

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-1634

IN RE: KAISER GROUP INTERNATIONAL INC.,
Debtor

INTERNATIONAL FINANCE CORPORATION

v.

KAISER GROUP INTERNATIONAL INC.,
Appellant

FRANK J. PERCH, III,
Trustee

On Appeal from the United States District Court
for the District of Delaware
(D.C. No. 03-cv-00038)
District Judge: Honorable Joseph J. Farnan, Jr.

Argued: December 15, 2004

BEFORE: NYGAARD and GARTH, Circuit Judges
and POLLAK*, District Judge.

* Honorable Louis H. Pollak, District Judge for the United States District Court
for the Eastern District of Pennsylvania, sitting by designation.

ORDER CORRECTING FILED OPINION

The precedential opinion in the above-entitled case was filed on February 25, 2005. A citation appearing under Section IV.B., on page 22, was attributed to the District Court judge, when it properly should have been attributed to International Finance Corp, Inc., Appellee-Defendant (IFC).

Therefore, it is ORDERED that the citation in the opinion to which reference is made above, and which reads: “In reaching its holding, the District Court relied on a single bankruptcy court case, *In re Pullman Const. Indus., Inc.*, 142 B.R. 280, 282-83 (Bankr. N.D. Ill. 1992), which held a counterclaim must exist at the time of the pleading for purposes of § 106(b),” is hereby deleted and in its stead the following correct sentence is substituted: “IFC relied on a single bankruptcy court case, *In re Pullman Const. Indus., Inc.*, 142 B.R. 280, 282-83 (Bankr. N.D. Ill. 1992), which held a counterclaim must exist at the time of the pleading for purposes of § 106(b).”

BY THE COURT

/s/ Leonard I. Garth
Circuit Judge

Dated: March 14, 2005