

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Landsman & Funk PC v. Skinder-Strauss Associates

650 F.3d 311 (3d Cir. 2011) · No. Nos. 09-3105, 09-3532, 09-3793 · Decided May 17, 2011

SUMMARY

The United States Court of Appeals for the Third Circuit issued an order granting rehearing en banc in consolidated appeals. The order states that a majority of the active judges voted for rehearing; Judge Garth's vote was limited to panel rehearing.

CASE DETAILS

COURT	United States Court of Appeals for the Third Circuit
WRITING FOR THE COURT	Theodore A. McKee, Chief Circuit Judge; McKee, Chief Judge; Sloviter, Circuit Judge; Scirica, Circuit Judge; Rendell, Circuit Judge; Barry, Circuit Judge; Ambro, Circuit Judge; Fuentes, Circuit Judge; Smith, Circuit Judge; Fisher, Circuit Judge; Chagares, Circuit Judge; Jordan, Circuit Judge; Hardiman, Circuit Judge; Greenaway, Jr., Circuit Judge; Vanaskie, Circuit Judge; Garth, Circuit Judge
JURISDICTION	Federal
DECIDED	May 17, 2011
DOCKET	Nos. 09-3105, 09-3532, 09-3793
DISPOSITION	other
PROCEDURAL POSTURE	Order granting petitions for rehearing en banc in consolidated appeals.
PRECEDENTIAL VALUE	published procedural order
PARTIES	Landsman & Funk PC, and all others similarly situated, Goodrich Management Corp., on behalf of itself and all others similarly situated v. Skinder-Strauss Associates, a New Jersey Partnership, AFGO Mechanical Services Inc., Flierwire Inc. doing business as Schein Media

TOPICS

appellate procedure

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the petitions for rehearing in the consolidated appeals should be granted en banc.

HOLDINGS

1. Because a majority of the active judges voted for rehearing en banc, the petitions for rehearing were granted.

KEY QUOTATIONS

“A majority of the active judges having voted for rehearing en banc in the above consolidated appeals, it is ordered that the petitions for rehearing are GRANTED.” (650 F.3d at 311)

PROCEDURAL HISTORY

The Third Circuit considered petitions for rehearing in consolidated appeals. A majority of the active judges voted for rehearing en banc, and the court granted the petitions.

DISPOSITION

other

OPINION**PER CURIAM.**

650 F.3d 311 (2011) LANDSMAN & FUNK PC, and all others similarly situated, Appellant v. SKINDER-STRAUSS ASSOCIATES, a New Jersey Partnership. Goodrich Management Corp., on behalf of itself and all others similarly situated, Appellant v. AFGO Mechanical Services Inc., Goodrich Management Corp., on behalf of itself and all others similarly situated, Appellant v. AFGO Mechanical Services Inc. Goodrich Management Corp., On behalf of itself and all others similarly situated v. Flierwire Inc. doing business as Schein Media Goodrich Management Corp., Appellant.

Goodrich Management Corp., On behalf of itself and all others similarly situated v. Flierwire Inc. doing business as Schein Media Goodrich Management Corp., Appellant. Nos. 09-3105, 09-3532, 09-3793. United States Court of Appeals, Third Circuit. May 17, 2011. Aytan Y. Bellin, Esq., Bellin & Associates, White Plains, NY, for Appellant. Michael R. McDonald, Esq., Damian V. Santomauro, Esq., Gibbons, Newark, NJ, for Skinder-Strauss Associates.

Louis A. Bove, I, Esq., Jay M. Green, Esq., Bodell, Bove, Grace & Van Horn, Philadelphia, PA, Kristin Hitous, Esq., Rosabianca & Associates, New York, NY, for Afgo Mechanical Services Inc., Goodrich Management Corp. David J. Bloch, Esq., L'Abbate, Balkan, Colavita & Contini,

Livingston, NJ, for Flierwire Inc. Present: McKEE, Chief Judge, SLOVITER, SCIRICA, RENDELL, BARRY, AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR. VANASKIE and GARTH[*], Circuit Judges.

ORDER THEODORE A. McKEE, Chief Circuit Judge. A majority of the active judges having voted for rehearing en banc in the above consolidated appeals, it is ordered that the petitions for rehearing are GRANTED. NOTES [*] Judge Garth's vote is limited to panel rehearing only.