

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-2336

CLOVERLAND-GREEN SPRING DAIRIES, INC.,

Appellant

THOMAS E. MCGLINCHEY; GERTRUDE GIORGINI;
SUE A. SPIGLER, (“Milk Consumers”) (Intervenors in D.C.)

v.

PENNSYLVANIA MILK MARKETING BOARD;
BOYD WOLFF*, in his capacity as member of the Board;
LUKE F. BRUBAKER, Individually and as member of the Board;
BARBARA GRUMBINE*, in her capacity as member of the Board;
BOYD WOLFF, Individually; BARBARA GRUMBINE, Individually

PENNSYLVANIA ASSOCIATION OF MILK DEALERS (Intervenors in D.C.)

(*Amended - See Clerk’s Order dated 6/29/05)

Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Civil Action No. 99-cv-00487)
District Judge: Honorable Yvette Kane

Argued June 8, 2006

Before: AMBRO, FUENTES and NYGAARD, Circuit Judges

(Opinion filed September 1, 2006)

ORDER AMENDING PUBLISHED OPINION

AMBRO, Circuit Judge

IT IS NOW ORDERED that the published Opinion in the above case filed September 1, 2006, be amended as follows:

On page 41, note 17, penultimate line, insert the words “does not” before the word “resolve” and after “price)”, so that the sentence ends “primarily concerned with price) does not resolve the constitutional problem.”.

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: September 18, 2006