of the panel.

The portion of the counsel listing that appears on page 3 remains unchanged.

BY THE COURT:

/s/ Marjorie O. Rendell

Circuit Judge

Dated: June 20, 2007