

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

September 28, 2009

No. 05-3621

WAYNE BERRIER, et al., Appellants

v.

SIMPLICITY MANUFACTURING, INC., Third-Party Plaintiff

v.

SUSIE SHOFF, et al., Third-Party Defendants

(E.D. Pa. No. 04-cv-00097)

Present: MCKEE, AMBRO and FISHER, Circuit Judges.

Motion by Appellee Simplicity Manufacturing, Inc. To Recall the Mandate.

/s/ Anthony Infante
Anthony Infante
Case Manager 267-299-4916

Mandate Issued on 05/26/09.

Response to Motion due 10/07/09.

ORDER

The foregoing motion is Denied.

By the Court,

/s/ Theodore A. McKee
Circuit Judge

Dated: 30 September 2009