

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-5357

DEBRA A. LAFFERTY; RANDOLPH C.
LAFFERTY, HER HUSBAND,
Appellants

v.

GITO ST. RIEL; ACHENBACH'S PASTRIES, INC.;
JOHN DOE; MARY DOE; ABC PARTNERSHIPS; DEF
CORPORATIONS; XYZ CORPORATIONS, JOINTLY,
SEVERALLY AND/OR IN THE ALTERNATIVE

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 05-cv-04094)
Chief District Judge: Honorable Harvey Bartle, III

Submitted Under Third Circuit LAR 34.1(a)
January 9, 2007

Before: McKEE, AMBRO and FISHER, Circuit Judges

(Opinion filed July 17, 2007)

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ORDER AMENDING PRECEDENTIAL OPINION

AMBRO, *Circuit Judge*

It is now ordered that the published Opinion in the above case filed July 13, 2007, and first amended on July 17, 2007, be further amended as follows:

On page 3, remove the comma between “improper” and “transferor”

On page 4, footnote 1, insert a comma between “and” and “as the District Court”

On page 10, change “Moore’s Fed.” to “Moore’s Federal”

On page 11, change “Moore’s Fed.” to “Moore’s Federal”

On page 17, insert a comma after the second “that” in the following sentence beginning “Relevant to the question before us,” so that the sentence reads:

Relevant to the question before us today is that *Shushan* acknowledged that, were the § 1406(a) transfer permissible, the plaintiff would not have “los[t] its day in court by reason of the running of the statute of limitations in another forum.”

On page 22, insert a comma between “§ 3827” and “at 581” so the citation reads as follows:

(citing Moore’s Federal Practice, *supra*, §§ 111.02, 111.38; Wright, Miller & Cooper, *supra*, § 3827, at 581 n.22).

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: November 23, 2007
SLC/cc: Daniel J. Cahill, Esq.
Lloyd G. Parry, Esq.