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1995 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

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2-23-1995

## Tabas v Tabas

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

Nos. 92-1495; 92-1529

HARRIETTE S. TABAS; RICHARD S. TABAS;  
NANCY C. TABAS; GERALD LEVINSON,  
As Executors of the Estate of CHARLES L. TABAS

Appellants

v.

DANIEL M. TABAS; JOSEPH P. CAMPBELL;  
JAMES J. MCSWIGGAN; LEE A. TABAS; ROBERT TABAS;  
SUSAN TABAS TEPPER; LINDA TABAS STEMPEL;  
JOANNE TABAS WURZAK; CAROL TABAS STOFMAN; HOWARD WURZAK

On Appeal From the United States District Court  
For the Eastern District of Pennsylvania  
(D.C. Civil Action No. 91-01355)

Argued: January 26, 1993  
Before: GREENBERG, ROTH and LEWIS,  
Circuit Judges

Reargued In Banc October 18, 1994  
Before: SLOVITER, Chief Judge, BECKER, STAPLETON,  
MANSMANN, GREENBERG, HUTCHINSON, SCIRICA, COWEN,  
NYGAARD, ALITO, LEWIS, ROTH, MCKEE,  
Circuit Judges

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**ORDER AMENDING OPINION**

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Judge Becker's concurring opinion in the above-captioned case filed February 13, 1995, is amended as follows:

(1) On page 35, lines 3 to 5, the first sentence should be amended to read "I join in all of Judge Roth's lead opinion except Part IV.D, and I concur in the judgment."

(2) On page 38, line 14, remove the quotation mark before "a combination".

(3) On page 40, line 7, delete "Majority" and insert "Lead".

(4) On page 42, line 6, delete "the majority" and insert "Judge Roth".

/s/ Edward R. Becker  
Circuit Judge

DATED: February 23, 1995