

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-1295

In re: CONGOLEUM CORPORATION, et al.,
Debtors

BATH IRON WORKS CORPORATION,
Appellant

On Appeal from the United States District Court
for the District of New Jersey
(District Court No. 2:22-cv-00423)

Present: CHAGARES, Chief Judge and MATEY, Circuit Judge

ORDER

The petition for rehearing filed by Appellant, Bath Iron Works Corporation, in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby ORDERED that the petition for rehearing by the panel is granted. The opinion and judgment entered on August 1, 2024 are hereby vacated.

Judge Fuentes took inactive status on September 12, 2024. Pursuant to 3d Cir. I.O.P. 12.1, the panel will be reconstituted as follows:

Michael A. Chagares, Chief Judge

Paul B. Matey, Circuit Judge

Cindy K. Chung, Circuit Judge

The appeal will be submitted to the reconstituted panel on the appellate record, including the previously filed briefs and supplemental briefs, as well as the audio recording of the oral argument held on November 15, 2023, as of the date of this order.

By the Court,

s/ Michael A. Chagares
Chief Judge

Dated: June 12, 2025
tmk/cc: all counsel of record