

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 15-3047

NADINE PELLEGRINO;
HARRY WALDMAN,
Appellants

v.

UNITED STATES OF AMERICA TRANSPORTATION
SECURITY ADMINISTRATION, Div. of Dept. of Homeland Security;
TSA TSO NUYRIAH ABDUL-MALIK, Sued in her individual capacity;
TSA STSO LAURA LABBEE, Sued in her individual capacity;
TSA TSO DENICE KISSINGER, Sued in her individual capacity;
JOHN/JANE DOE TSA Aviations Security Inspector
defendants sued in their individual capacities;
JOHN/JANE DOE TSA, Official Defendants, sued in their individual capacities

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
District Court No. 2-09-cv-05505
District Judge: The Honorable J. Curtis Joyner

ORDER SUR PETITION
FOR REHEARING EN BANC

Present: SMITH, *Chief Judge*, McKEE, AMBRO, CHAGARES, JORDAN,
HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, KRAUSE, RESTREPO,
BIBAS, and SCIRICA*, *Circuit Judges*

* As to panel rehearing only; will participate as a member of the en banc court pursuant to
3d. Cir. I.O.P. 9.6.4.

A majority of the active judges having voted for rehearing en banc in the above captioned cases, it is ordered that the petition for rehearing is GRANTED. The Clerk of this Court shall list the case for rehearing en banc on February 20, 2019. The opinion and judgment entered July 11, 2018 are hereby vacated.

BY THE COURT,

s/ D. Brooks Smith
Chief Judge

Dated: October 3, 2018