

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 23-1297 & 23-1349

WHITE WINSTON SELECT ASSET FUNDS, LLC;
GT ACQUISITION GROUP, INC.,
Appellants/Cross-Appellees

v.

GOOD TIMES RESTAURANTS, INC.

On Appeal from the United States District Court
for the District of Delaware
(D.C. No. 1-19-cv-02092)
Circuit Judge, sitting by designation: Hon. Stephanos Bibas

ORDER

BEFORE: CHAGARES, *Chief Judge*, JORDAN, SHWARTZ, KRAUSE, RESTREPO,
PORTER, MATEY, PHIPPS, FREEMAN, MONTGOMERY-REEVES, and CHUNG,
Circuit Judges

The petition for rehearing filed by Appellants/Cross-Appellees in the above-captioned matter having been submitted to the judges who participated in the decision of this Court and to all other available circuit judges of the Court in regular active service, it is hereby **ORDERED** that the petition for rehearing by the panel is **GRANTED** in part and the petition for rehearing en banc is **DENIED**.

The Court has amended the opinion to modify Section III B. The Clerk is directed to vacate the opinion entered on March 1, 2024 and file the amended opinion contemporaneously with this Order. As the changes do not affect the judgment, the judgment will remain as filed.

BY THE COURT

s/ L. Felipe Restrepo
Circuit Judge

Dated: May 29, 2024
tmk/cc: all counsel of record