

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

August 11, 2009

No. 08-1412

City of Wilkes-Barre
Appellant

v.

Robert P. Sheils, Jr., Esq., Trustee

(M.D. of Pa. No. 07-cv-01238)

Present: MCKEE, SMITH, Circuit Judges and STEARNS, District Judge

1. Motion by Appellant to Publish the Court's Not Precedential Opinion on 04/23/2009.

2. Response by Appellee Robert Sheils, Jr. In Opposition to Appellants Motion to Publish the Court's Not Precedential Opinion.

/s/ Pam Batts
Case Manager (267) 299-4943

ORDER

The foregoing Motion by Appellant to Publish the Court's Not Precedential Opinion on 04/23/2009 is GRANTED. The not precedential opinion shall be designated Precedential and filed the same date as this order.

By the Court,

/s/ D.Brooks Smith
Circuit Judge

Dated: August 25, 2009

PDB/cc: Thomas J. MacNeely, Esq.

Paul M. Perlstein, Esq.

Alexandra Bak-Boyчук, Esq.

John P. McLaughlin, Esq.