

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 01-1809

ARTHUR NEWMARK, M.D.,
Appellant

v.

*ANTHONY PRINCIPI, SECRETARY,
UNITED STATES DEPARTMENT OF VETERANS
AFFAIRS; TRACY BARRETT, in her
official capacity as Acting Chief
of Staff, and in her individual capacity;
MICHAEL BERKWITS, in his official capacity
as Director of the Emergency Room, and in
his individual capacity; EARL FALLAST;
JOHN DOE Nos. 1-5; PHILADELPHIA VETERANS
AFFAIRS MEDICAL CENTER

*(Substituted Pursuant to F.R.A.P. 43(c))

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil No. 99-cv-05798)
District Judge: Honorable Jan E. DuBois

Argued January 17, 2002
Before: RENDELL, FUENTES, and MAGILL*, Circuit Judges

(Opinion Filed: March 13, 2002)

* Hon. Frank J. Magill, Judge of the United States Court of Appeals for the Eighth
Circuit, sitting by designation.

ORDER AMENDING SLIP OPINION

IT IS HEREBY ORDERED that the slip opinion filed in this matter on March 13,
2002, is amended as follows:

1. On page 4, line 12, delete "(Appee. Supp. Br. at 5)."
2. On page 8, first full paragraph, first line, delete the word "the" before
"S.265."

BY THE COURT:

/s/ Marjorie O. Rendell
Circuit Judge

Dated: March 18, 2002