

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 07-2088

VICTAULIC COMPANY,

v.

JOSEPH L. TIEMAN;
TYCO FIRE PRODUCTS, LP

(E.D.P.A. Civil No. 06-cv-05601)

JOSEPH L. TIEMAN;
TYCO FIRE PRODUCTS, LP

v.

VICTAULIC COMPANY

(E.D.P.A. Civil No. 07-cv-00512)

Victaulic Company,
Appellant

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 07-cv-00512)
District Judge: Honorable Stewart Dalzell

Argued July 11, 2007

Before: RENDELL, AMBRO and NYGAARD, Circuit Judges

(Opinion filed August 23, 2007)

Oldrich Foucek, III, Esquire (Argued)
Kelly M. Smith, Esquire
Tallman, Hudders & Sorrentino
1611 Pond Road
The Paragon Centre, Suite 300
Allentown, PA 18104

Counsel for Appellant

Stephen G. Harvey, Esquire
Cara M. Kearney, Esquire
Pepper Hamilton
18th & Arch Streets
3000 Two Logan Square
Philadelphia, PA 19103

Edward L. Friedman, Esquire (Argued)
Scott K. Davidson, Esquire
Christopher Dove, Esquire
Locke, Liddell & Sapp
600 Travis Street
3400 JP Morgan Chase Tower
Houston, TX 77002

Counsel for Appellees

ORDER AMENDING PRECEDENTIAL OPINION

AMBRO, *Circuit Judge*

IT IS NOW ORDERED that the Precedential Opinion in the above case filed August 23, 2007, be amended as follows:

On page 17, in the first line replace “employer’s” with “employee’s”.

On page 17, line four, replace the pin cite “631” with “846”.

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: September 18, 2007